

COPY

RECEIVED

AUG 17 2001

Department of Water Resources  
Southern Region

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 43-2378  
Date Received: 6/8/89  
Receipt No: C007327  
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

J R SIMPLOT CO  
PO BOX 27  
BOISE ID USA 83707

Phone:

2. Date of Priority: 03/22/1952

3. Source: GROUND WATER

Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 12S      | 26E   | 12      | SE SE                 | CASSIA |      |
| 12S      | 26E   | 13      | SW NE                 | CASSIA |      |
| 12S      | 27E   | 19      | NE SW                 | CASSIA |      |
| 12S      | 26E   | 24      | NE NE                 | CASSIA |      |

5. Description of diverting works:

5 WELLS, PUMPS, AND MAINLINE

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| IRRIGATION | 3/15 | 11/15 | 2.4    |            |

7. Total Quantity Appropriated is:  
2.4 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 |    | Lot | Use           | Acres |
|----------|-------|---------|------------|----|-----|---------------|-------|
| 12S      | 26E   | 1       | SE         | SE |     | IRRIGATION    | 14    |
|          |       |         |            |    |     | Section Acres | 14    |
| 12S      | 26E   | 12      | NE         | NE |     | IRRIGATION    | 11    |
|          |       |         | SE         | NE |     | IRRIGATION    | 14    |
|          |       |         | NE         | SE |     | IRRIGATION    | 32    |
|          |       |         | SE         | SE |     | IRRIGATION    | 39    |
|          |       |         |            |    |     | Section Acres | 96    |
| 12S      | 26E   | 13      | NE         | NE |     | IRRIGATION    | 39    |
|          |       |         | SE         | NE |     | IRRIGATION    | 40    |
|          |       |         | SW         | NE |     | IRRIGATION    | 27    |
|          |       |         | NE         | SE |     | IRRIGATION    | 39    |
|          |       |         | SE         | SE |     | IRRIGATION    | 39    |
|          |       |         |            |    |     | Section Acres | 184   |
| 12S      | 26E   | 24      | NE         | NE |     | IRRIGATION    | 39    |
|          |       |         | SE         | NE |     | IRRIGATION    | 39    |
|          |       |         |            |    |     | Section Acres | 78    |
| 12S      | 27E   | 6       | NE         | NW | 3   | IRRIGATION    | 11    |
|          |       |         | NW         | NW | 4   | IRRIGATION    | 21    |
|          |       |         | SE         | NW |     | IRRIGATION    | 30    |
|          |       |         | SW         | NW | 5   | IRRIGATION    | 49    |
|          |       |         | NE         | SW |     | IRRIGATION    | 30    |
|          |       |         | NW         | SW | 6   | IRRIGATION    | 49    |
|          |       |         | SW         | SW | 7   | IRRIGATION    | 39    |
|          |       |         |            |    |     | Section Acres | 229   |
| 12S      | 27E   | 7       | NW         | NW | 1   | IRRIGATION    | 45    |
|          |       |         | SE         | NW |     | IRRIGATION    | 17    |
|          |       |         | SW         | NW | 2   | IRRIGATION    | 51    |
|          |       |         | NE         | SW |     | IRRIGATION    | 19    |
|          |       |         | NW         | SW | 3   | IRRIGATION    | 51    |
|          |       |         | SE         | SW |     | IRRIGATION    | 38    |
|          |       |         | SW         | SW | 4   | IRRIGATION    | 51    |
|          |       |         |            |    |     | Section Acres | 272   |
| 12S      | 27E   | 18      | SE         | NW |     | IRRIGATION    | 39    |
|          |       |         | NE         | NW |     | IRRIGATION    | 40    |
|          |       |         | NW         | NW | 1   | IRRIGATION    | 51    |
|          |       |         | SW         | NW | 2   | IRRIGATION    | 51    |
|          |       |         | NE         | SW |     | IRRIGATION    | 39    |
|          |       |         | NW         | SW | 3   | IRRIGATION    | 51    |
|          |       |         | SE         | SW |     | IRRIGATION    | 39    |
|          |       |         | SW         | SW | 4   | IRRIGATION    | 51    |
|          |       |         |            |    |     | Section Acres | 361   |
| 12S      | 27E   | 19      | NE         | NW |     | IRRIGATION    | 36    |
|          |       |         | NW         | NW | 1   | IRRIGATION    | 51    |
|          |       |         | SE         | NW |     | IRRIGATION    | 7     |

SW NW 2 IRRIGATION 51  
Section Acres 145  
Total Acres 1379

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: 43-2484, 43-2522, 43-2547, 43-2548, 43-10426

14. Remarks:

2 WELLS IN SEC. 19, NE 1/4, SW 1/4

**CLAIM AMENDED TO INCLUDE ALL IRRIGATED ACRES IN THE SYSTEM UNDER A PERMISSABLE PLACE OF USE. THIS RIGHT IS LIMITED TO 160 ACRES. 6/22/01 jr**

15. Basis of Claim: License

16. Signature(s)

43-2378

06/22/2001

3

(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: 0

For Organizations:

I do solemnly swear or affirm that I am Vice President,  
Secretary and General Counsel of  
J. R. Simplot Company, that I have signed the foregoing  
Organization Vice President,  
document in the space below as Secretary and General Counsel of  
J. R. Simplot Company and that the statements contained in the  
Organization  
foregoing document are true and correct.

Vice President, Secretary and General Counsel, J. R. Simplot Company

Ronald N. Graves  
Signature of Authorized Agent  
Title and Organization

August 16, 2001

Date

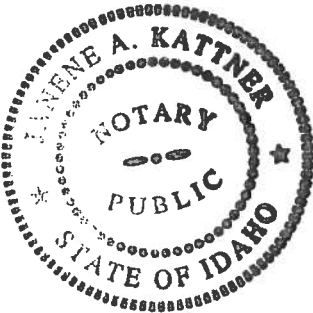
State of Idaho )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 16<sup>th</sup>  
of August 2001

Janene A. Kattner  
Notary Public

Residing at Boise, ID

My commission Expires 5/31/02





J.R. SIMPLOT COMPANY ONE CAPITAL CENTER 999 MAIN STREET SUITE 1300  
P.O. BOX 27 BOISE, IDAHO 83707-0027 (208) 336-2110 FAX (208) 389-7515

CORPORATE HEADQUARTERS

RECEIVED  
AUG 17 2001  
Department of Water Resources  
Southern Region

**August 16, 2001**

Jeannie Robertson  
Adjudication Agent  
State of Idaho  
Department of Water Resources  
1341 Fillmore, Suite 200  
Twin Falls, ID 83301

**Re: SRBA Claims Nos. 43-10426, 43-2378, 43-2484, 43-2522, 43-2548, 43-2547, 43-4202, 43-4195 (Simplot's Bar M Ranch).**

Dear Jeannie:

Enclosed are amendments to the above referenced SRBA claims. Please arrange for these amended claims to be filed in the SRBA and then please send me written confirmation of that filing.

Sincerely,

Vic Conrad  
Land and Development

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

September 7, 2001

VIC CONRAD  
LAND AND DEVELOPMENT  
J R SIMPLOT COMPANY  
PO BOX 27  
BOISE ID 83707-0027

RE: SRBA AMENDED CLAIMS: 43-2378, 43-2484, 43-2522, 43-2547, 43-2548,  
43-4195, 43-4202, & 43-10426

Dear Vic,

Enclosed are your copies of the amended claims you recently submitted. I have made my recommendations accordingly, reflecting the information we agreed upon in our meetings, which precipitated these amendments. I probably should not have included 43-4195 and 43-4202 in these amendments. They were a part of our original plan, which we later ended up changing, and reflected **beneficial use claims connected to a particular license** due to the government lot issue. I have recommended these two for disallowal, recognizing that **all the beneficial acres will now be recommended in 43-10426.**

I am also including a color layout of the property as will be recommended in the upcoming Director's Report, since you didn't receive one in our preliminary mailing.

