

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 43-2484
Date Received: 7/13/89
Receipt No: C008236
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name of Claimant(s)

J R SIMPLOT CO
PO BOX 27
BOISE ID USA 83707

Phone:

2. Date of Priority: 12/23/1959

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	24	NE NE	CASSIA	
12S	26E	12	SE SE	CASSIA	
12S	26E	13	SW NE	CASSIA	
12S	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	3/15	11/15	6.4	

7. Total Quantity Appropriated is:
6.4 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: 43-2378, 43-2522, 43-2547, 43-2548, & 43-10426

14. Remarks:

2 WELLS IN SEC. 19, NE 1/4, SW 1/4 SEE CLAIM A43-10426

CLAIM AMENDED TO INCLUDE ALL IRRIGATED ACRES IN THE SYSTEM UNDER A PERMISSABLE PLACE OF USE. THIS RIGHT IS LIMITED TO 367 ACRES. 6/22/01 jr

15. Basis of Claim: License

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: 0

For Organizations:

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

August 16, 2001

Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this
of August 2001

16th
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: A43-02484
Date Received: 7/13/89
Receipt No: C008236
Received By: JP

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: DEC 23, 1959
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	6.400		

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

8. Total consumptive use is 1233.0 Acre Feet Per Annum.

9. Non-irrigation uses:
43-04195

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
12S	26E	12	NE		NE		IRR	20.0
			SE		NE		IRR	20.0
			NE		SE		IRR	17.0
			SE		SE		IRR	30.0
			Section Acres					87.0
	27E	7	NW		NW	1	IRR	40.0
			SW		NW	2	IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW	3	IRR	40.0
			SW		SW	4	IRR	40.0
			SE		SW		IRR	40.0
			Section Acres					280.0
			Total Acres					367.0

