

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 43-2522
Date Received: 6/8/89
Receipt No: C007327
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: 05/01/1961

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	24	NE NE	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
IRRIGATION

From To C.F.S.
3/15 11/15 2.99

(or) A.F.A

7. Total Quantity Appropriated is:
2.99 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, 43-2484, 43-2547, 43-2548, & 43-10426

14. Remarks:

AC. IRR.=149.5

2 WELLS IN SEC. 19, NE 1/4, SW ¼

CLAIM AMENDED TO INCLUDE ALL IRRIGATED ACRES IN THE SYSTEM UNDER A PERMISSABLE PLACE OF USE. THIS RIGHT IS LIMITED TO 149.5 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:

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
Signature of Authorized Agent
Ronald N. Graves
Title and Organization

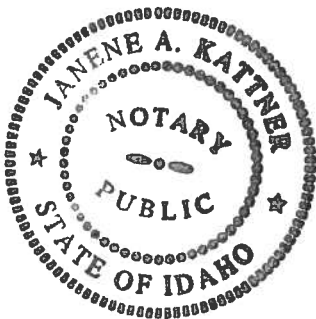
August 16, 2001
Date

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,

A handwritten signature in cursive script, appearing to read 'Jeanie'.

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: A43-02522

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: MAY 01, 1961

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	2.990		

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

A.F.A.

8. Total consumptive use is 450.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A43-02522

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	26E	24	NE	NE		IRR	39.0
			SE	NE		IRR	34.0
						Section Acres	73.0
	27E	19	NW	NW	1	IRR	41.0
			SW	NW	2	IRR	36.0
						Section Acres	77.0
						Total Acres	150.0

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:
AC. IRR.=149.5.
2 WELLS IN SEC. 19, NE 1/4, SW 1/4

15. Basis of Claim: LICENSE
Water Right Number: 29685

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: Two Maps

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

6-8-89
Date

State of Idaho)
County of Ada) SS.