Please feel free to call if you have any questions.

Sincerely,

Jeanie Robertson  
Sr. Water Resource Agent

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: A43-02378  
Date Received: 6-08-89  
Receipt No: C00732.7  
Received By: DF

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: MAR 22, 1952
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 12S      | 26E   | 12      |        | SE     | SE  |     | CASSIA |
|          |       | 13      |        | SW     | NE  |     | CASSIA |
|          |       | 24      |        | NE     | NE  |     | CASSIA |
|          | 27E   | 19      |        | NE     | SW  | ✓   | CASSIA |

5. Description of diverting works:  
5 WELLS, PUMPS, AND MAINLINE
6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 2.400  |      |        |
7. Total Quantity Appropriated is:  
2.400 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 480.0 Acre Feet Per Annum.
9. Non-irrigation uses:  
NONE

A43-02378

Page 1

Date: 06/07/89

MICROFILMED  
MAR 03 1993

10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
| 12S      | 27E   | 18      | SE         | NW  | IRR           | 40.0  |
|          |       |         | NE         | SW  | IRR           | 40.0  |
|          |       |         | SE         | SW  | IRR           | 40.0  |
|          |       |         |            |     | Section Acres | 120.0 |
|          |       | 19      | NE         | NW  | 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:  
43-04202

14. Remarks:  
2 WELLS IN SEC. 19, NE 1/4, SW 1/4

15. Basis of Claim: LICENSE  
Water Right Number: 22665

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.

*Donald Thomas*  
Signature of Authorized Agent  
Secretary, J. R. Simplot Company  
Title and Organization  
6-8-89  
Date

State of Idaho )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 8th day  
of June 19 89

*Vicki D. Lower*  
Notary Public

Seal

Residing at \_\_\_\_\_ Meridian \_\_\_\_\_  
My Commission Expires 11-06-91

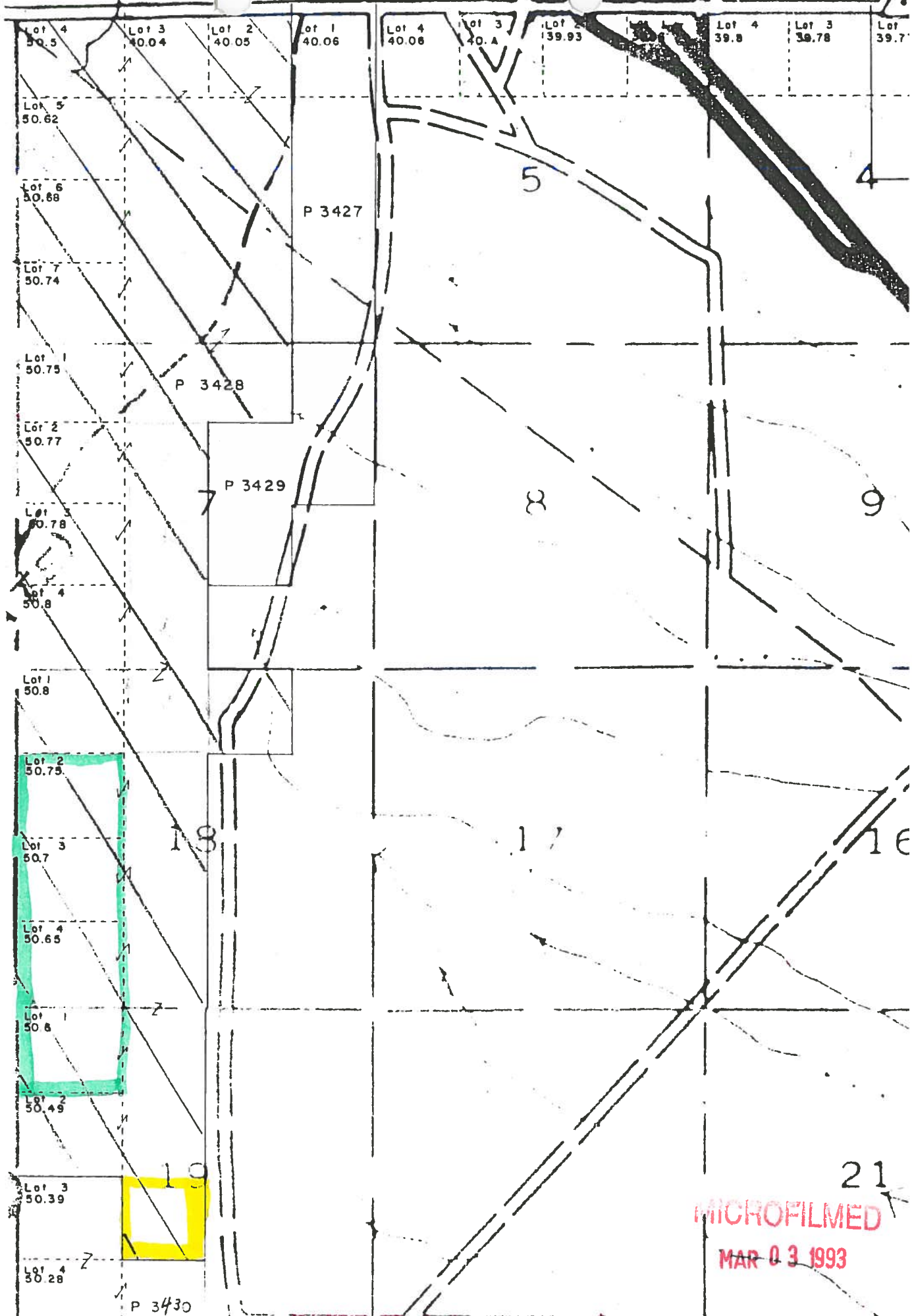


MAR 03 1993

T. 17.5 R. 27E

A43-025 18

12



21  
MICROFILMED  
MAR 03 1993

INPUT: AJ\_SELECTION:FRAZEE-NAME-SIMPLET.SET

ADJUDICATION ATTORNEY NAME ADD/UPDATE

TIME: 23:15:44.0  
PAGE: 3

TYPE OF ACTION: ADD  
MODIFY ALL FIELDS FLAG:

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

FIRST NAME:  
ADDRESS LINE 2: 999 MAIN ST STE 1300  
STATE: ID ZIP: 837070027  
PHONE NUMBER: (208) 389-7318

|            |               |                                 |
|------------|---------------|---------------------------------|
| 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. )

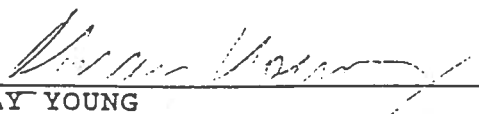
TO ALL PARTIES:

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

VERIFIED BY X 9/6/01  
09/06/2001

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

43-2378

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.40 CFS  
640.0 AFY

PRIORITY DATE: 03/22/1952

POINT OF DIVERSION:

T12S R26E S12 NESESE Within CASSIA County  
T12S R26E S13 SWSWNE Within CASSIA County  
T12S R26E S24 NWNENE Within CASSIA County  
T12S R27E S19 NENESW Within CASSIA County  
T12S R27E S19 SWNESW Within CASSIA County

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY                |
|----------------|---------------|-------------------------|
| IRRIGATION     | 03/15 11/15   | 2.400 CFS<br>640.00 AFY |

PLACE OF USE:

IRRIGATION Within CASSIA County

|                     |      |      |                     |      |      |
|---------------------|------|------|---------------------|------|------|
| T12S R26E S12       | NENE | 11.0 | T12S R26E S12       | SENE | 14.0 |
| T12S R26E S01       | SESE | 14.0 | T12S R26E S12       | NESE | 32.0 |
| T12S R26E S12       | SESE | 39.0 | T12S R26E S13       | NENE | 39.0 |
| T12S R26E S13       | SWNE | 27.0 | T12S R26E S13       | SENE | 40.0 |
| T12S R26E S13       | NESE | 39.0 | T12S R26E S13       | SESE | 39.0 |
| T12S R26E S24       | NENE | 39.0 | T12S R26E S24       | SENE | 39.0 |
| T12S R27E S18       | NENW | 40.0 | T12S R27E S18 Lot 1 | NWNW | 51.0 |
| T12S R27E S18 Lot 2 | SWNW | 51.0 | T12S R27E S18       | SENE | 39.0 |
| T12S R27E S18       | NESW | 39.0 | T12S R27E S18 Lot 3 | NWSW | 51.0 |
| T12S R27E S18 Lot 4 | SWSW | 51.0 | T12S R27E S18       | SESW | 39.0 |
| T12S R27E S19       | NENW | 36.0 | T12S R27E S19 Lot 1 | NWNW | 51.0 |
| T12S R27E S19 Lot 2 | SWNW | 51.0 | T12S R27E S19       | SENE | 7.0  |
| T12S R27E S06 Lot 3 | NENW | 11.0 | T12S R27E S06 Lot 4 | NWNW | 21.0 |
| T12S R27E S06 Lot 5 | SWNW | 49.0 | T12S R27E S06       | SENE | 30.0 |
| T12S R27E S06       | NESW | 30.0 | T12S R27E S06 Lot 6 | NWSW | 49.0 |
| T12S R27E S06 Lot 7 | SWSW | 39.0 | T12S R27E S07 Lot 1 | NWNW | 45.0 |
| T12S R27E S07 Lot 2 | SWNW | 51.0 | T12S R27E S07       | SENE | 17.0 |
| T12S R27E S07       | NESW | 19.0 | T12S R27E S07 Lot 3 | NWSW | 51.0 |
| T12S R27E S07 Lot 4 | SWSW | 51.0 | T12S R27E S07       | SESW | 38.0 |

1379 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF  
USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED  
TOTAL OF 1146 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.:  
43-2378, 43-2484, 43-2522, 43-2547, 43-2548, & 43-10426.

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

IDAHO DEPARTMENT OF WATER RESOURCES 09/06/2001  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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: License

# Memorandum

To: Simplot Bar M Ranch Rights

CC: 43-2378, 43-2484, 43-2522, 43-2547, 43-2548, 43-4195, 43-4202, & 43-10426

From: Jeanie Robertson

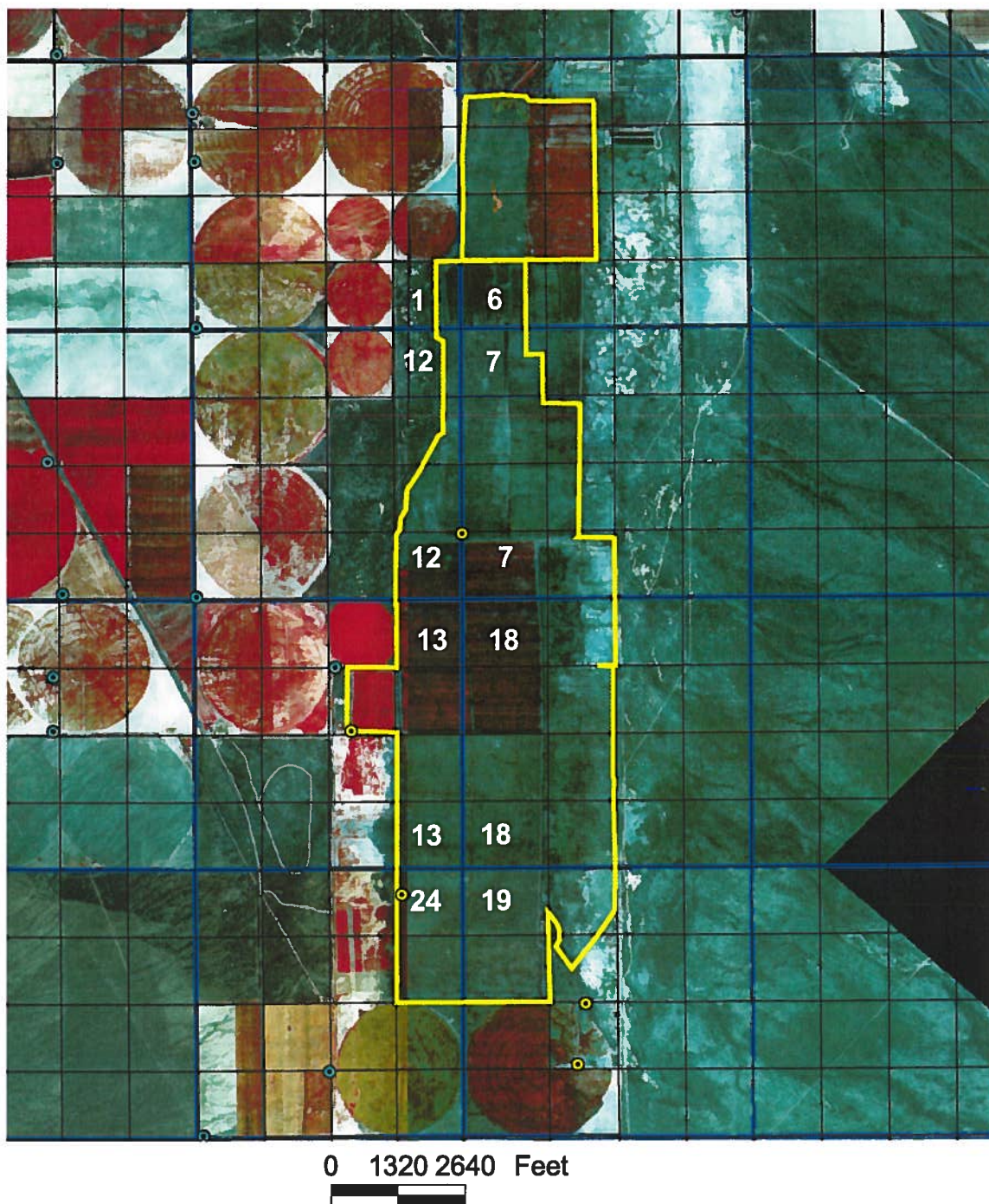
Date: 9/7/2001

Re: Recommendations

Kelly Christensen and myself met with Vic Conrad, representative for Simplot, several times, trying to answer questions we had about these claims. There are five licenses, two statutory claims and one beneficial use claim associated with this property. We had originally planned to recommend the two statutory claims as beneficial use rights developed at the same time as licenses but not licensed due to government lot issues. 43-4195 was to be associated with license 43-2547 for an extra 31 acres, and 43-4202 was to be associated with license 43-2522 for an extra 30.5 acres. We then opted to include all the beneficial use acres under one right, 43-10426. This amounted to 118.2 acres. There were various amounts of water measured during field exams for the licenses but were not included in the licenses because of either original permit or acre limitations. A total system capacity of 3.78 cfs was available, which allowed a claim and recommendation of 2.36 cfs, an inch per acre for the 118.2 acres. We then disallowed the two statutory claims 43-4195 and 43-4202 and recommended them as 43-10426. A total of 1379 acres appeared to be irrigated in the 1987 aerial photos. The licenses and beneficial use right (43-10426) totaled 1146 acres. Simplot declined to file an expansion claim for the extra acres and decided to just be limited to the 1146 acres within the 1379 acre ppu. The rights are all recommended to the 1379 acre ppu, with their own acre limitations and within a total of 1146 acres in any given year.