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:
NONE

14. Remarks:
2 WELLS IN SEC. 19, NE 1/4, SW 1/4
SEE CLAIM A43-10426

15. Basis of Claim: LICENSE
Water Right Number: 28353

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

July 10, 1989
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of July 19 89

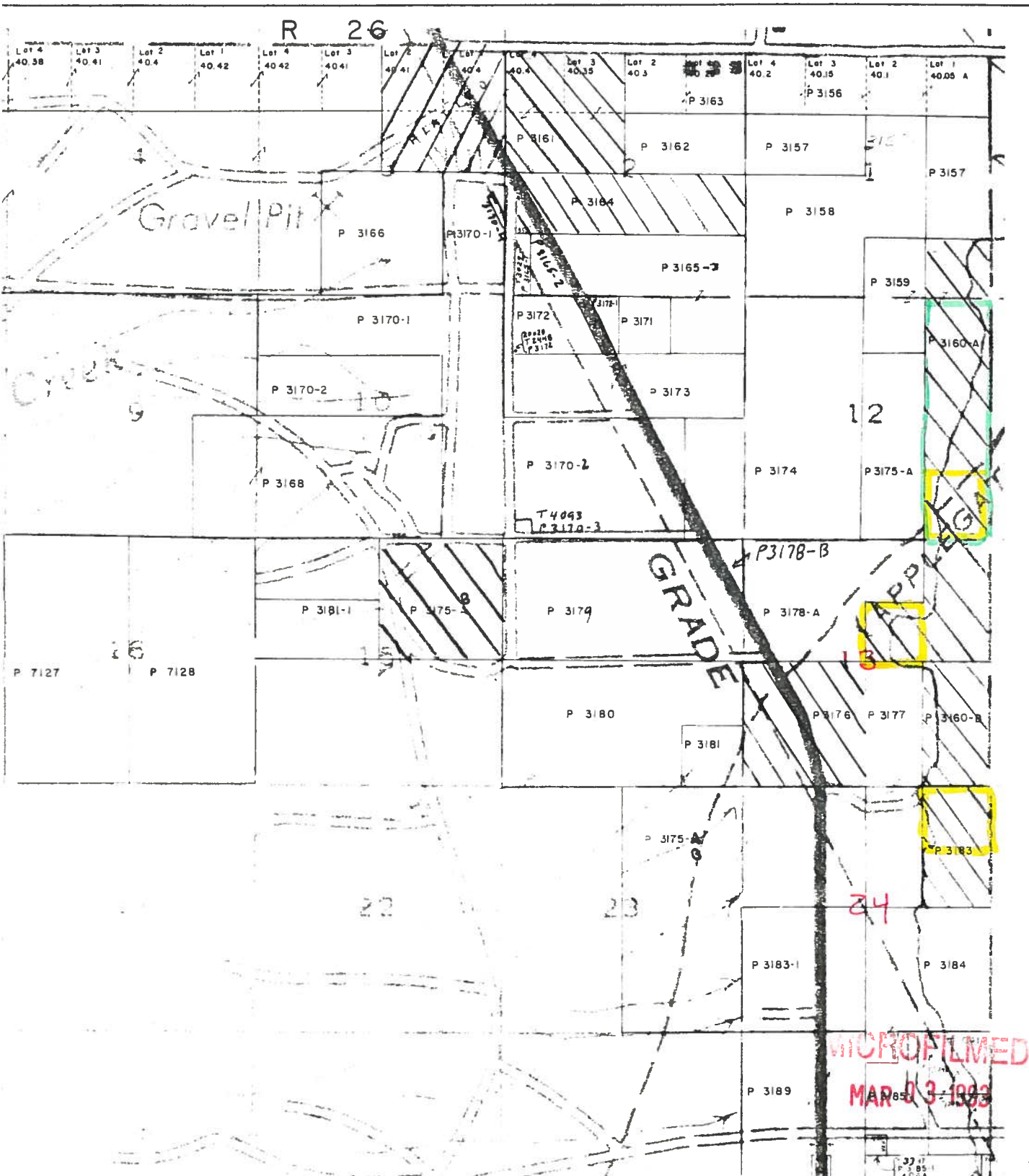
[Signature]
Notary Public

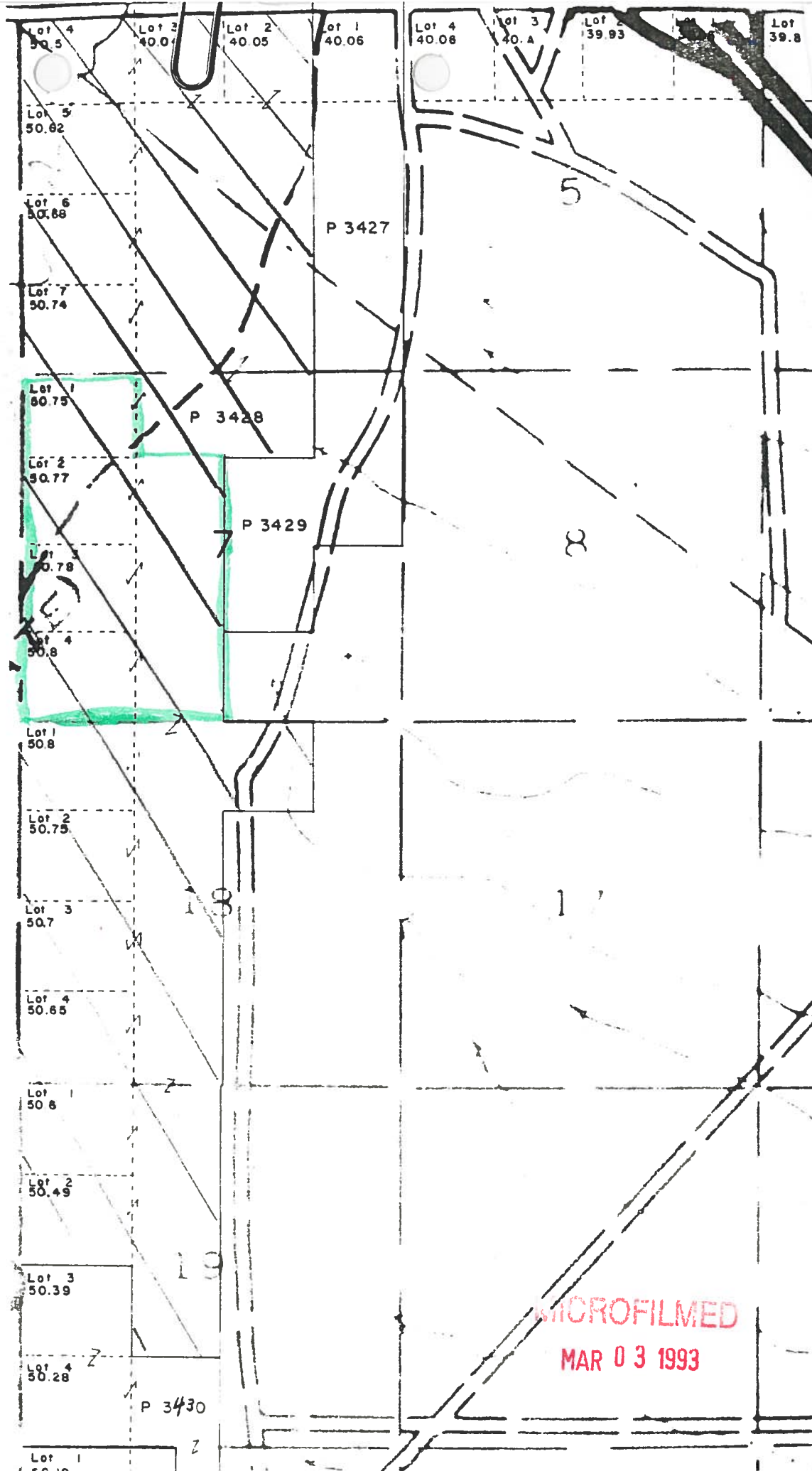
Seal

Residing at Meridian

My Commission Expires 11-06-91

 = point of Diversion
 = place of Use





INPUT: AJ_SELECTION:FRAZEE-NAME-SIMPLOT.SEL

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
STATE: ID ZIP: 837070027

FIRST NAME:
ADDRESS LINE 2: 999 MAIN ST STE 1300
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
A43-0215A	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

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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
- Af*

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.)

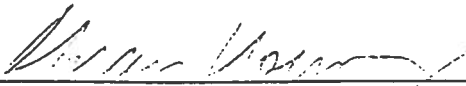
TO ALL PARTIES:

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

4507v11-20-92/1:42

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 *JK* 9/6/01

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

09/06/2001

43-2484

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 6.40 CFS
1,468.0 AFY

PRIORITY DATE: 12/23/1959

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:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	6.400 CFS 1,468.00 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 367 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:

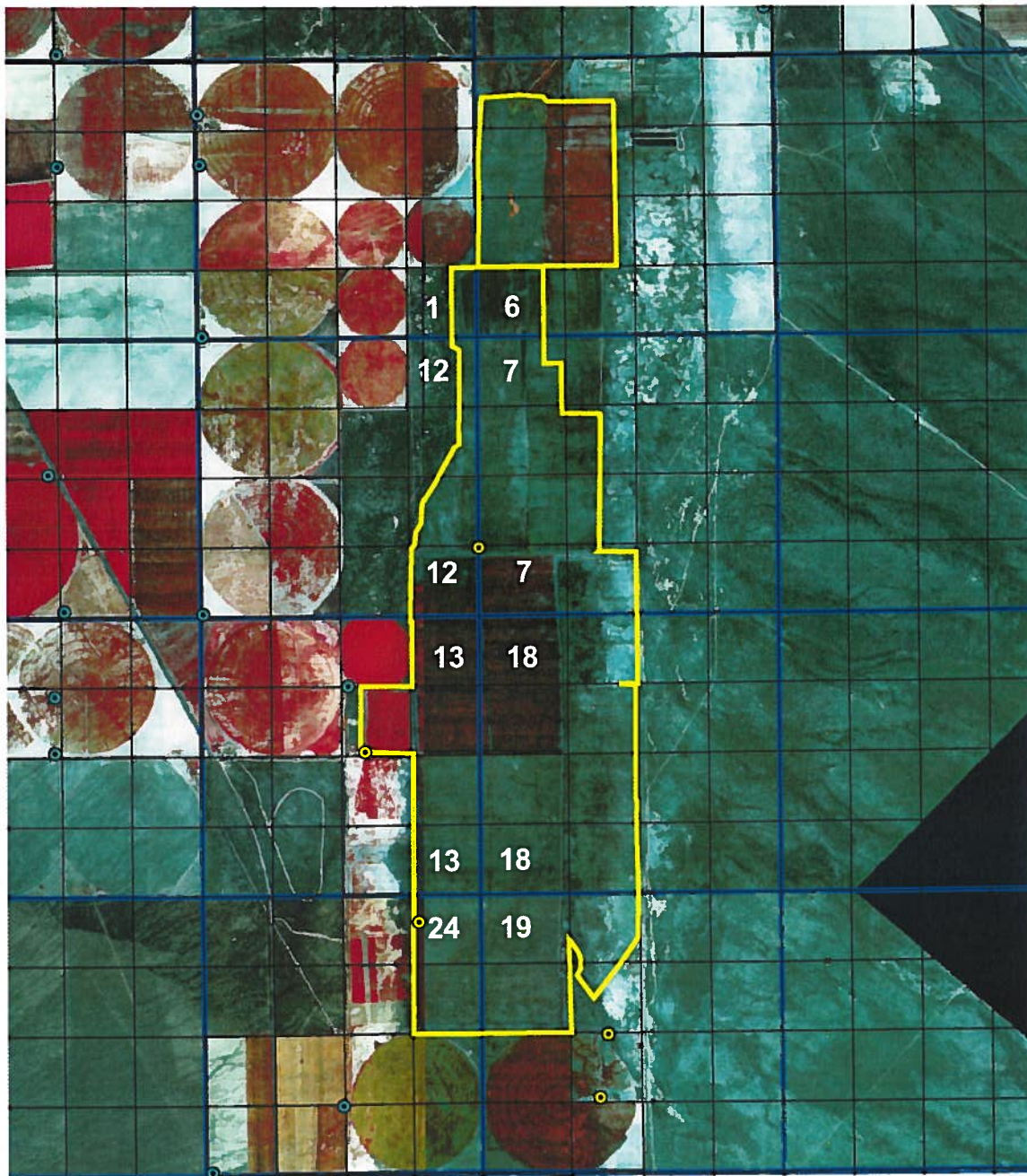
IDAHO DEPARTMENT OF WATER RESOURCES 09/06/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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

Idaho Department of Water Resources

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



0 1320 2640 Feet



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

Memorandum

To: Simplot Bar M Ranch Rights

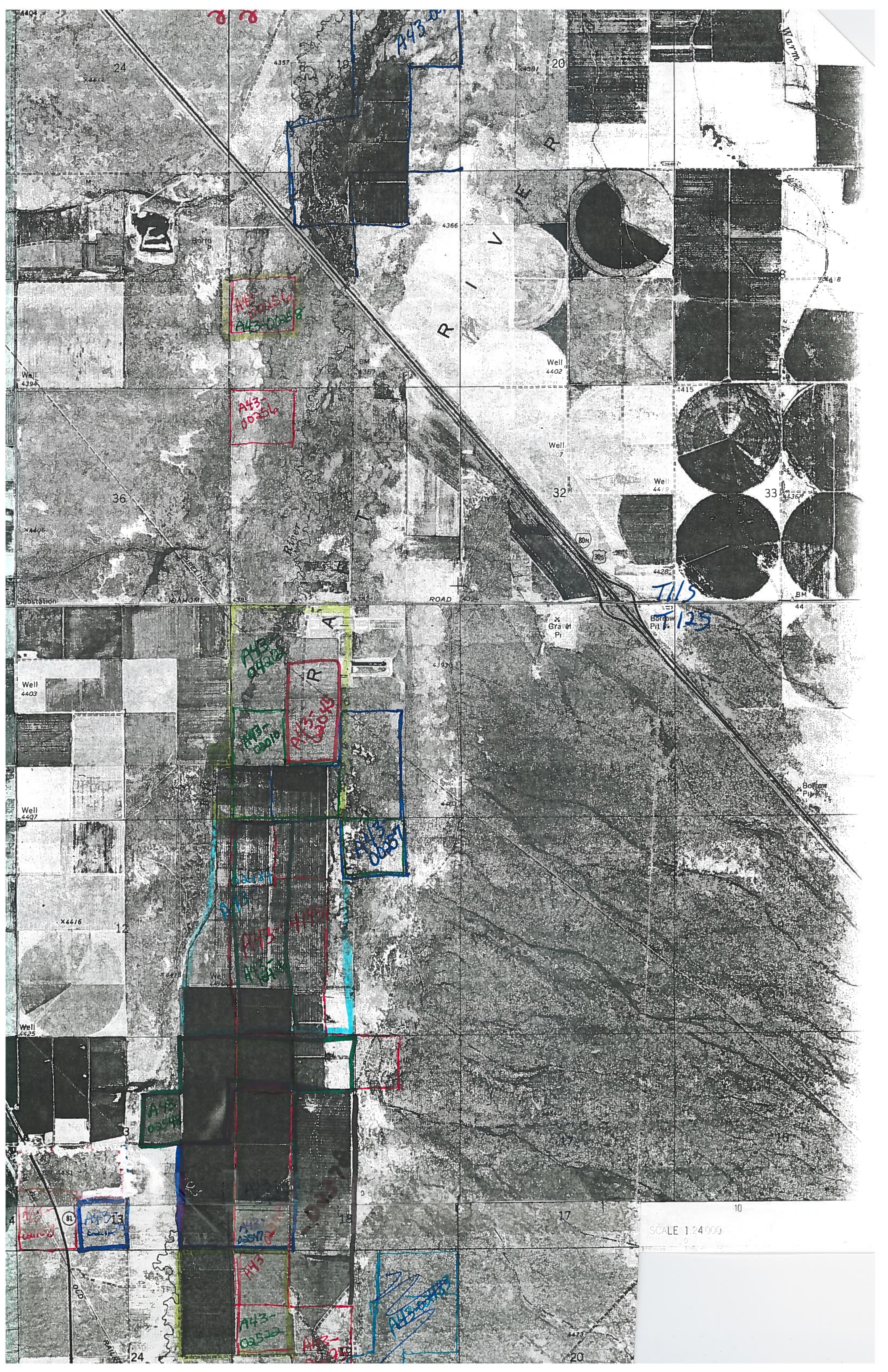
CC: 43-2378, 43-2484, 43-2522, 43-2547, 43-2548, 43-4195, 43-4202, & 43-10426

