

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A43-00257
Date Received: 6-08-89
Receipt No: 0007327
Received By: DS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J. R. SIMPLOT COMPANY
Address: P.O. BOX 27
BOISE, ID

83707

2. Date of Priority: APR 01, 1910

3. Source: RAFT RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	26E	13	NE	NE			CASSIA

5. Description of diverting works:
DIVERSION DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	9.600		

7. Total Quantity Appropriated is:
9.600 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	27E	6	SE	SW		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0

Section Acres 120.0

A43-00257

Page 1

Date: 06/02/89

MICROFILMED

MAR 02 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
12S	27E	7	NW NE		IRR	40.0
Section Acres						40.0
Total Acres						160.0

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
43-02010, 02045

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

ALBION-IDAHO LAND CO.
Decree Plaintiff

vs

JOBE ADAMS ET AL
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: One Map

For Organizations:

I do solemnly swear or affirm that I am _____ Secretary _____ of _____ Title _____

J. R. Simplot Company _____, that I have signed the foregoing _____ Organization _____ document in the space below as _____ Secretary _____ of _____ Title _____

J. R. Simplot Company _____ and that the statements contained in the _____ Organization _____ foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Secretary, J. R. Simplot Company
Title and Organization

6-7-89

Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of June 19 89

Vicki A. Lowe
Notary Public

Seal

Residing at _____ Meridian _____

My Commission Expires 11-06-91

MICROFILMED
MAR 02 1993

MICROFILMED

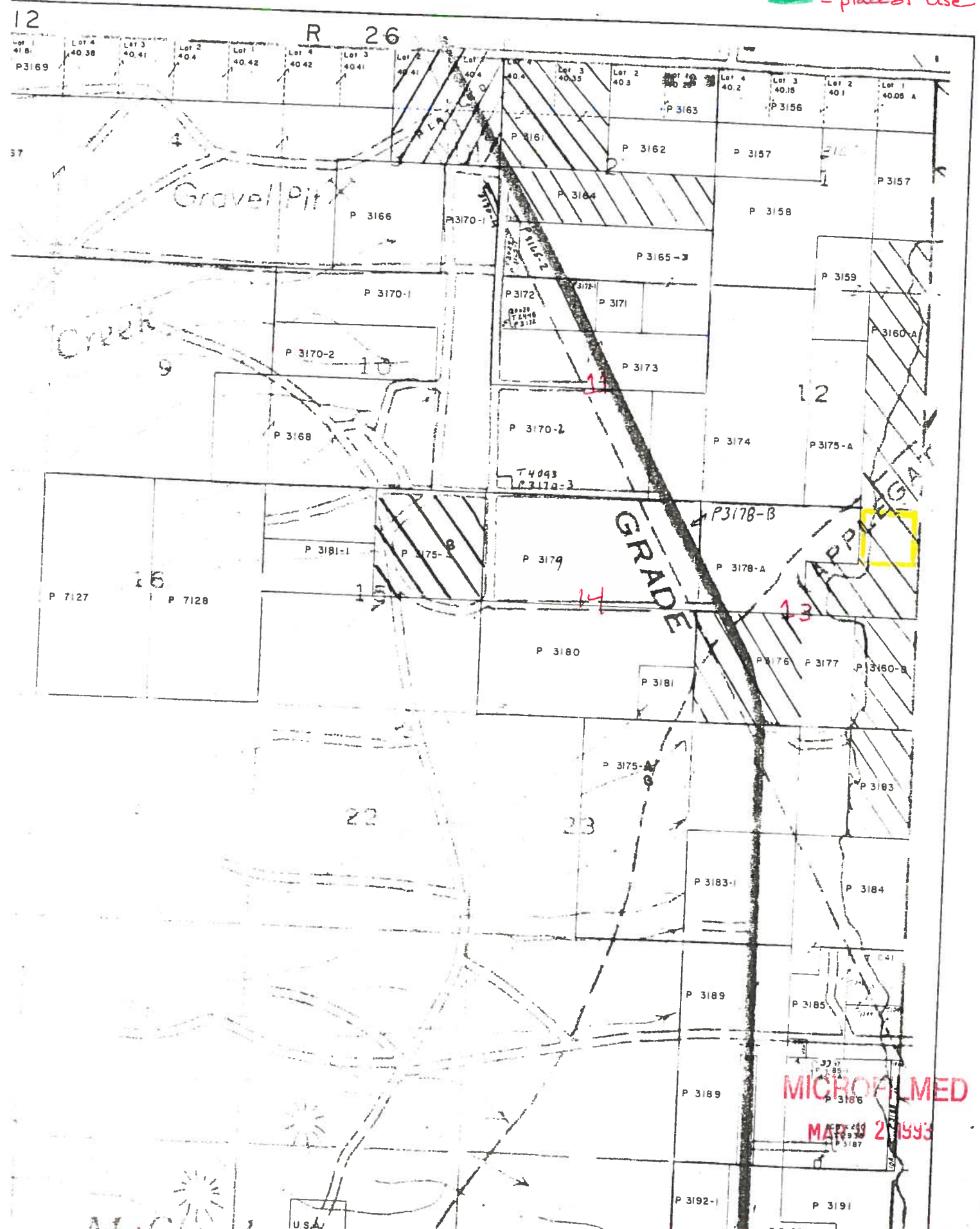
MAR 02 1993

WLR# A43-00257

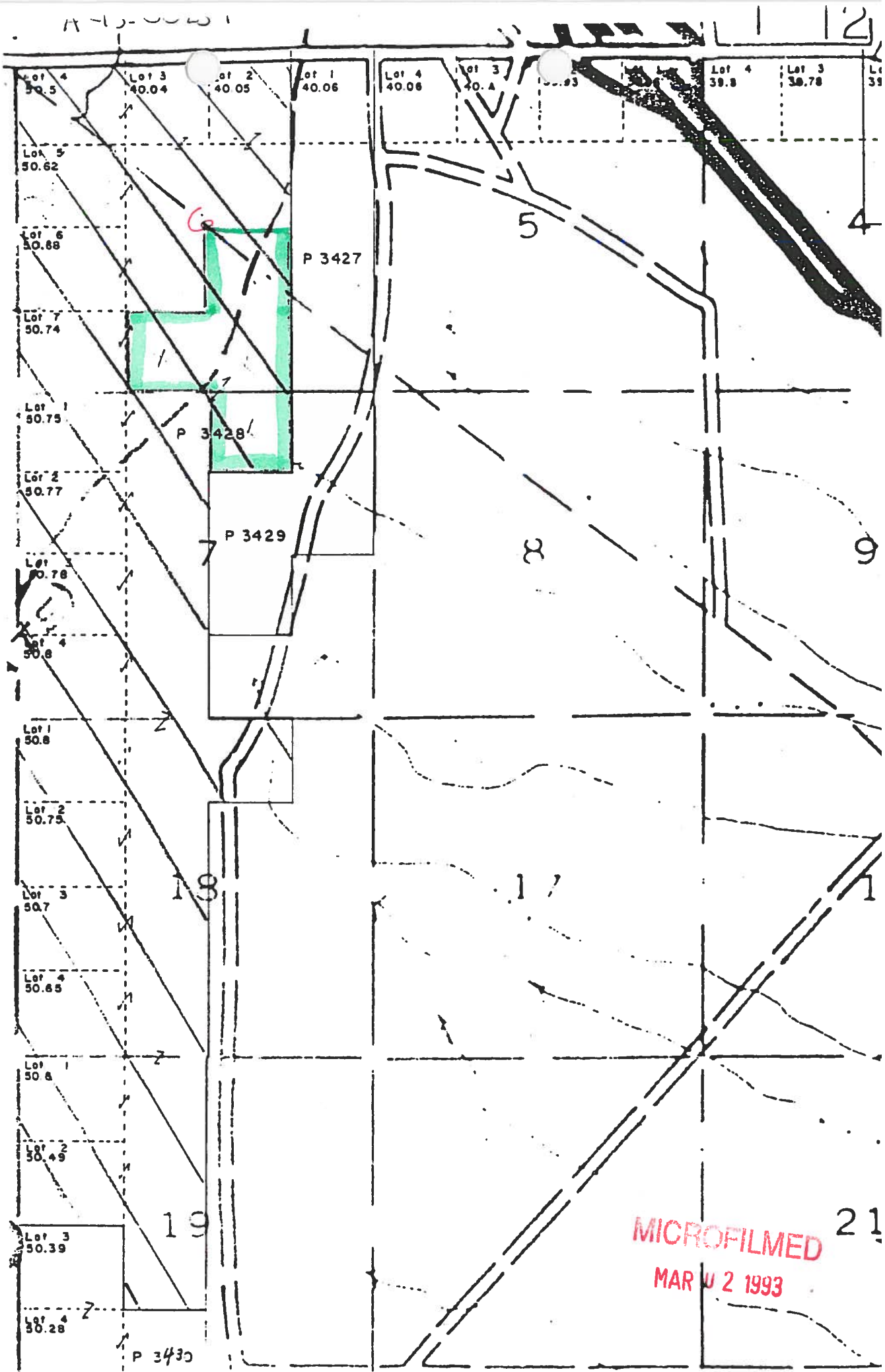
T. 12S R. 26E

■ = point of Diversion

— = place of use



T. 12S
R. 27E



INPUT: AJ_SELECTION:FRAZEE-NAME-SIMPLOT.SET

ADJUDICATION ATTORNEY NAME ADD/UPDATE