|         |                            |
|---------|----------------------------|
| 43-2522 | .85 cfs avail. up.         |
| 43-2547 | .16 cfs avail. up.         |
| 43-2548 | 2.37 cfs avail. up.        |
| 43-2484 | .4 cfs avail. up.          |
|         | <u>3.78 cfs avail. up.</u> |

43-2378, 43-2484, 43-2522, 43-2547, 43-2548 & 43-10426



RECOMMENDED PLACE OF USE  
DATA ENTRY ON SEPT. 6, 2001  
TWP 12S, RNG 26E, SEC. 1, 12, 13, & 24  
TWP 12S, RNG 27E, SEC. 6, 7, 18, & 19

- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

Gis Place of Use Presentation  
1987/1988 Napp Photography  
Prepared by Jeanie Robertson

43-2378 meas. & lic. @ 2.4 cfs on (160 Ac.)

43-2484 6.8 cfs meas. (367 Ac.)

- 6.4 cfs lic. (permit app.)

.4 cfs available

43-2522 3.84 cfs meas. (149.5 Ac.)

- 2.99 cfs lic. (acre limitation)

.85 cfs available

43-2547 4.16 cfs meas. (200 Ac.)

- 4.00 cfs lic. (acre limitation)

.16 cfs available

≡

.4

.85

.16

43-2548 5.4 cfs meas.

- 3.03 cfs lic. (acre limitation)

2.37 cfs available

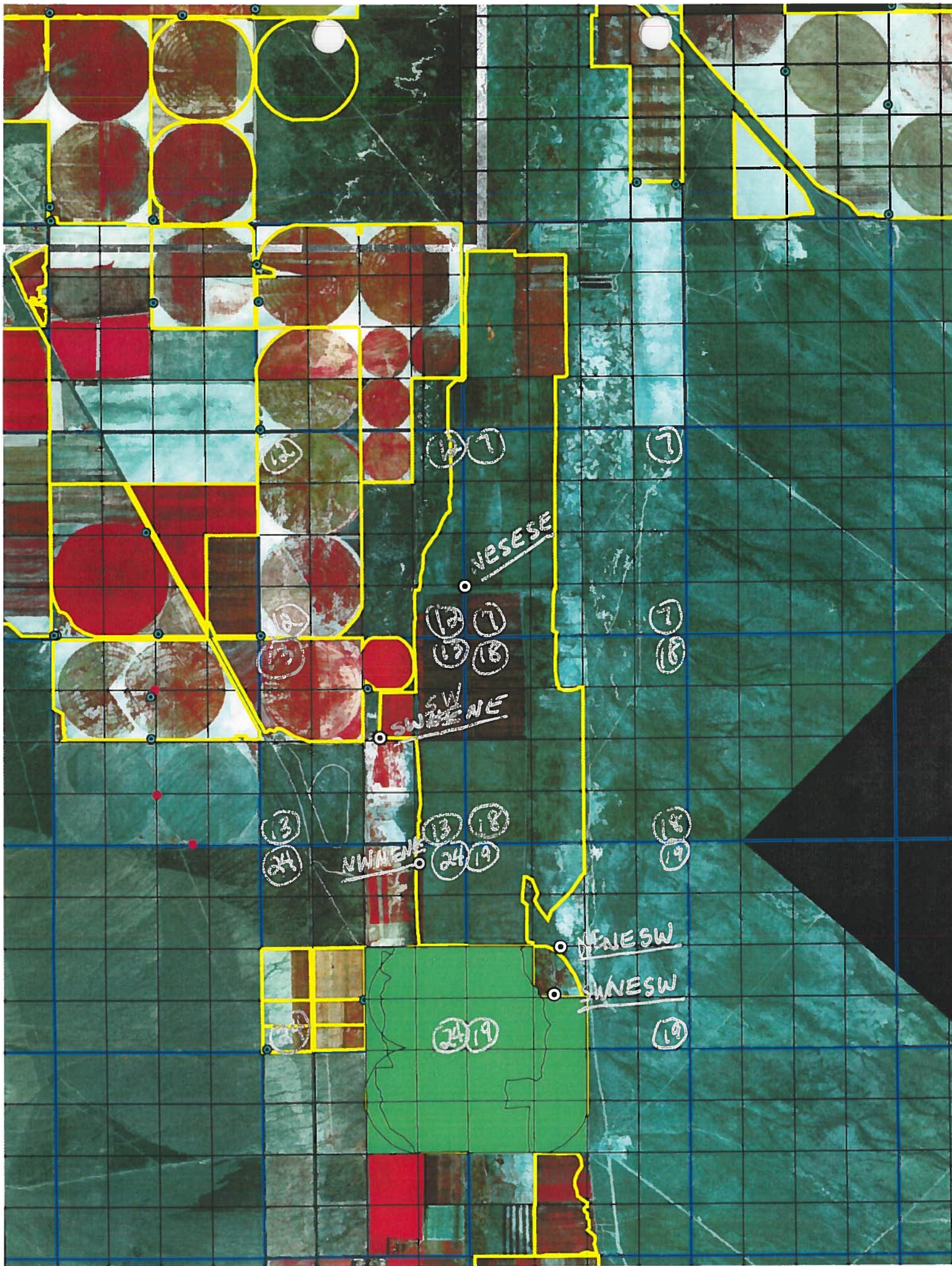
2.37

3.78 cfs T  
avail

43-10426 sec. 118.2 B.U. acres

needs. 2.36 cfs @ 1" per acre - OK





7/25/01

Simplot Well #1  
pole # 15013

GE Motor 100 hp  
model 5K6276XC72A

Serial YXT1103125

Layne Bowler Pump (no plate?)