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.



A43-02484

Appears license was issued for wrong $\frac{1}{4}\frac{1}{4}$'s and should be shifted up one $\frac{1}{4}\frac{1}{4}$. This covers acres in SESE of Section 1 (11 acres) and SWSW of Section 6 (40 acres of 51 recommended - extra 11 are expansion, after 1968.) This then leaves acres in SESE of Section 12 and SESW & SWSW of Section without a water right. An outline by GIS of actual field exam acres shows about 290 acres. The license was issued for 367 acres (extra 77 acres.) This should just about cover those areas I am recommending in those $\frac{1}{4}\frac{1}{4}$'s - 97 acres.

$97 - 77 = 20$ extra acres. Since they show as irrigated in '62 & '68 photographs, they can be recommended as a beneficial use right. The well was measured at 6.8 cfs and licensed for 6.4 cfs - leaving 0.4 cfs available for those 20 acres (0.02 cfs/Ac.)

A43-04202 was originally filed completely overlapping ^{same well} 43-02484. In the adjudication, it was unstaked and moved to acres in Section 6 without a water right. These are not B.U. acres, but expansion acres. 43-04202 can be recommended for the .4 cfs available from 43-02484 and the 20 acres, with a priority date of 3-15-62, lacking better information. Have claimed amended to those 20 acres in Section 7, probably 10 each in SWSW & NWSW, which were licensed for 40 and are actually 51 acre ^(lots) correction sections.

A43-02378

Original permit asked for 640 Ac. in Sections 18 & 19 but field exam conducted 5/16/56 only found 160 Ac.

One well found in NE SW of Section 19 and measured 2.4 cfs. GIS shows approximately 164 acres irrigated in 1987, 4 expansion acres under this right.

? * Check irrigation in SENW & NESW of Section 19 ?

A43-02547

Field exam conducted 10/4/62 and well in NENE Sec. 24 was measured at 4.16 cfs. License was issued for 200 Ac. and 4.0 cfs. There are 3 govt. lots in the POU. Actual irrigated acres were probably 222 ac. instead of 200. There is an extra 22 acres and available capacity from the well of 0.16 cfs for a B.U. right with a priority date of 3/15/62, (lack of further information.)

A43-02548

Field exam conducted 7/15/71 for this right as well as 43-02547 & 43-02522. (A total of 872.4 acres were found under all three rts. All three wells diverted into same pipeline.) This well measured 5.4 cfs and was licensed for 3.03 cfs on 151.3 acres.

* There is 2.37 cfs available capacity from the well in SW NE of Section 13. There are approximately 20 ac. in the NENW 1/4 Sec. 18 which should have a B.U. rt.

A43-02484

licensed in wrong $\frac{1}{4} \frac{1}{4}$'s - should be shifted up one $\frac{1}{4}$, $\frac{1}{4}$ - which leaves SESE of Section 12 and SWSW + SESW of Section 7 without a W.R. GIS of actual irrigated acres from field exam map shows about 290, yet license was issued for 367 Ac. (77 ac.)^{xtra}
This should just about cover those areas & am recommending in those $\frac{1}{4} \frac{1}{4}$'s. - 97 Ac. minus the 77 leaves 20 acres as ~~open~~^{B.U.} acres. The well was measured at 6.8 cfs, yet licensed at 6.4 cfs. This leaves .4 cfs available from the well for those 20 acres - .02 cfs/Ac.
can rec. 43-04202 w/ priority date of 3/15/62 for 20 acres. & .4 cfs

12S, 26E, 01

11 acres irrigated - irrigated in '62 (should have been in license 43-02484, but map wrong)

12S, 27E, 06

about 40 acres in SESE were irrigated in '62 (should have been under license 43-02484, but map was wrong)

- all other irrigated acres in Section 6 are expansion acres 1985, priority, no water or volume

★ - owes for acres in NE NW of Section 7 (20 Ac. - 20[±])
not claimed or paid for
GIS found 20 Ac.
14 Ac. originally licensed under 43-02484

Scimplot

A43-04202 (see 43-02484)

disallow?

originally claimed in Sections 12 (R26E) & 7 (R27E)

- no proof in file (claim 2/25/59) 9.6 cfs
- original claimed well was in SESE Sec 12 (-02484)
appears irig. in early photos though...