TYPE OF ACTION: ADD
MODIFY ALL FIELDS FLAG:

LAST NAME: YOUNG, GRAY OR BRUCE BELZER
ADDRESS LINE 1: J R SIMPLOT CO LEGAL DEPT
ADDRESS LINE 3: PO BOX 27
CITY: BOISE

FIRST NAME:
ADDRESS LINE 2: 999 MAIN ST STE 1300
PHONE NUMBER: (208) 389-7318

STATE: ID ZIP: 837070027

A36-04180	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A36-04181	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A36-04182	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A36-04256	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A36-07333	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A36-07636	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A36-08154	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A36-13319	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A36-13320	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A37-00141	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A37-00142	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A37-00143	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A37-00465	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A37-00692A	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A37-00692B	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A37-11907	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A37-11908	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-00099C	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-00100C	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-00101C	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-00102C	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-00103C	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-00104B	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-00105	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-00106	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-00107	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-00256	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-00257	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-00258	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-00275	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-00276	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-00277	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-00317	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-00318	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-00481	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-02010	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-02045	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-02115A	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-02115B	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-02313A	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-02329	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-02378	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-02382	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-02471	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-02472	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-02473	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-02475	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-02483	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-02484	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE

GRAY YOUNG
BRUCE BELZER
Attorneys at Law
J. R. Simplot Company Legal Department
999 Main Street, Suite 1300
P.O. Box 27
Boise, ID 83707
(208) 389-7318
(208) 389-7515 Telefacsimile

Attorneys for J. R. Simplot Company

RECEIVED
JAN 21 1992

Department of Water Resources

RECEIVED

APR 06 1993

Department of Water Resources
Southern Region Office

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF CASSIA

In Re the General Adjudication
of Rights to the Use of Water
From the Snake River Drainage
Basin Water System.

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States;
The State of Idaho;
and All Claimants to the Use
of Water from the Snake River
Basin Water System,

Respondents.

ALICE FOSHA, HELEN FLINT, and
BEVERLY ADAMS, individuals,

Plaintiffs,

vs.