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

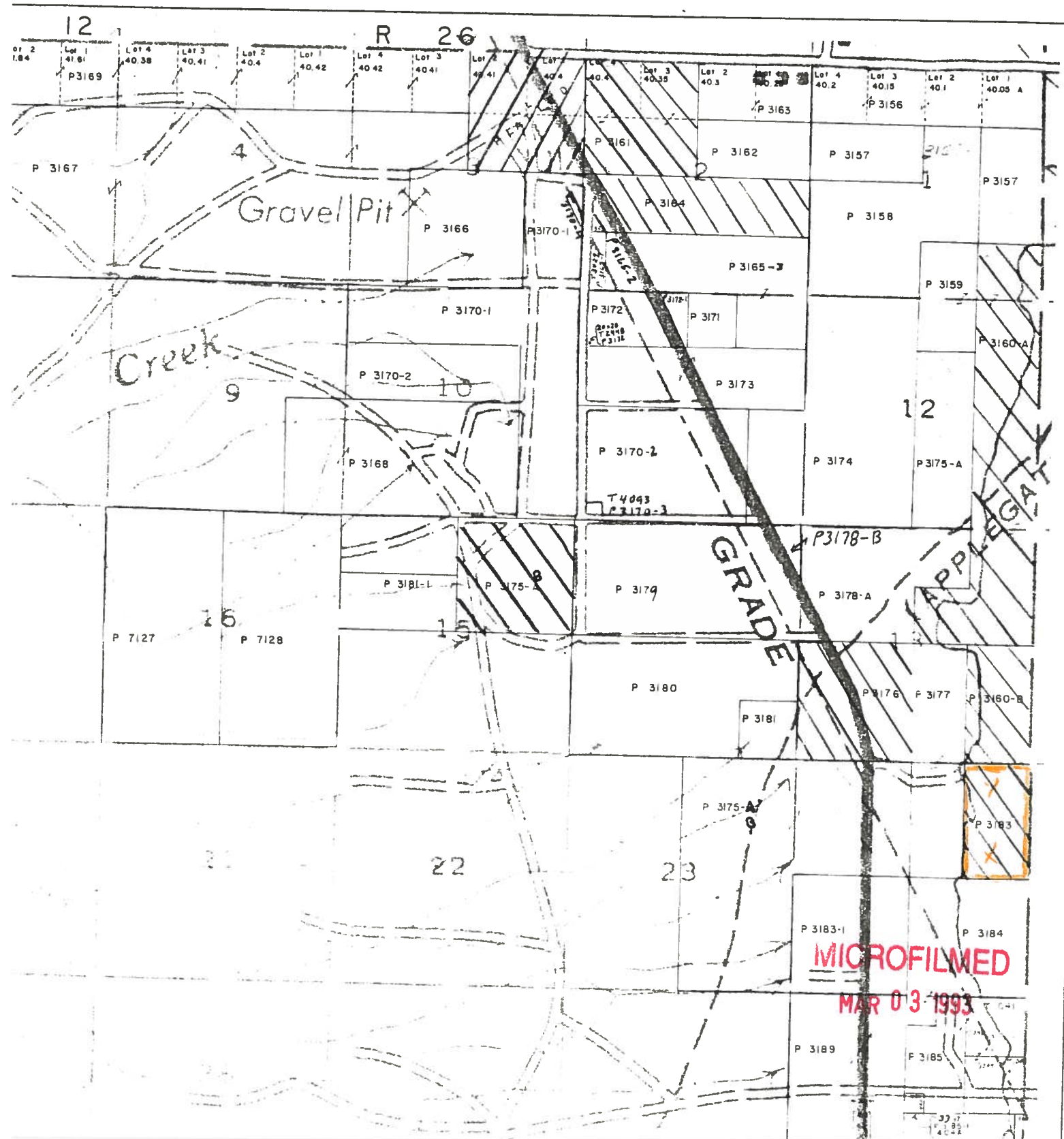
Vicki A. Lower
Notary Public

Seal

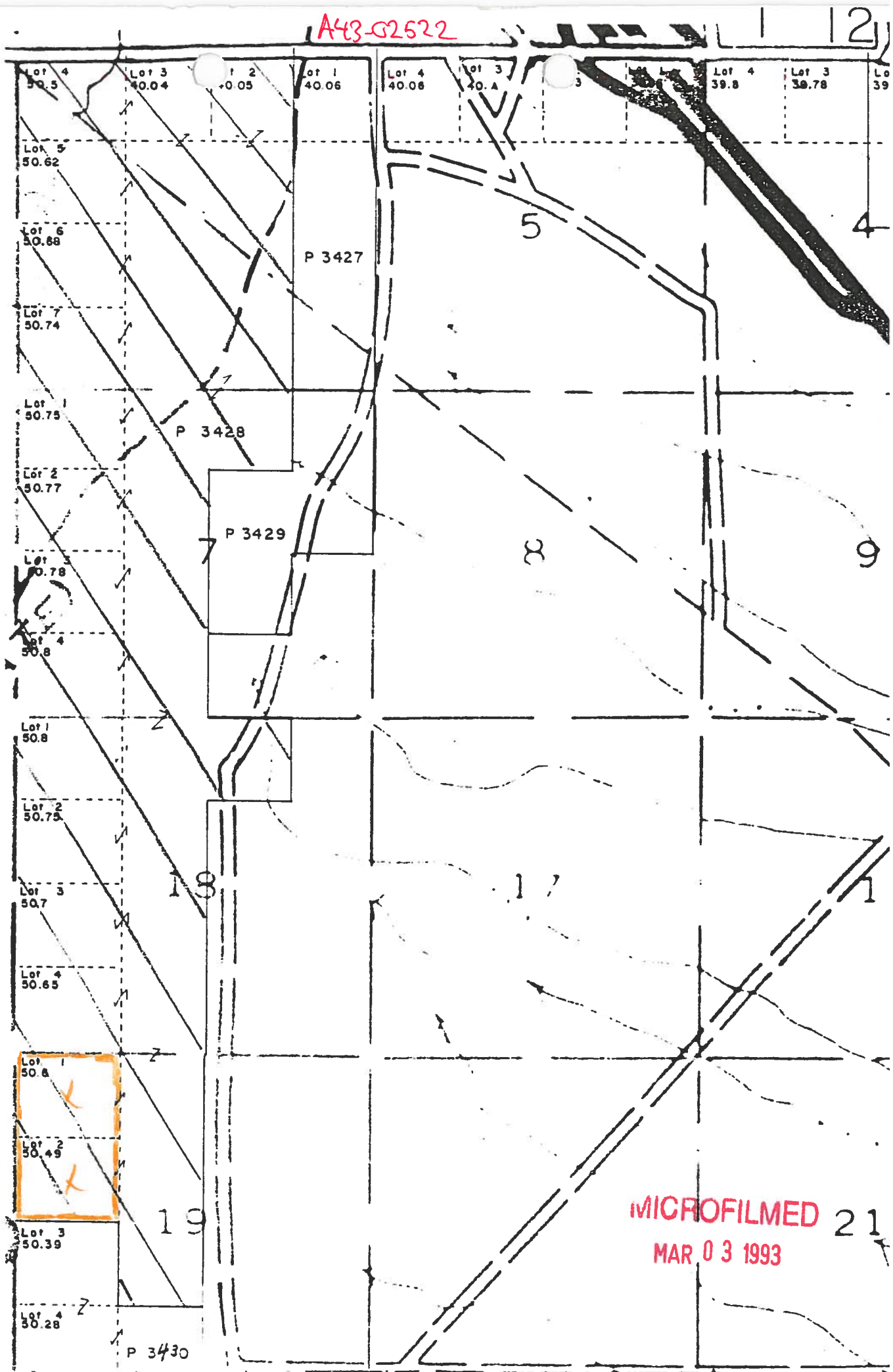
Residing at _____ Meridian _____

My Commission Expires 11-06-91

A43-02522



A43-52522



MICROFILMED
MAR 03 1993

INPUT: A_J SELECTION: FRAZEE-NAME-SIMPLET.SEL

ADJUDICATION ATTORNEY NAME ADD/UPDATE

DATE: 91 07 94
TIME: 15:56
PAGE: 1

TYPE OF ACTION: ADD
MODIFY ALL FIELDS FLAG:

LAST NAME: YOUNG, GRAY OR BRUCE DELZER
ADDRESS LINE 1: J R SIMPLET 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

A43-02485	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-02488	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-02489	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-02504	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-02505	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-02516	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-02517	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-02519	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-02522	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-02536	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-02547	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-02548	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-02569	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-02575	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-04021A	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-04021B	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-04194	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-04195	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-04197	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-04199	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-04202	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-07056	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-07068	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-07145	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-10397	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-10398	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-10399	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-10400	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-10401	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-10402	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
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A43-10405	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-10406	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-10407	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-10408	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-10426	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-10578	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-10579	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-10590	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-10591	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A43-10592	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A45-02179	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A45-02719	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A45-02746	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A45-11847	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A47-04312	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A51-02140	ATTORNEY NAME	SUCCESSFULLY ADDED TO NAME FILE
A57-02202	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.