A43-04195 (see 43-02378)

disallow?

originally claimed in Sections 18 & 19

- no proof in file (claim 6/12/56) 10.4 cfs
- original claimed 2 wells in NESE Sec. 19

A43-00157

claim POU matches decreed POU
160 claimed

A43-10426

B.U. claim 12/23/59 no evidence in file
? (sort of expansion on 43-02484?)

A43-02010

originally licensed for 480 Ac. @ 9.6 cfs (0.02 cfs/Ac)
claimed 160 Ac. @ 9.6 cfs (0.06 cfs/Ac)
source Raft River 8/3/07

A43-02045

source Raft River 8/3/09 1.2 cfs / 60 Ac.
claimed POU matches licensed POU

A43-02378

3/22/52

claim states there are 2 wells in NESW of S 19
field exam done 6/12/56 (only 1 well -)

160 acres originally licensed differently - acc. transfer
well in NESW of Sec. 19 - meas. @ 120" (2.4 cfs)

(see 43-04195) asked for much more on the
permit but only 160 ac. found irrigated, then
filed -04195 with priority same as date of
field exam for 520 Ac. @ 10.4 cfs and
referred to 2 wells - disallow B.U. it?

A43-02484

12/23/59

6.4 cfs / 360 Ac.

claimed pretty much as originally developed -

overlaps with B.U. claim 43-04202, only it

refers to well in SESE of Sec. 12 and this

license is for well in SWSW of Sec. 7 (same well?)

- capacity of well was measured @ 340" or 6.8 cfs,

320" or 6.4 cfs was licensed?

- field exam done 5/10/62

* - probably same well as claimed in BU 43-04202 with

2/25/59 priority date and 9.6 cfs claimed

disallow?

↑
permit amended
to SWSW of 7

A43-02522

Field exam conducted on 10/4/62 and found 149.5 irrigated acres and a diversion capacity of 3.84 cfs and licensed for 2.99 cfs. This leaves
* 0.85 cfs available. This was a second well in the NESW of Sec. 19. (Other well licensed under 43-02378 for 2.4 cfs) Again, there are 2 govt. lots in the Poll and instead of 149.5 acres, GIS shows 173 ac. This is a difference of 23.5 acres which could be recommended as a B.U. st. as they were irrigated in '62 & '68.

A43-04195

Originally claimed on the W $\frac{1}{2}$ of Section 18 & the NW $\frac{1}{4}$ of Section 19. In adjudication filing, it was unstacked (cause it totally overlapped licenses) and moved to other areas. It also originally claimed the 2 wells in the NESW of Sec. 19. (One has an available capacity of 0.85 cfs.) There are 45.5 ac. not covered by licenses, but irrigated in '62 & '68, which could be recommended under this right with a priority date of 3/15/62, lacking further information. There is 3.38 cfs available in the system. So the 45.5 acres could be recommended with a diversion rate of 0.91 cfs and volume of 182 AFA.

* Amend claim to show acres in these areas

9 in SWNW of S. 18
10 in WSW " "
3 in NW SW " "
3 in SENE of 24
4 in NW NW of 19

A43-10426

Was filed to pick up additional acres from govt. lots but those acres have already been taken care of through the two B.U. ita (43-04195 & 43-04202). There are still acres found irrigated in 1987 which were not covered by the licenses or B.U. ita. and could be recommended as an expansion. This claim could be amended to show those acres with a 6/30/85 priority and no additional diversion rate or volume. There are 29 Ac. in the NWSW of Sec. 19, 4 Ac. in the NENW of Sec. 19,

1155
1968 photo showed ~~1157~~ Ac. irrigated
GIS of '87 showed 1404 Ac. irrigated
127 B.U. acres
3.236 cfs available from wells

249 Exp. Acres

A43-07145 12/4/79 Comm & Stk. Permit
"disallowed - permit cancelled"

A43-10590 7/12/55 D, S, Comm. B.U.

? - no proof of B.U. in file

> sd. \$98.00

- transfer by Harper in works to put this land into irrigation ??

A43-00256 & A43-00258 ^{1/4 lb reduced to 1.02 cfs}
_{if recommended}

? wonder why SWSW of Sec. 30 not included in original decrees?,
when sections above & below were ...

- is land actually irrigated?
(doesn't appear so -)

A43-02483

license for 236 Ac., claimed for 237 Ac.

- well in Sec. 30 measured @ 7.1 cfs, licensed @ 4.72 cfs
and claimed @ 4.74 cfs

A43-02313A 6/19/48 52 cfs 305 Ac.

A43-02383 7/5/52 52 cfs 305 Ac.

claim 305 Ac., OK

$$5.2 + .52 = 5.72 \text{ cfs} \div 305 \text{ Ac.} = 0.0187 \text{ cfs/Ac.}$$

A43-02522 5/1/61 2.99 cfs / 149.5 Ac

well in NESW Sec. 19

capacity measured @ 3.84 cfs but licensed
for 2.99 cfs (acre limit) = .85 cfs
avail.

A43-02547 4/25/62 4.0 cfs / 200 Ac.

well in NENE Sec. 24

capacity measured @ 4.16 cfs but licensed
for 4 cfs (acre limit) = .16 cfs
avail.