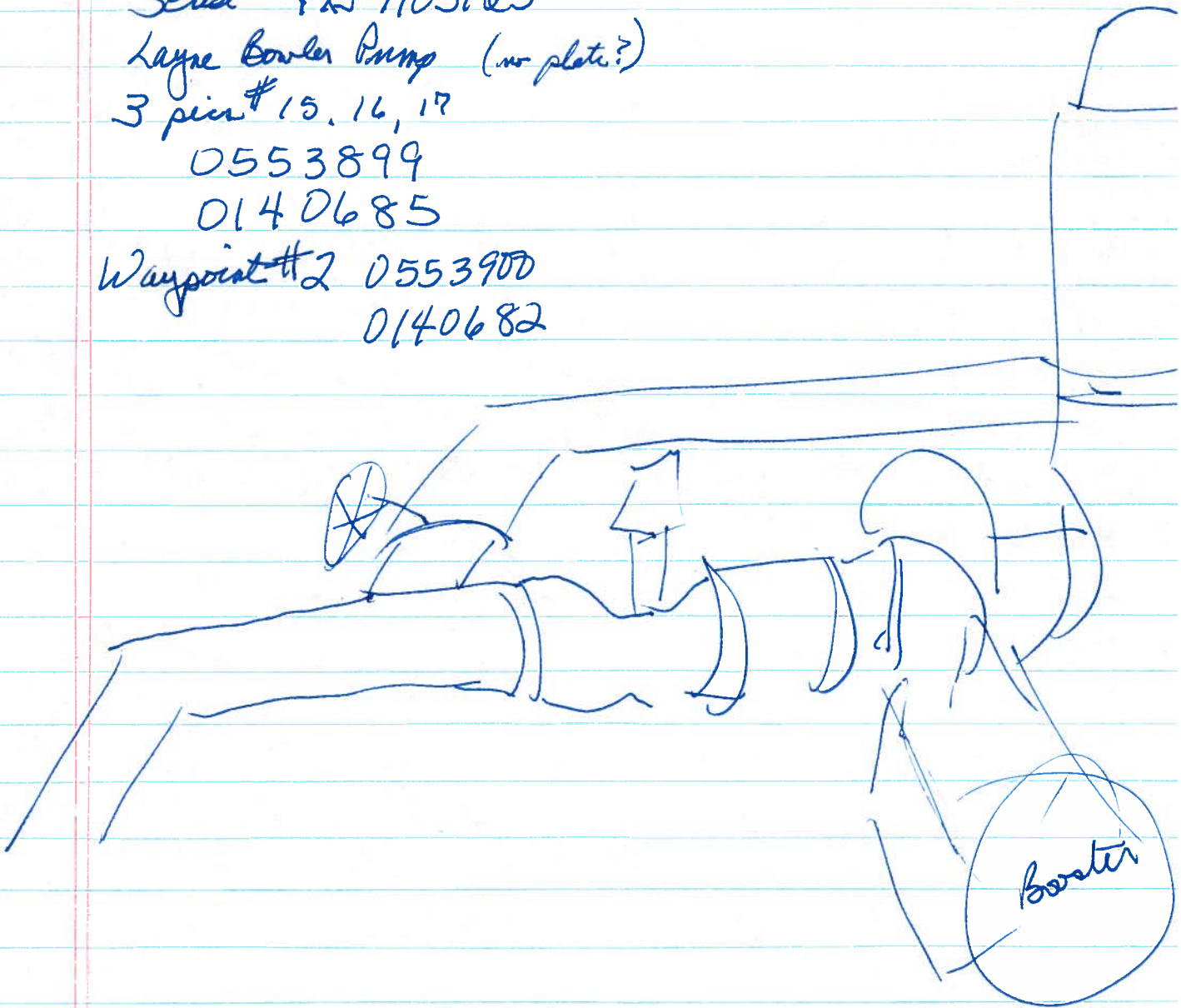
3 pins #15, 16, 17

0553899

0140685

Waypoint #2 0553900

0140682



one of 2 in ~~NE~~<sup>NESW</sup> of Sec. 19, T12S, R27E (I think!)

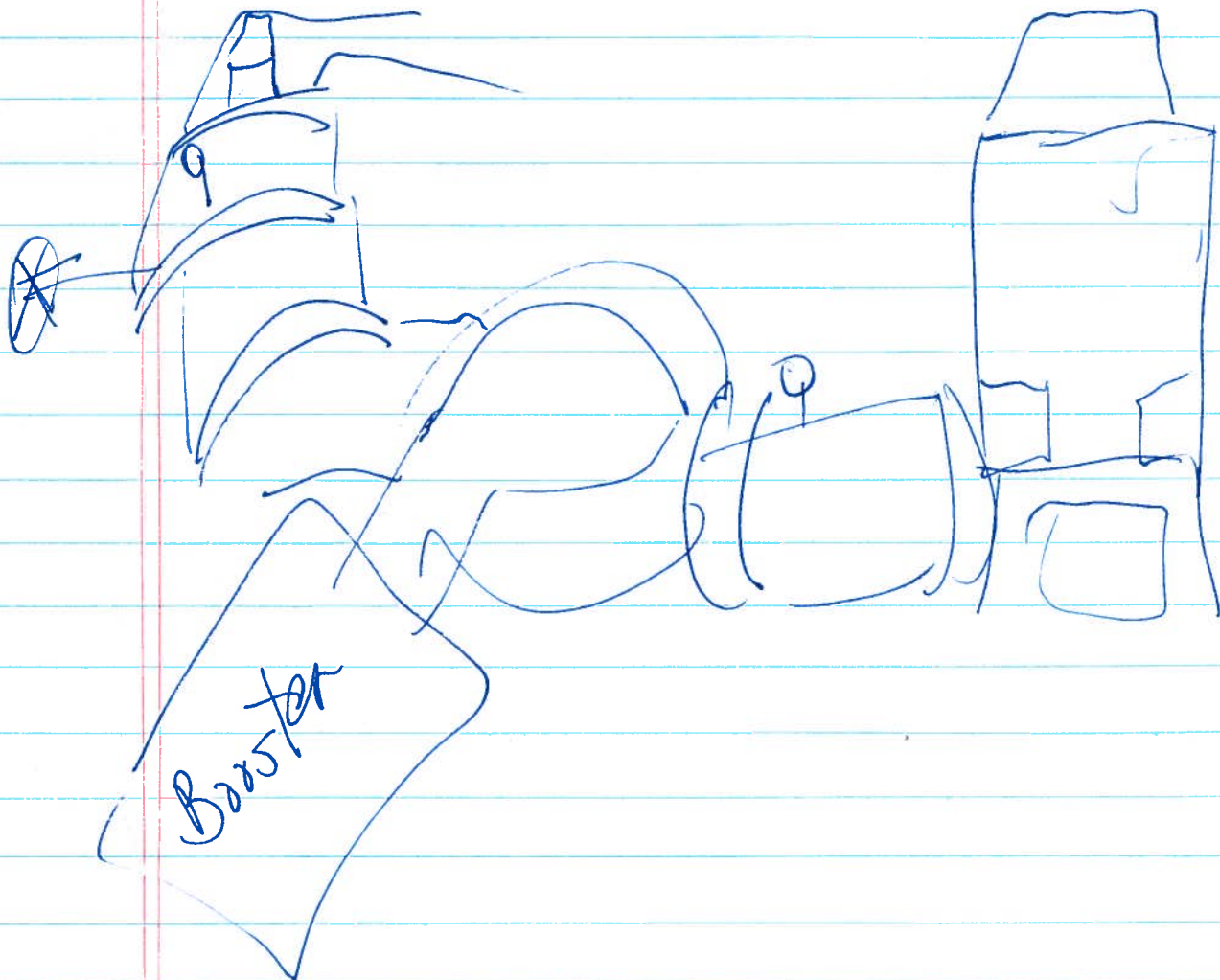


7/25/01

Simplot Well #2  
pole # 15016

Waypoint #3 0553853  
0140316

GE Motor 100hp  
model 5K4444X621A3  
serial NVJ10611  
Franklin Mower Pump (~~9666~~)  
2 pin # 18, 19 9366



other well in NESW of Sec. 19, T12S, R27E (I think!)