Twin Falls County
Civil Case No. 39576

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

and

Cassia County
Civil Case No. 13770-12-83

Petitioner,

NOTICE OF APPEARANCE

vs.

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

Respondents.

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

*4-1-93
- Jf*

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,

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.)

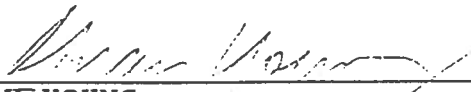
TO ALL PARTIES:

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-20-92/142

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

9/6/01

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

43-2522

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.99 CFS
598.0 AFY

PRIORITY DATE: 05/01/1961

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

2.990 CFS
598.00 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 149.5 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.

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

3

.85

.16

43-2548 5.4 cfs meas.

2.37

- 3.03 cfs lic. (acre limitation)

3.78 cfs -
avail

2.37 cfs available

43-10426 sec. 118.2 B.U. acres

needs 2.36 cfs @ 1" per acre - OK

180

GIS acres	180
43-2522 - leased	<u>149.5</u>
Beneficial Use	30.5

01/30/2001

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

RIGHT NUMBER: 43-2522

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

SOURCE: GROUND WATER

QUANTITY: 2.99 CFS

VERIFIED BY: *KKC*

PRIORITY DATE: 05/01/1961

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	2.99 CFS
		600.00 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T12S R26E S24	NENE	40	T12S R26E S24	SENE	34
T12S R27E S19	LOT 1 NWNW	40	T12S R27E S19	LOT 2 SWNW	36

150 ACRES TOTAL

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

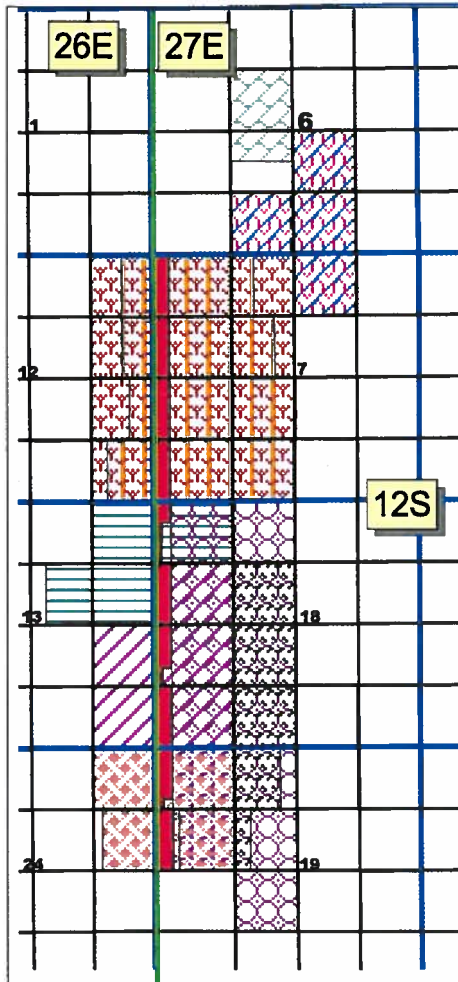
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

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.

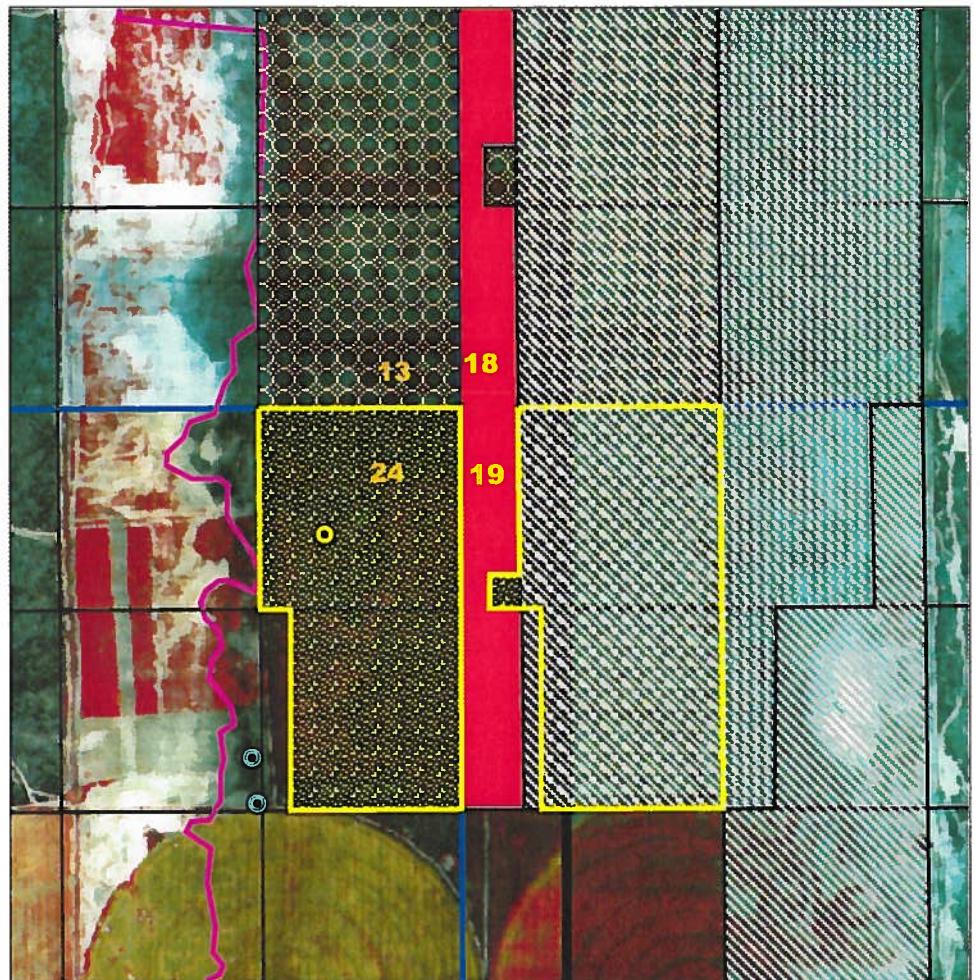
Idaho Department of Water Resources

RECOMMENDED PLACE OF USE FOR 43-2522



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 -
	43-2522



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 24 and
TWP 12S, RNG 27E, SEC 19
Data entry on January 30, 2001