A43-02548 4/25/62 3.03 cfs / 152 Ac.

well in SWNE Sec. 13

capacity measured @ 5.4 cfs but licensed
for 3.03 cfs (acre limit) = 2.37 cfs
avail.

A43-02483 12/23/59 4.74 cfs / 137 Ac.

well in NWN Sec. 30

capacity measured @ 7.1 cfs but licensed
for 4.72 cfs (acre limit)

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.

2.37

- 3.03 cfs lic. (acre limitation)

3.78 cfs Tot.
avail.

2.37 cfs available

43-10426 sec. 118.2 B.U. acres

needs. 2.36 cfs @ 1" per acre - OK

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

01/30/2001

RIGHT NUMBER: 43-2484

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

SOURCE: GROUND WATER

QUANTITY: 6.4 CFS

PRIORITY DATE: 12/23/1959

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	SENESE	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03-15 11-15	6.40 CFS 1,468.00 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T12S R26E S12	NENE	20	T12S R26E S12	SENE	20
T12S R26E S12	NESE	15	T12S R26E S12	SESE	30
T12S R27E S7	NENW	12	T12S R27E S7	NWNW	41
T12S R27E S7	LOT 2	41	T12S R27E S7	SENW	28
T12S R27E S7	NESW	40	T12S R27E S7	NWSW	40
T12S R27E S7	LOT 4	40	T12S R27E S7	SESW	40

367 ACRES TOTAL

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

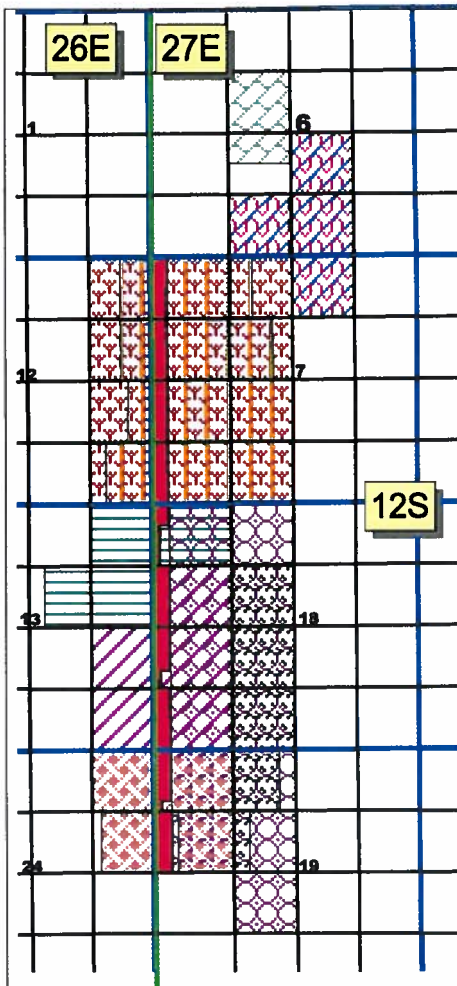
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

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.

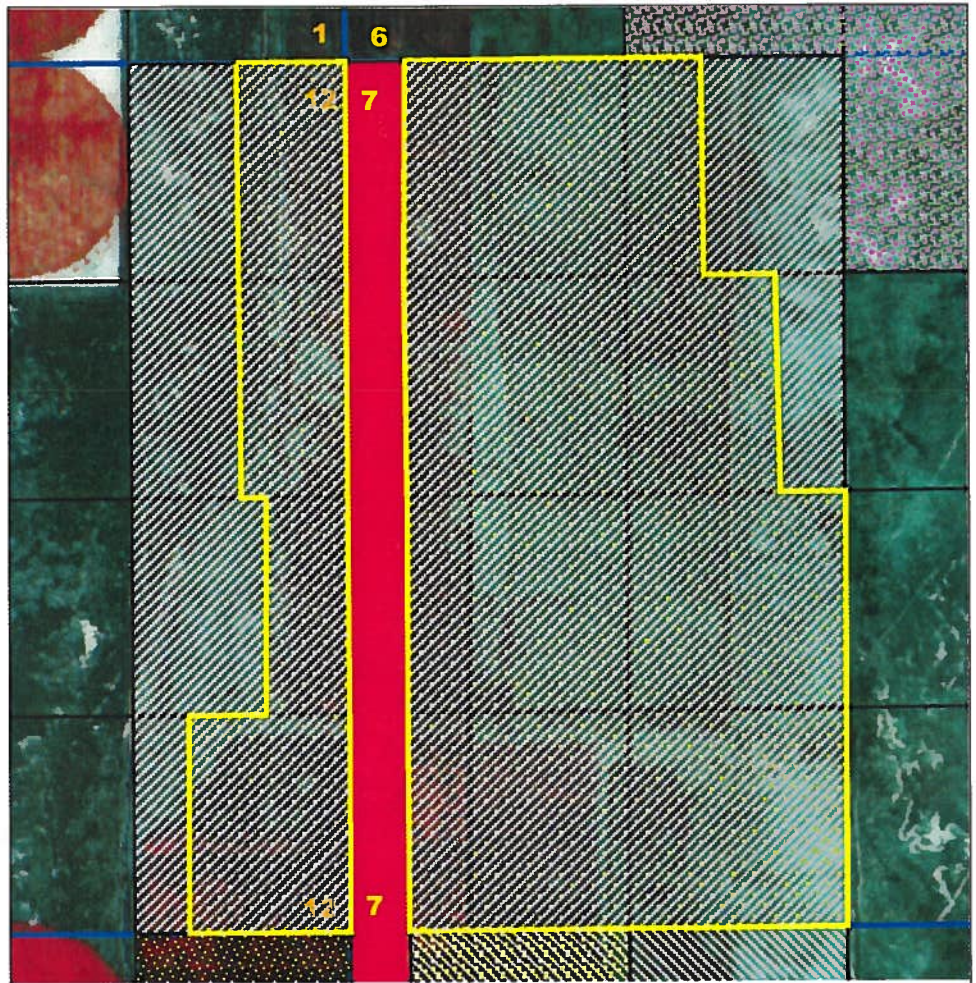
Idaho Department of Water Resources

RECOMMENDED PLACE OF USE FOR 43-2484



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**

- 43-2484
- 43-4202



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 SEC 12 and
TWP 12S, RNG 27E, SEC 7
Data entry on January 29, 2001