A. KENNETH DUNN, Director of the
Department of Water Resources
of the State of Idaho,

Twin Falls County
Civil Case No. 39576

and

Cassia County
Civil Case No. 13770-12-83

NOTICE OF APPEARANCE

*Don modified thru
C.A.N. program.*

*4-1-93
- Jf*

Defendants.)

IN THE MATTER OF THE GENERAL)
DETERMINATION OF RIGHTS TO THE)
USE OF GROUNDWATER DIVERTED)
FROM SECTIONS 19, 20, 21, 28, 29,)
30, 31, 32, AND 33, T. 11 S.,)
R. 27 E., B.M.)

A. KENNETH DUNN, Director of the)
Department of Water Resources)
of the State of Idaho,)

Counterplaintiff,)

vs.)

ALICE FOSHA, HELEN FLINT, and)
BEVERLY ADAMS, individuals,)

Counterdefendants.)

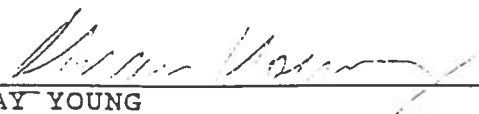
TO ALL PARTIES:

GRAY YOUNG, Assistant General Counsel, J. R. Simplot
Company, hereby enters his appearance as co-counsel on behalf
of J. R. Simplot Company in this action. All notices to
J. R. Simplot Company should be delivered to the following
address:

Gray Young
Bruce Belzer
J. R. Simplot Company
Legal Department
999 Main Street, Suite 1300
P.O. Box 27
Boise, ID 83707

DATED this 20th day of January, 1992.

By


GRAY YOUNG
Assistant General Counsel

4507vrl-20-92/1:42

CERTIFICATE OF MAILING

I HEREBY CERTIFY that a true and correct copy of the foregoing NOTICE OF APPEARANCE was mailed this 20th day of January, 1992, in an envelope with sufficient first-class postage prepaid thereon to the following:

Idahome Farms, Inc.
1925 Oakley Avenue
Burley, ID 83318

Dennis Jay Harper
Star Route
Declo, ID 83323

Roland Allen Land &
Livestock
Star Route
Malta, ID 83342

Mark J. Taylor
Strong & Hanni
5th Floor, Boston Building
Salt Lake City, UT 84111
Attorney for Fosha, et al.

Leo A. Jardine
Jardine, Linebaugh,
Brown & Dunn
Suite 400
370 East South Temple
Salt Lake City, UT 84111
Attorney for Raft River Ranches, Inc.

A. Lynne Krogh-Hampe
Deputy Attorney General
Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706-2237


VICKI SPANGLER

01/29/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-257

NAME AND ADDRESS: J R SIMPLOT COMPANY
PO BOX 27
BOISE, ID 83707

ROUGH RECOM

SOURCE: RAFT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 9.6 CFS

VERIFIED BY KSC

PRIORITY DATE: 04/01/1910

POINT OF DIVERSION: T12S R26E S13

NENE

Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
3-15 11-15

QUANTITY
9.60 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T12S R27E S6	SESW	40	T12S R27E S6	NWSE	40
T12S R27E S6	SWSE	40	T12S R27E S7	NWNE	40