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 29685/43-2522 Priority May 1, 1961 Amount 2.99 cfs

THIS IS TO CERTIFY, that East River Cattle Company
of Declo, Idaho, has complied with the terms and conditions of Permit
No. 29685/43-2522 issued pursuant to Application for Permit dated May 1, 1961
and has submitted proof to the Department of Water Administration on April 27, 1965
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 3.84 cfs and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source

tributary of _____ is hereby confirmed in the following amounts:
Amount 2.99 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 2.99 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE1SW1 Sec. 19, Twp. 12 S, Rge. 37 E, B. M.
in the county of Cassia and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 598 acre feet per year or
4.0 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	1/4				2/4				3/4				4/4				TOTAL
			SW1/4	SW1/4	SW1/4	SW1/4	SW1/4	SW1/4	SW1/4	SW1/4	SW1/4	SW1/4	SW1/4	SW1/4	SW1/4				
12S	26E	24	32.8			34												72.8	
12S	27E	19						41	35.7									76.7	
								(lot 1)	(lot 2)										

Total number of acres irrigated 149.5

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 21st day of

May, 19 73.

[Signature]
Director

43/2522

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-29685

This proof is for C/W & B/U

In Water District No.

1. Name of applicant Raft River Cattle Company

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the NE 1/4 SW 1/4 of Section 10

T. 12 S R. 27 E County of Cassia

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

100 HP CC FILL MOTOR - 42 V 510611

2 1/2 in VTP # Pump 366

12" DISCHARGE 5' THROUGH EARTH DITCHES - GRAVITY

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: Yes
new ditches - 2 miles

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):

SE 1/4 NE 1/4, NE 1/4 NE 1/4, Sec. 24, T. 12 S, R. 26 E;

NW 1/4 NW 1/4, SW 1/4 NW 1/4, NE 1/4 SW 1/4, Sec. 19, T. 12 S, R. 27 E, B.M.

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

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

Remarks: for Don Swagace (owner) contracted

MICROMETER USED

600 ft

1.41 cfs

2 min 16 sec

SEE MAP WITH 3-177

220

IRRIGATION RECLAMATION - 4000 FT / ACRE / 15000

This examination was made on the

day of Oct

1947

(Signed)

Examiner

12-2532
7685

P-26E

P-27E

T-MS

24



NRSA = 3% algae (200 Max by Abundance)

SRSA = 10

Q = 4.41 cfs

Vol = 920 AC-FT / season

Prior to 1975

66-560-22050

9 1/2
10 1/2
11 1/2
12 1/2
13 1/2
14 1/2
15 1/2
16 1/2

350
160

Approx 3.25 Hs 16 sec
m.cred.

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plot same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plot same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soil, topography, and crops raised.

East River Cattle Co. well, water into 4 pumps, small well
Star Route
Deeds, Idaho
Permit No. G-29686
43-2522
40' - 30'
H - 90'
Q - 15 cfs
Examination for C/W & B/V
County Cascade
Sec. 19 T. 128 R. 27E
Quantity: 8.8 c.f.s.
Source: subterranean
P.D.: NE 1/4 SW 1/4, Sec. 19, T. 128, R. 27 E., B.M.
Use: Irrigation
Extension:
Pretest:
Completion of Works:
Other Rights:
Filed: May 1, 1961
Due: May 3, 1965
Made: April 27, 1965
Priority: May 1, 1961

THE ABOVE AGRICULTURAL
LOCATED WITHIN THE NE 1/4
SW 1/4 12 1/2 27E

555-11
1961

JUL 7 1953

Mr. James M. [unclear]

San Juan County, New Mexico

Alamogordo, New Mexico 88001

Dear Sir:

The Department of Reclamation has conducted a field examination of the land and water covered by the above referenced permit and has found that [unclear] Sec. 10, T. 12N, R. 27E, [unclear] [unclear] Sec. 19, T. 12N, R. 27E should be added to the permit. This will bring the total number of acres [unclear] to 230.

Enclosed is a partially completed application for amendment. If you agree with the findings of the Department, please sign the application and return it with a \$25.00 fee.

The Department is prepared to license Permit No. U-29683 for 4.21 c.f.s. of water from subterranean source in [unclear] Sec. 19, T. 12N, R. 27E. The maximum quantity diverted shall not exceed 230 acre feet per season and the priority date established is May 1, 1911. If you agree with these findings, please remit licensing fees of \$25.00 within 30 days of the date of this letter.

Please return the signed application for amendment and a total of \$25.00 in fees as soon as possible.