A43-02484

Appears license was issued for wrong $\frac{1}{4}\frac{1}{4}$'s and should be shifted up one $\frac{1}{4}\frac{1}{4}$. This covers acres in SESE of Section 1 (11 acres) and SWSW of Section 6 (40 acres of 51 recommended - extra 11 are expansion, after 1968.) This then leaves acres in SESE of Section 12 and SESW & SWSW of Section without a water right. An outline by GIS of actual field exam acres shows about 290 acres. The license was issued for 367 acres (extra 77 acres.) This should just about cover those areas I am recommending in those $\frac{1}{4}\frac{1}{4}$'s - 97 acres.

$97 - 77 = 20$ extra acres. Since they show as irrigated in '62 & '68 photographs, they can be recommended as a beneficial use right. The well was measured at 6.8 cfs and licensed for 6.4 cfs - leaving 0.4 cfs available for those 20 acres (0.02 cfs/Ac.)

A43-04202 was originally filed completely overlapping 43-02484. In the adjudication, it was unstacked and moved to acres in Section 6 without a water right. These are not B.U. acres, but expansion acres. 43-04202 can be recommended for the .4 cfs available from 43-02484 and the 20 acres, with a priority date of 3-15-62, lacking better information.

Have claimed amended to those 20 acres in Section 7, probably 10 each in SWSW & NWSW, which were licensed for 40 and are actually 51 acre ^(lots) correction sections.

1962 photo

Simplot
43-02484

① ⑥
② ⑦

about 290 ft

See note
in A43-10426

State of Idaho License and Certificate of Water Right

Water License No. 0-28353

Amount 6.4 c.f.s.

Water District No. _____

Priority Date 23, 1959

THIS IS TO CERTIFY that

RAFT RIVER CATTLE COMPANY

of Boise, Idaho

, made application for a permit to appropriate the

public waters of the State of Idaho, dated December 23, 19 59; that Permit No. 0-28353

was issued under said application; that Certificate of Completion of works, with a carrying capacity of

6.4 second feet, was issued thereunder on May 25, 19 62, showing that said works

were completed on the 16th day of June, 19 61; and that on the 16th

day of June, 19 61.

RAFT RIVER CATTLE COMPANY

of Boise

, State of Idaho

, made proof to the satisfaction of the

State Reclamation Engineer

of Idaho, of the right to use a well

, a tributary of subterranean flow, for the purpose of irrigation

under Use Permit No. 0-28353 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

12 of Licenses at page 7278, on the 25 day of May, 19 62;

The right hereby confirmed dates from December 23, 19 59;

The Point of Diversion is located

in the SW 1/4 SW 1/4, Sec. 7, 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 6.4 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.	26 E.	12	NE 1/4 NE 1/4	40	20
			SE 1/4 NE 1/4	40	20
			NE 1/4 SE 1/4	40	25
			SE 1/4 SE 1/4	40	30
	27 E.	7	NE 1/4 NW 1/4	40	14
			NW 1/4 NW 1/4	40	40
			SW 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	28
			NE 1/4 SW 1/4	40	40
			NW 1/4 SW 1/4	40	40
			SW 1/4 SW 1/4	40	40
			SE 1/4 SW 1/4	40	40
					40
Total number of acres to be irrigated:				367	

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 25th day of May, 19 62.

/s/ RALPH W. THOMAS

Deputy State Reclamation Engineer

(SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-28353

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant: Don Schwagler, Mgr. Raft River Cattle Co.2. Source of water supply: a well3. Location of point of diversion: Is in the BRISQ of Section 7
T. 12 S R. 27 E County of Cassia4. Describe works as they exist, giving dimensions and capacities of same: 100HP DS. Horizontal
Water "12" x 16" Washington Pump "12" x 16" 12" x 16" gate to 12"
discharge pipe to 5' x 12" high tunnel, 12' x 12" discharge pipe to open ditch (road).
that into 12' x 16" concrete pipe to 6' x 12" concrete distribution line to open
ditch - well - 300' x 20" cased all heavy. 41.38.6', 11.20.7'5. Water is used for: Irrigation6. 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):