160 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

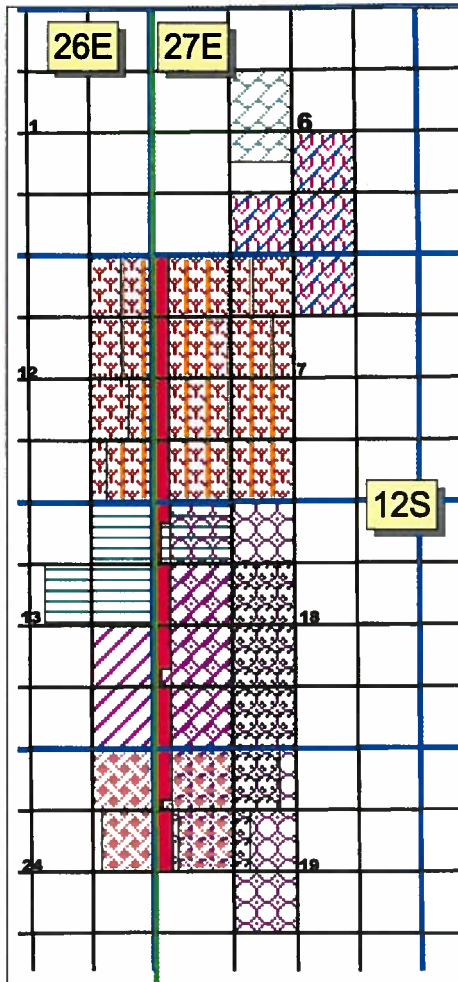
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This preliminary recommendation is based upon inadequate
information and does not reflect the expected final
recommendation for this right and any other overlapping
rights. Communication between the claimant and the department
is required to resolve the outstanding issues.

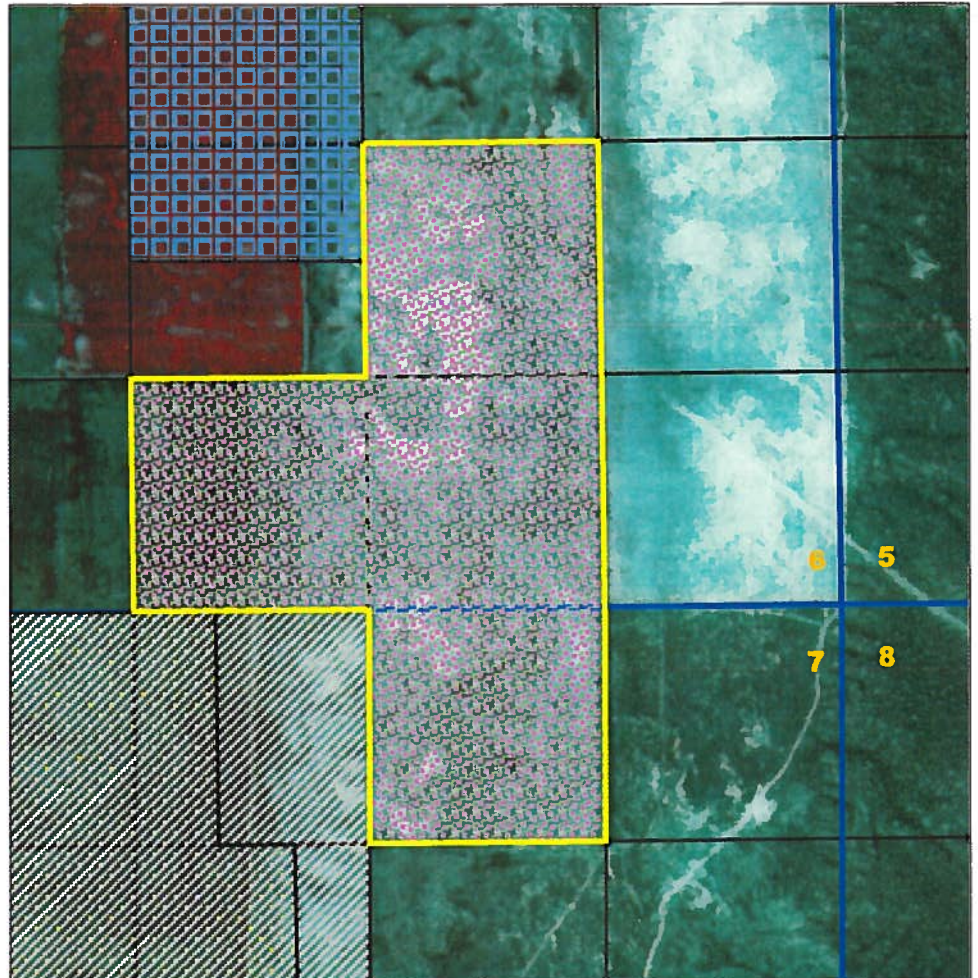
Idaho Department of Water Resources

RECOMMENDED PLACE OF USE FOR 43-257 and 43-2010



BAR C PLACE OF USE OVERVIEW

- 43-2010
- 43-2045
- 43-2378
- 43-2484
- 43-2522
- 43-2547
- 43-2548
- 43-257
- 43-4195
- 43-4202
- no claim