Very truly yours,

James M. [unclear]
Field Engineer

cc - [unclear]

Enclosure

cc - [unclear]
[unclear]

cc - [unclear]

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-29685/43-2522

This proof is for h/s In Water District No. _____

1. Name of applicant: Reft River Cattle Company, Star Rt., Declo, Idaho

2. Source of water supply: groundwater

3. Location of point of diversion: Is in the NE1SW4 of Section 19

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

4. Describe works as they exist, giving dimensions and capacities of same: Leid and Rowley Pump (Electric G.E.), Ditch Irrigation

100 HP G.E. MOTOR, 1720 RPM, 440 VOLT, SER. # NVJ 708111
FAIRBANKS - MORSE TURBINE PUMP SER. # PM 9366 12" DIAMETER
BOOST PUMP U.S. UNICLOSED 75 HP MOTOR, 1750 RPM, 220/440 VOLTS, SER. # 00002
WASHINGTON PUMP ??

5. Water is used for: Irrigation

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

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):

T. 12S. R. 26E. Sec. 26 NE1SW4, SE1SW4
T. 12S. R. 27E. Sec. 19 NE1SW4, SW1SW4, NE1SW4
total 200 acres

SEE YELLOW SHEET

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

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

Remarks: contact Ron Graves, 343-7543 and Ron M. Winans, P.O. Box 2777, Boise, Idaho

SEE ALSO 42-2548 AND 43-2547

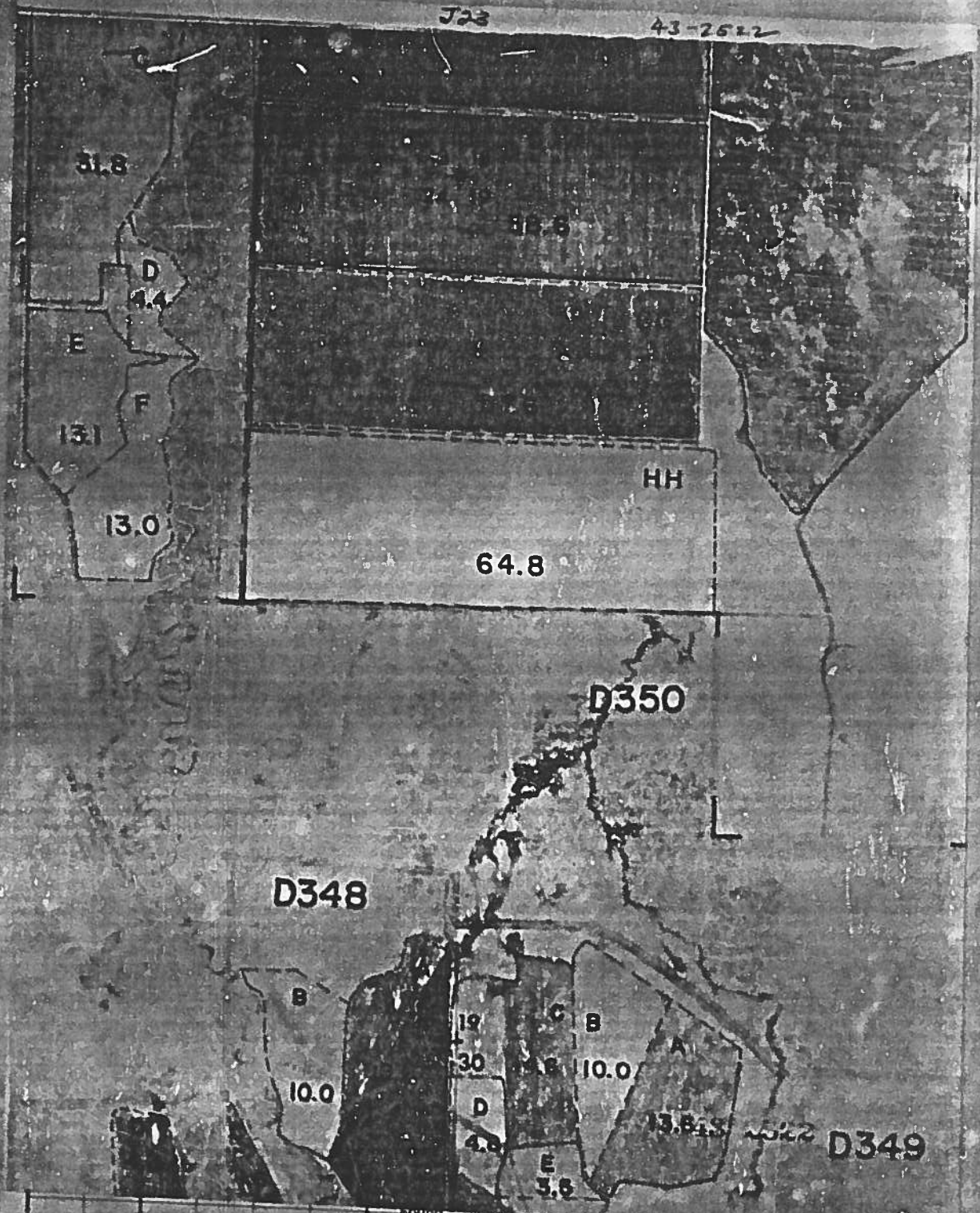
This examination was made on the 15th day of July, 1971