W. 898. 7, T. 12 S., R. 27 E., B.M.Amend land list to include E. 898. 7, 12 S., 27 E.

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

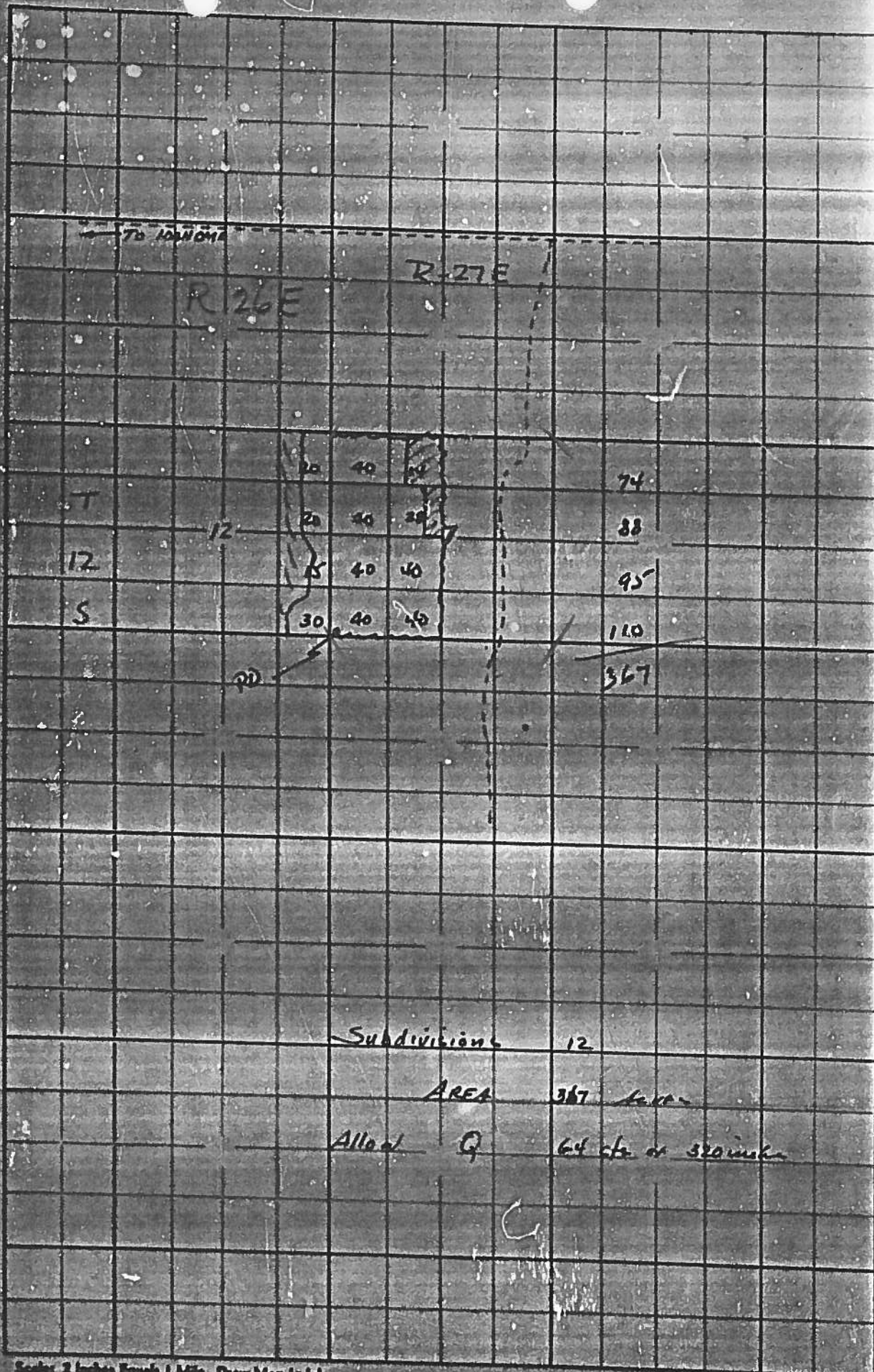
8. What large stream would the water here appropriated finally reach?

Remarks: Mr. Don Schwagler, Mgr. alongAmend P.D. to 200' x 20" cased all heavy. 41.38.6', 11.20.7'Measured with Sprinkling Meter and 2' Cippolletti WeirMeter - 5 Rev. 9.8 sec. - 500 x 500 4.85 cfs2' Cippolletti Weir - 44'This examination was made on the 16thday of May

1967

(Signed) Joseph L. & R. L. L. L.

Examiner



fu or
RECEIVED

MAY 24 1962

Application for Amendment

POINT OF DIVERSION

Department of Reclamation

Permit No. Q-28353

Comes now L. E. Haight, Secretary, Raft River Cattle Company and represents to the State Reclamation Engineer of the State of Idaho:

That he is (was) the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. Q-28353.

That the point of diversion is described in said Permit as being located:

SE 1/4, Sec. 7, T. 12 S., R. 27 E., B.M.

That he now requests that the point of diversion be changed to a point located: SW 1/4, Sec. 7, T. 12 S., R. 27 E., B.M.

That the reason for desiring to make such change is as follows:

Error in original application.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Boise, Idaho, this 23rd day of May, 1962.

Raft River Cattle Co.

By [Signature]
Secretary

Date of Receipt at Department of Reclamation: May 24, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

Carl E. Tappen, Assistant

I, SEN. MCCORMICK, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. Q-28353. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded in Book 100 of
Permits, at Page 28353
May 25, 1962, 19

Carl E. Tappen
Assistant State Reclamation Engineer

28353 Q

RECEIVED

MAY 24 1962

Application for Amendment

LAND LIST

Department of Reclamation

Permit No. G-28353

Comes now L.E. Haight, Secretary, Raft River Cattle Company, and represents to the STATE RECLAMATION ENGINEER of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-28353, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

Sec. 12, T. 12 S., R. 26 E., B.M., W¹, Sec. 7, T. 12 S., R. 27 E., B.M.

, making a total of 367 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, Idaho

this 23rd day of May, 1962

Raft River Cattle Co.

By [Signature]
Secretary

Date of receipt at office of Department of Reclamation: May 24, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

Carl E. Tappan, Assistant

I, [Signature], State Reclamation Engineer of the State of Idaho, hereby approve

the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-28353. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded: May 25, 1962

Assistant

Carl E. Tappan
State Reclamation Engineer

28353