Simplot Well #2 T12S, R27E, Sec. 19 SWNESW

7/25/01

Simplot Well #3  
pole # 14044

GE Motor 100 hp

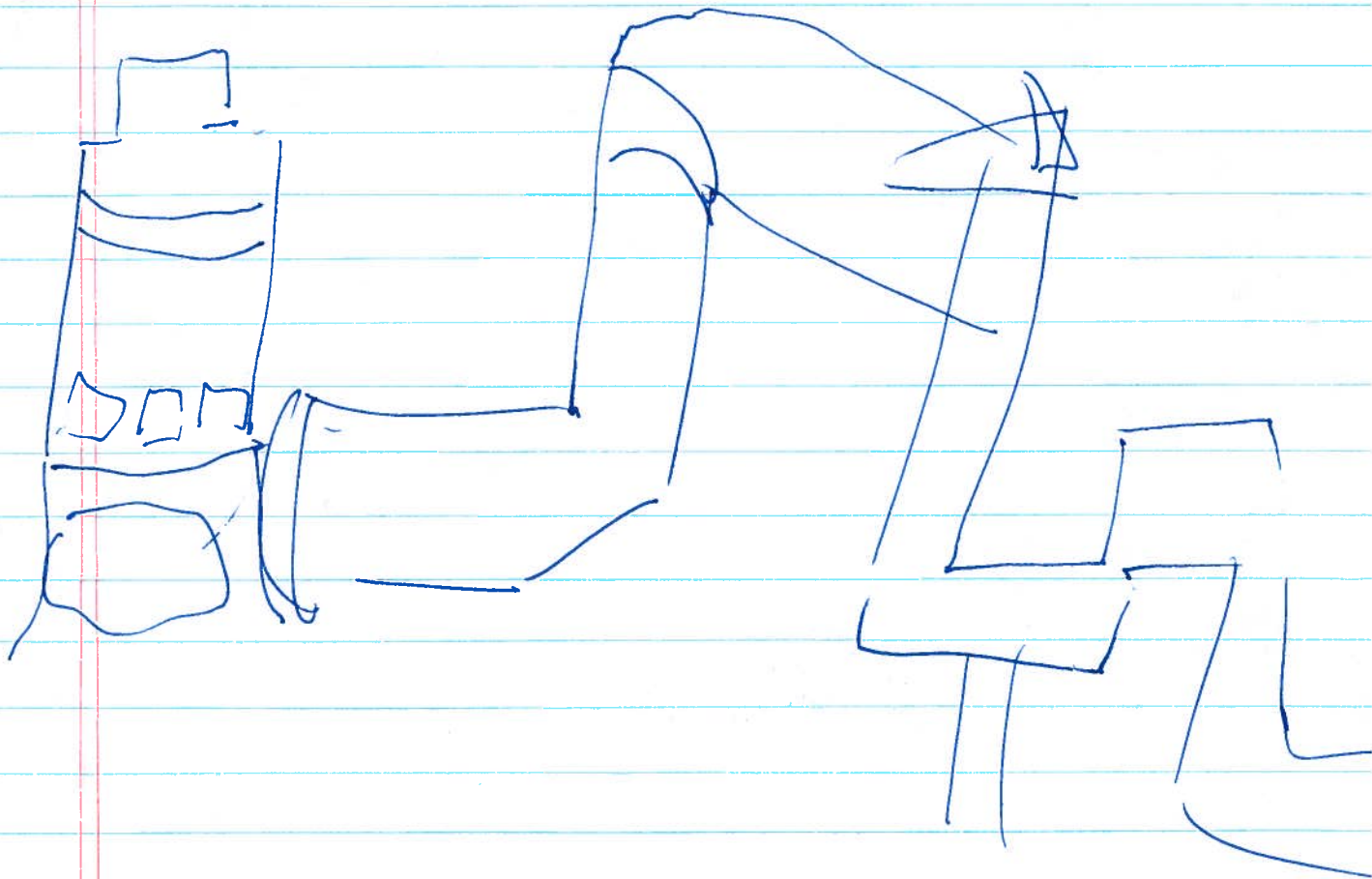
model 5K6276XC18A

serial PWJ302116

Verti-Line Pump D00021

pic # 21

Waypoint #4 055280~~5~~  
014133~~6~~



Well in NENE Sec 24, T12S, R20E (I think!)



Simplot Well #3 T12S, R26E, Sec. 24 NWNENE

7/25/01

Simplot Well #4  
pole # 14045

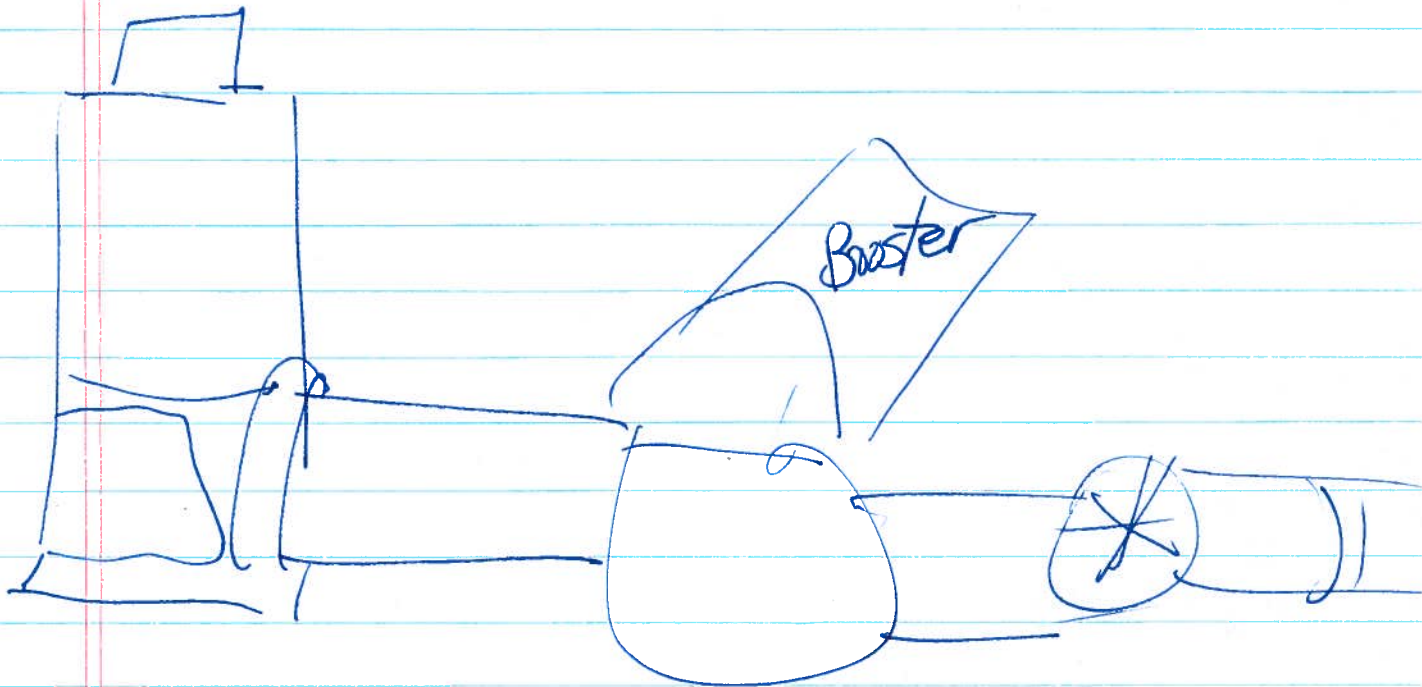
GE Motor 100hp  
model 5K6276XC1A  
serial NXJ104115

pics # 21, 22

Waypoint # <sup>5</sup>~~7~~

Verti-Line Pump mod. 14RH  
ser. DD 2951

0552496  
142318



Well in SWNE Sec. 13, T 12S, R 26E (I think!)