(Signed) Roy A. Claborn Examiner

43-2522

J23

43-2522

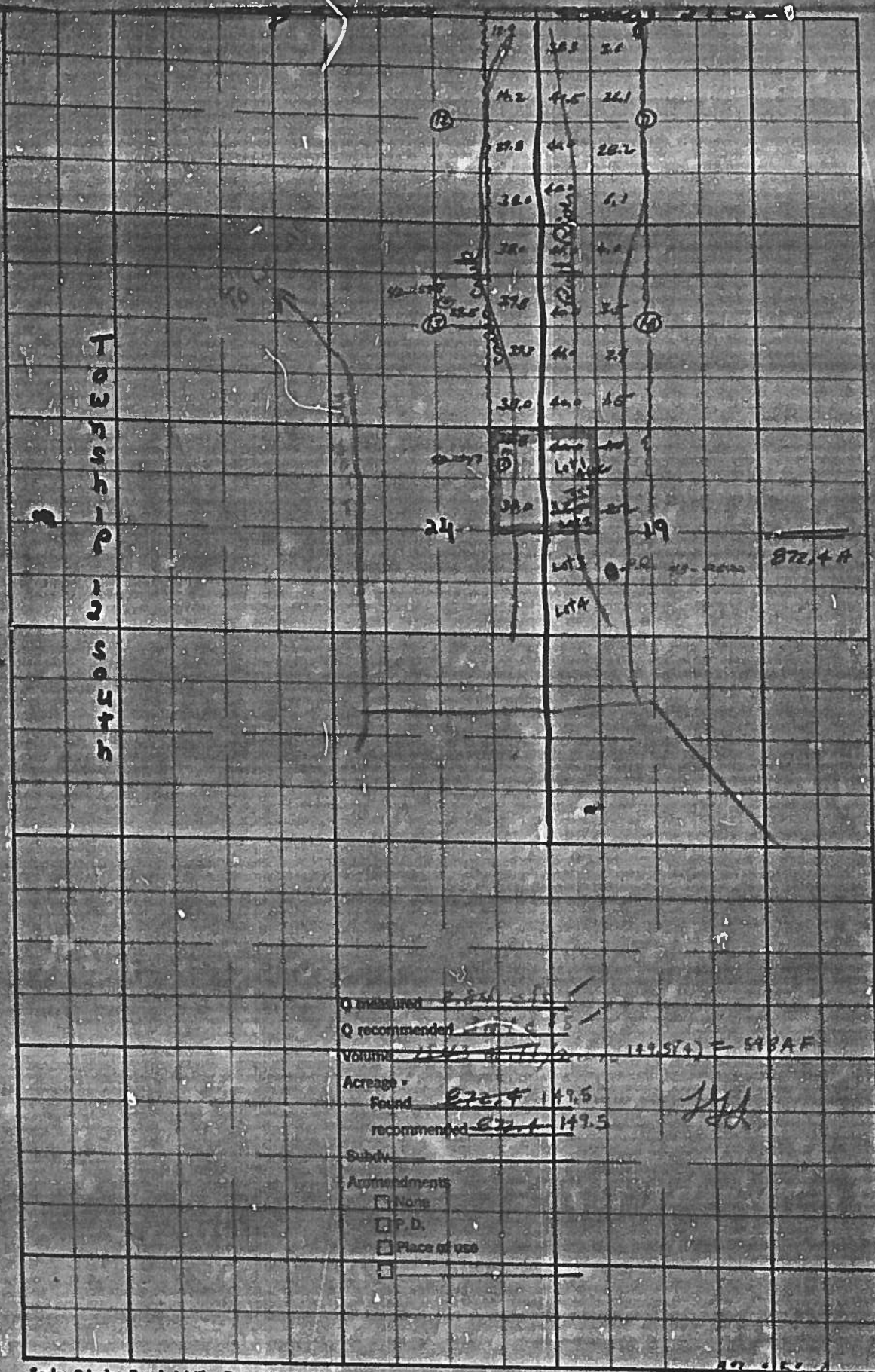


Found		recommended - 67.1 14.5		70.2	
Subdiv					
Amendments					
☐ None					
☐ P.D.					
☐ Place of use					
☐					

Scale: 2 inches Equals 1 Mile. Draw Map in ink.

43-2522

103545-2-30545



Q measured 872.44
 Q recommended 872.44
 Volume 124.3 149.5 149.5 = 543AF
 Acreage -
 Found 872.44 149.5
 recommended 872.44 149.5
 Subdv.
 Amendments
☐ None
☐ P.D.
☐ Place of use