**LICENSED PLACE OF USE
PRELIMINARY RECOMMENDED P/U**

- 43-257
- 43-2010 - DISALLOWED



This preliminary recommendation is based upon inadequate information and does not reflect the expected final recommendation for this right and any other overlapping rights. Communication between the claimant and the department is required to resolve the outstanding issues.

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

- RECOMMENDED POINT OF DIVERSION
- RECOMMENDED PLACE OF USE
- SECTION LINES
- QUARTER/QUARTER LINES

PLACE OF USE
TWP 12S, RNG 26E and 27E,
SEC 6 & 7
Data entry on January 29, 2001

Recommendation

13:16:21
11/29/99
34

CLAIM NUMBER: A43-00257

POU County: CASSIA

Non-Irrigation Uses: NONE

Other Rights: 43-02010, 02045

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number: 438	Field Inspection Flag: Presumption Flag:	

thereto, for the irrigation of
E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 19, and 2 $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$
and NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, Twp. 13 S.
R. 27 E.B.M., excepting a tract
of land described as follows:
Beginning at the SW corner of the
NW $\frac{1}{4}$, Sec. 30, Twp. 13 S. R. 27
E.B.M., thence East 13 $\frac{1}{2}$ rods,
thence North 1 mile, thence West
13 $\frac{1}{2}$ rods, thence South 1 mile to
the place of beginning.

W. J. Pierce

1909-Sept. 13 0256 1.04 s.f. c²⁷⁵

To be diverted from Raft River
for the irrigation of
Lot 1, Sec. 31 and Lot 3, Sec.
30, Twp. 11 S. R. 27 E.B.M.

1910-Apr. 13 0257 6 1.2 s.f. c²⁷⁷

To be diverted from Raft River
for the irrigation of
SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 6, NW $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 7, Twp. 12 S. R. 27 E.B.M.

1911-June 13 0258 1.84 s.f. c²⁸¹

To be diverted from Raft River
for the irrigation of NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 23, Twp. 11 S. R. 26 E.B.M.,
and Lot 3, Sec. 30, Twp. 11 S. R.
27 E.B.M.

John Popleton and
Mrs. John Popleton

1911-July 13 0259 1 s.f. c³⁴¹
1914-Nov. 13 0260 0.9 s.f. c³⁴⁷

To be diverted from Kelso Spring,
located on NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, Twp.
15 S. R. 27, for the irrigation
of S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, Twp. 15
S. R. 27 E.B.M.

Portland Mortgage Company

1881-Aug. 13 0261 4.46 s.f. c⁸³

To be diverted from Raft River
for the irrigation of
NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36,
Twp. 9 S. R. 27 E.B.M.

1881-Aug. 13 0262 2.36 s.f. c⁸³

To be diverted from Raft River
for the irrigation of W $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 36, Twp. 9 S. R. 27 E.B.M.

Mrs. E. S. Rasmussen

1883-June 8 0263 .86 s.f. c¹³⁸
1885-Apr. 30 0264 .04 s.f. c¹⁶⁹

To be diverted from Cassia Creek
for the irrigation of Homestead
Survey No. 203, described as
follows: Beginning at corner No. 1
from which the west quarter corner
to Sec. 6, Twp. 14 S. R. 25 bears
North 74° 27' East 66.31 chains
distant, thence South 60° 42' West
21.58 chains to corner No. 2.

Open to a portion of
all and the portion of
Paul & L. 14 S. R. 24
E.B.M.

R PROOF

CVR

MAPS

PHOTOS

MISC