Simplot Well #4 T12S, R26E, Sec. 13 SWSWNE

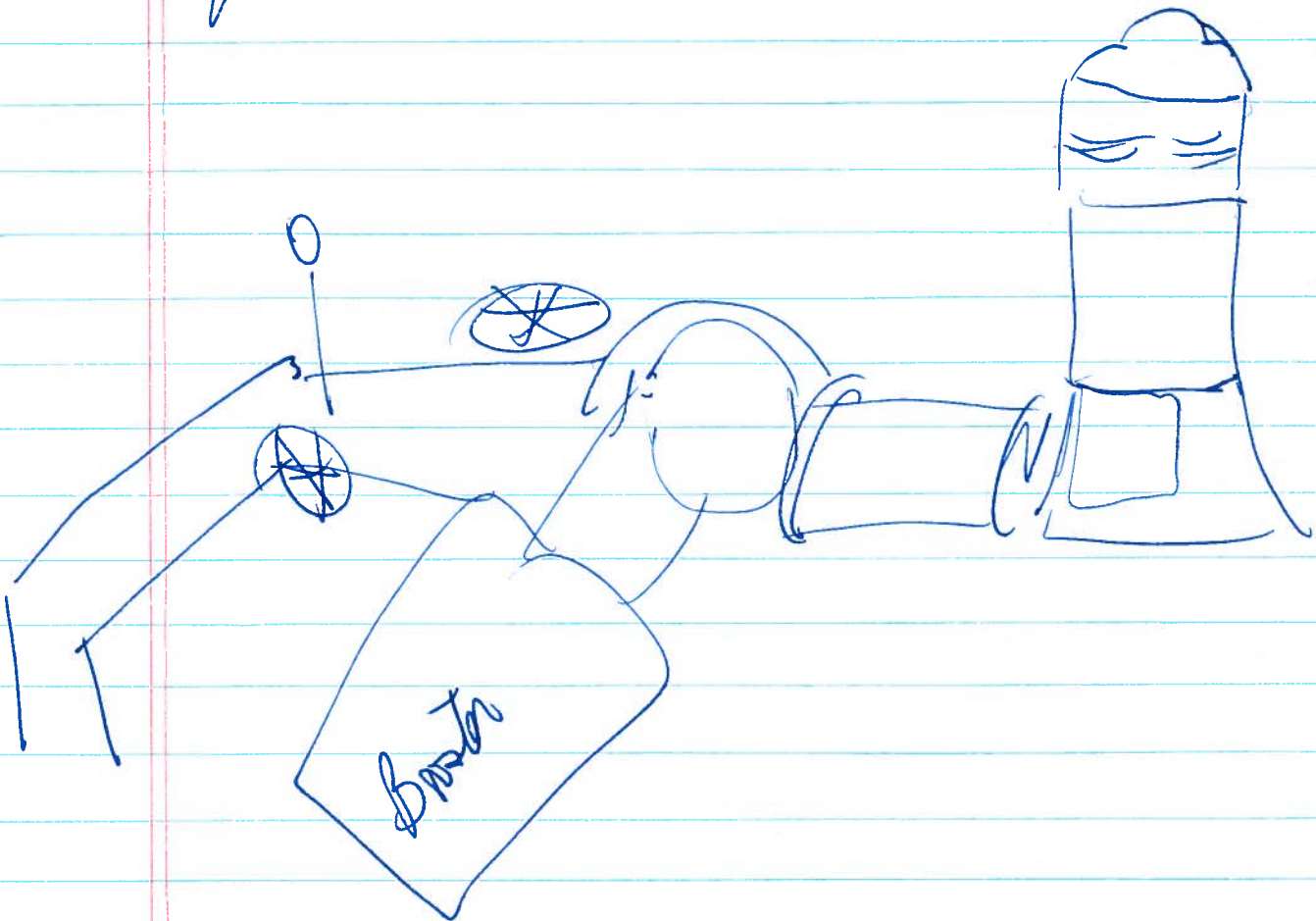
7/25/01

Simplot Well #5 (near old Sheep Wagon  
pole # 15014 ~~camper~~)

Waypoint #6 0553159<sup>60</sup>  
0143498

U.S. Holloshaft Motor 100hp  
model  
serial 1255168

Worthington Pump T1 440558  
pic #24



Well in SESE Sec. 12, T12S, R26E (↘ think!)



Simplot Well #5  
T 12S, R 26E, Sec. 12 NESESE

A43-2522

149.5 Ac.

2.99 cfs

had available capacity of 0.85 cfs

B.U. claim for 23.5 acres and 0.47 cfs  
priority date =

0.38 cfs still available

5/1/61

43-2522

lic. 149.5

B.U. 30.5 Ac.

found 180 G/S

use 0.61 cfs from 0.85 available from well

0.24 cfs still available  
+ vol.

3/15/62

B.U.

pd

~~5.00~~ acres

~~50.00~~ filing fees

43-  
use 4202

✓(2.)

43-2378

lic = 160 Ac.

G/S = 164

OK

✓(3.)

43-2547

200 Ac. lic

231 Ac. found G/S

B.U. claim for 31 Ac. 7.16 cfs avail

cap. from well + vol. 124

priority date 3/15/62

use 43-4195

✓(4.)

43-2548

151.3 ac. lic.

157 ac. found G/S

B.U. claim for 6 Ac.

div. rate =

~~1/2.00~~ acre fee  
~~50.00~~ filing fee

priority date 3/15/62

43-13063 "new claim"

✓ (5.)

43-2484

lic. 367 Ac.

GIS = 418 Ac.

B.U. = 51 Ac.

(use 43-10426 ?)

.4 cfs available capacity for 51 Ac.

Ad = 3/15/62

no fees required

---

✓ (6.)

one expansion claim for SE SW Sec. 7  
NE NW Sec. 18

\$50.00 filing fee

43-13064

---

? corner of pivot watered by Don Johnson (Sunset  
Ranch)

01/30/2001

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

RIGHT NUMBER: 43-2378

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

SOURCE: GROUND WATER

QUANTITY: 2.4 CFS

PRIORITY DATE: 03/22/1952

|                     |               |        |                      |
|---------------------|---------------|--------|----------------------|
| POINT OF DIVERSION: | T12S R26E S12 | SESE   | Within CASSIA County |
|                     | T12S R26E S13 | SWNE   | Within CASSIA County |
|                     | T12S R26E S24 | NENE   | Within CASSIA County |
|                     | T12S R27E S19 | SWNESW | Within CASSIA County |
|                     | T12S R27E S19 | SENESW | Within CASSIA County |

PURPOSE AND  
PERIOD OF USE:

|                       |                      |                 |
|-----------------------|----------------------|-----------------|
| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
| IRRIGATION            | 03-15 11-15          | 2.40 CFS        |
|                       |                      | 640.00 AFY      |

PLACE OF USE:

|                                        |      |    |               |      |    |
|----------------------------------------|------|----|---------------|------|----|
| <u>IRRIGATION Within CASSIA County</u> |      |    |               |      |    |
| T12S R27E S18                          | SESW | 40 | T12S R27E S18 | NESW | 40 |
| T12S R27E S18                          | SESW | 40 | T12S R27E S19 | NENW | 30 |
| T12S R27E S19                          | SESW | 10 |               |      |    |

160 ACRES TOTAL

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

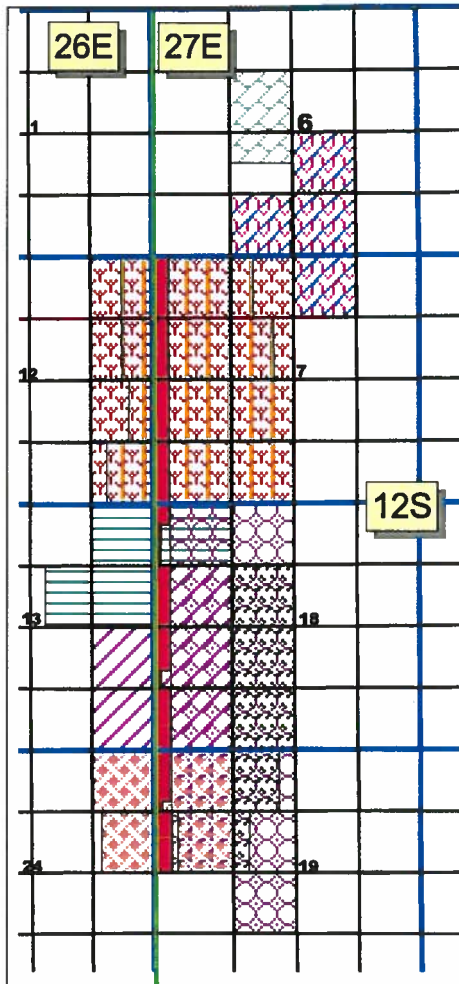
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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.