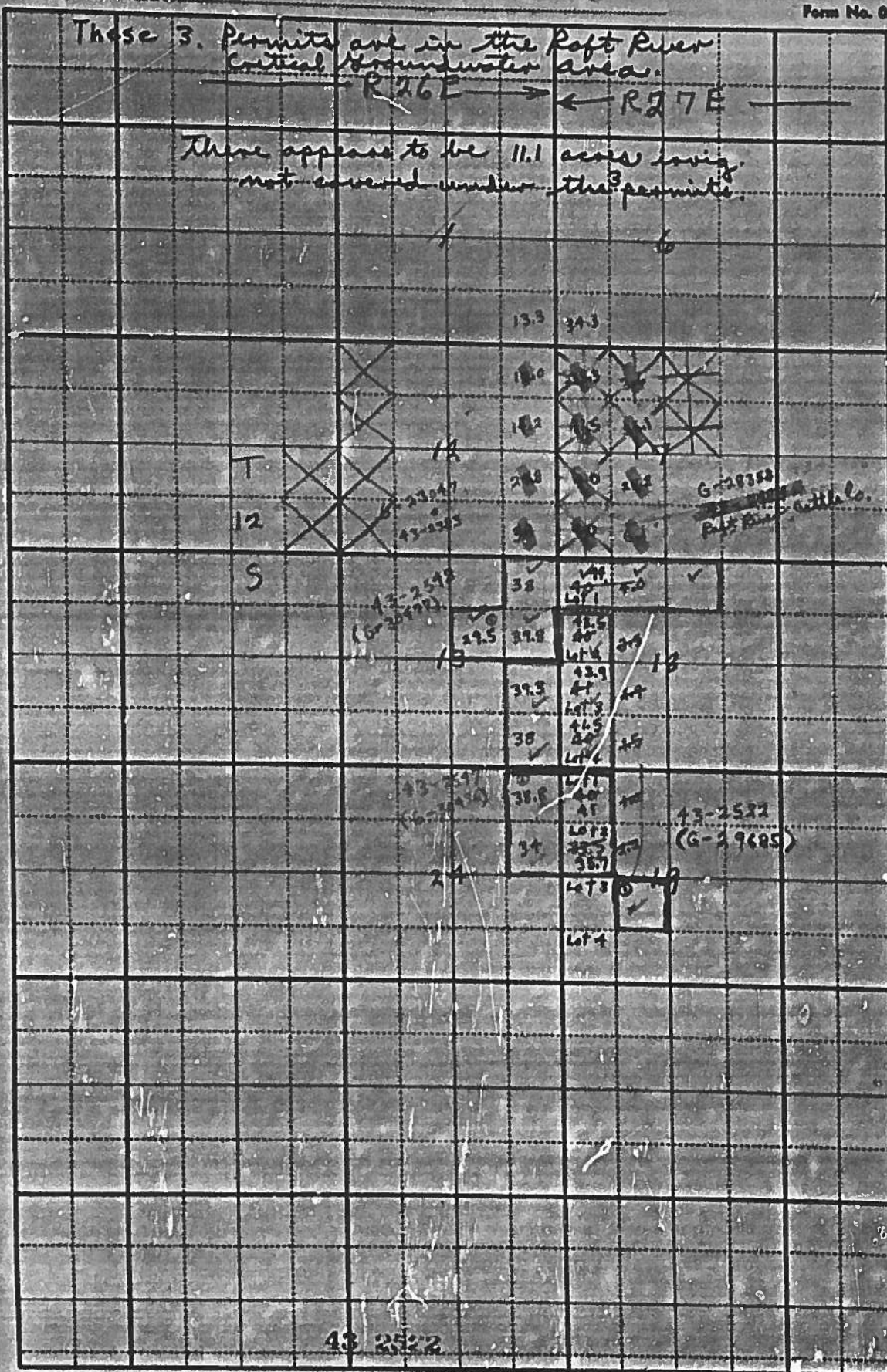
R: 13 4522, 43-2547, 43-2548

These 3 permits are in the Raft River
Critical Groundwater area.

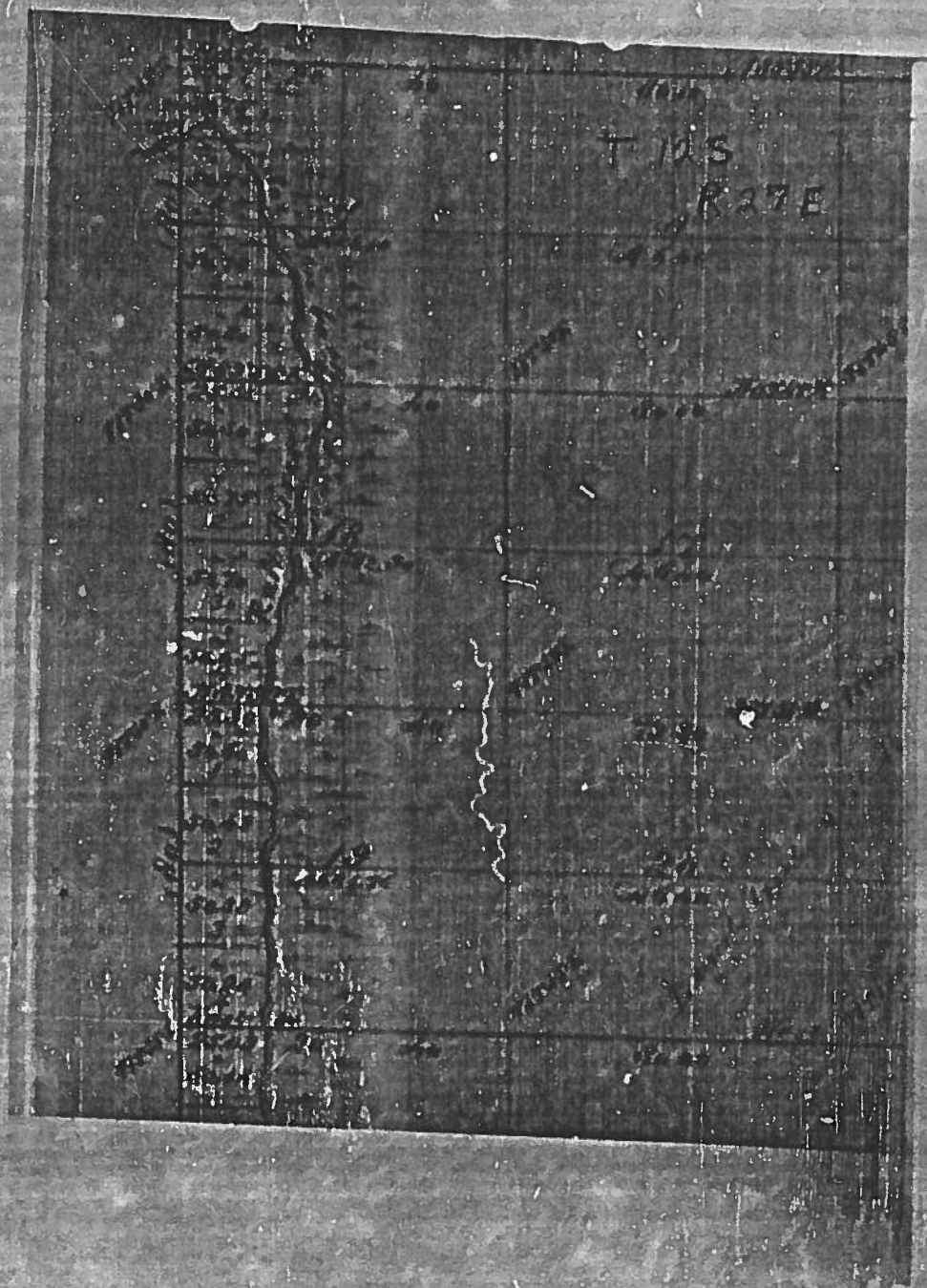
R26E

RA 7 E

There appears to be 11.1 acres lying
not covered under the 3 permits.