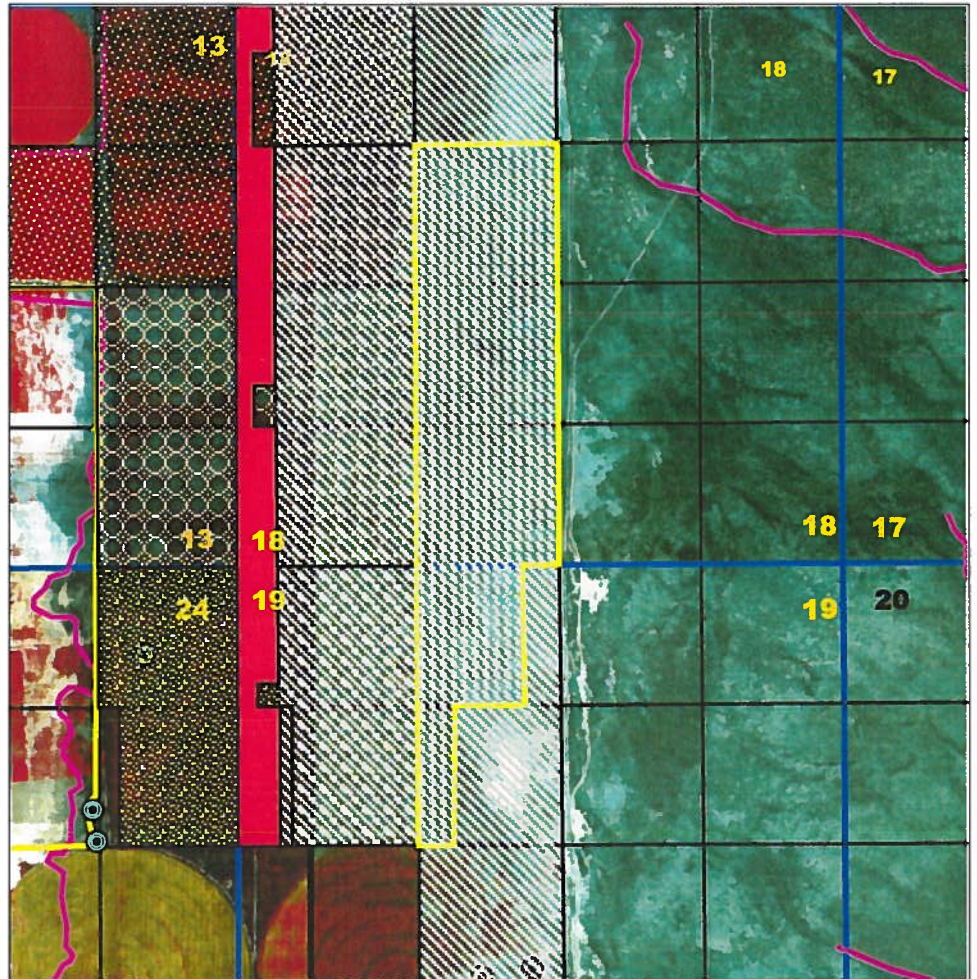
# Idaho Department of Water Resources

## RECOMMENDED PLACE OF USE FOR 43-2378



**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**

|  |                        |
|--|------------------------|
|  | 43-4195 - DISALLOWED - |
|  | 43-2378                |



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 27E, SEC 18, & 19  
Data entry on January 29, 2001

# State of Idaho

## License and Certificate of Water Right

Water License No. 0-22665Amount 2.4 second feet

Water District No. \_\_\_\_\_

Priority March 22, 1952

THIS IS TO CERTIFY that TAYLOR BROTHERS, a corporation, of Burley, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 22, 1952; that Permit No. 0-22665 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.4 second feet, was issued thereunder on June 12, 1956, showing that said works were completed on the 27th day of August, 1955; and that on the 27th day of August, 1955,

TAYLOR BROTHERS,

of Burley, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well

scottsbuynock (subterranean flow), for the purpose of irrigation use

, under Use Permit No. 0-22665 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

9 of Licenses at page 5740, on the 27th day of June, 1956;

The right hereby confirmed dates from March 22, 1952;

The Point of Diversion is located

in the NE 1/4, SW 1/4, Sec. 19, Tp. 12 S., R. 27 E., B. M. Cassia County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.4 cubic feet per second.

Description and location of use:

| Twp.  | Range | Sec. | Forty-acre Tract | No. Acres Described in Permit | No. Acres Actually Irrigated |
|-------|-------|------|------------------|-------------------------------|------------------------------|
| 12 S. | 27 E. | 18   | NE 1/4 NW 1/4    | 40                            | —                            |
|       |       |      | NW 1/4 NW 1/4    | 40                            | —                            |
|       |       |      | SW 1/4 NW 1/4    | 40                            | —                            |
|       |       |      | SE 1/4 NW 1/4    | 40                            | 40                           |
|       |       |      | NE 1/4 SW 1/4    | 40                            | 40                           |
|       |       |      | NW 1/4 SW 1/4    | 40                            | —                            |
|       |       |      | SW 1/4 SW 1/4    | 40                            | —                            |
|       |       | 19   | SE 1/4 SW 1/4    | 40                            | 40                           |
|       |       |      | NE 1/4 SE 1/4    | 40                            | 30                           |
|       |       |      | NW 1/4 SE 1/4    | 40                            | —                            |
|       |       |      | SW 1/4 SE 1/4    | 40                            | —                            |
|       |       |      | SE 1/4 SE 1/4    | 40                            | 10                           |
|       |       |      | NE 1/4 S 1/4     | 40                            | —                            |
|       |       |      | NW 1/4 S 1/4     | 40                            | —                            |
|       |       |      | SW 1/4 S 1/4     | 40                            | —                            |
|       |       |      | SE 1/4 S 1/4     | 40                            | —                            |

Total Number of Acres Actually Irrigated — 160

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 12th day of June, 1956.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

43 2378

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

## REPORT OF ENGINEER

Permit No. G-22665

This proof is for Completion of works &amp; Beneficial use In Water District No.

1. Name of applicant Taylor Brothers, C/o W.L. Taylor, 1655 Conant Ave., Burley, Idaho

2. Source of water supply: Subterranean from a drilled well

3. Location of point of diversion: Is in the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 19

T. 12 S. R. 27 E. County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same:

30 hp. U.S. Motor #2128112 Fleming Pump, no serial  
4'x4' ag. concrete base. No protection.

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: Yes.

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

West Half Section 18;

NW  $\frac{1}{4}$ , N  $\frac{1}{2}$  SW  $\frac{1}{4}$  Section 19;

Twp. 12 South, Range 27 East, R. 4.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks:

Crops are hay and grain.

This examination was made on the

16

day of

May

1932

(Signed)

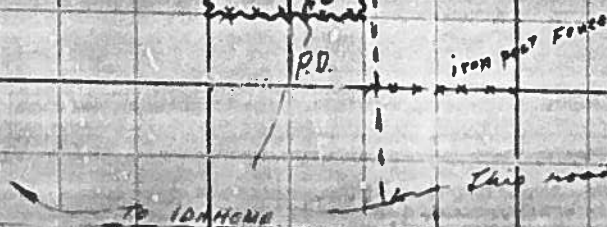
E. H. Humphrey

Examiner.

22 6195

R-27E.

T.  
12  
S.



Subdivision = Five  
Area = 160 acres

Q = 120 inches.

Measured with Spiriting Machine