SCALE; 2 inches Equal 1 Mile. Draw Plan in Ink.



43 2522

This examination was made on the 15th day of July, 1971.
(Signed) Robert A. Clifton Examiner.

43 2522

ASCS : Bur Day
SCS : Bur Day

Permit No. G-29685 / 143-2522

Examination for 8/21

County Casta

Quantity: (amount) 1251 AK
(gross) 8.8 permit same

Source: groundwater

P.D.: H4584

Use: Irrigation

Extension:

Protest:

Completion of Works:

Other Rights: none

Filed: May 1, 1961

MADE: April 27, 1965

Dec: May 3, 1966

PRINTED: May 1, 1961

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plot same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plot same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

Mr. Sample: After 1st exam. it was
64% cleared.
Call Mr. Brown in Corvallis.

May 15, 1973

Re: Permits No. 29685/43-2522
30476/43-2547
30477/43-2548

RAFT RIVER CATTLE COMPANY
Star Route
Deale, Mo. 63323

Gentlemen:

A representative of this Department has made an examination of the works covered by the above referenced permits and has found the following:

Permit 29685/43-2522

Quantity of water diverted: 3.84 cfs

Amount of water that can be recognized as beneficially used under
Habo law: 2.99 cfs

The maximum quantity diverted shall not exceed 598 acre feet per year.

Point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, Twp. 12S, Rge. 27E, B.M.

Beneficial use: Irrigation of 149.5 acres within the E $\frac{1}{4}$ NE $\frac{1}{4}$ (72.8), Sec. 24, Twp. 12S, Rge. 26E, B.M. and W $\frac{1}{4}$ NW $\frac{1}{4}$ (76.7), Sec. 19, Twp. 12S, Rge. 27E, B.M.

Priority date established: May 1, 1961

Permit 30476/43-2547

Quantity of water diverted: 4.16 cfs

Amount of water that can be recognized as beneficially used under
Habo law: 4.0 cfs

The maximum quantity diverted shall not exceed 800 acre feet per year.

Point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, Twp. 12S, Rge. 26E, B.M.

Beneficial use: Irrigation of 200 acres within the E $\frac{1}{4}$ SE $\frac{1}{4}$ (77.3), Sec. 13, Twp. 12S, Rge. 26E, B.M. and SW $\frac{1}{4}$ NW $\frac{1}{4}$ (40), W $\frac{1}{4}$ SW $\frac{1}{4}$ (82.7), Sec. 18, Twp. 12S, Rge. 27E, B.M.

Priority date established: April 25, 1962

43-2522

Page 2
 Red River Cattle Company
 Re: 43-2522, 2547, 2548
 May 15, 1972

Permit 30477/43-2548

Quantity of water diverted: 5.40 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 2.08 cfs

The maximum quantity diverted shall not exceed 605 acre feet per year

Point of diversion: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, Twp. 12S, Rge. 26E, B.M.

Beneficial use: Irrigation of 151.3 acres within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ (38), S $\frac{1}{2}$ (39.3), Sec. 13, Twp. 12S, Rge. 26E, B.M. and NW $\frac{1}{4}$ NW $\frac{1}{4}$ (44), Sec. Twp. 12S, Rge. 27E, B.M.

Priority date established: April 25, 1962

Please be advised that there are licensing fees due as follows:

Permit 43-2522.....	\$13.00
Permit 43-2547.....	15.00
Permit 43-2548.....	13.00

TOTAL \$41.00

Therefore, a fee totaling \$41.00 must be received within 30 days of the date of this letter in order that we may issue your water licenses as set forth above. If you do not meet these findings or have any questions, please contact us within the 30-day period.

Sincerely,

BOBBY D. FLEENOR
 Assistant Director

BDF:DR

cc: Mr. R. M. Winans
 P.O. Box 2777
 Boise, Idaho

CLAIM NUMBER: A43-02522

598 AF=A

Stage: LICENSE

CASSIA County
CASSIA County
CASSIA County
CASSIA County

SE

TOTAL ACRES

Other Rights: NONE

AC. IRR.=149.5
2 WELLS IN SEC

Objection Filed Date:

Field Inspection Flag:
Presumption Flag:

149.5 / ppm

CLAIM NUMBER

A43-02522

DATE

TRANSFER NUMBER

AGENT

CLAIMED ACRE TOTAL 15

GIS ACRE TOTAL

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	12S	26E	24	39			34												
GIS	12S	26E	24																
RECOM	12S	26E	24																
CLAIM	12S	27E	19					41	36										
GIS	12S	27E	19																
RECOM	12S	27E	19																
CLAIM																			
GIS																			
RECOM																			

B43-POU.SHP

SHAPE NOS.

B43-POD.SHP

NOS. DESCRIPTION

DBF TABLES UPDATED

B43-DBPOU.DBF

43-DBPOD.DBF

G LAYOUT

A43-02522

13

18

24

19

R26E

R27E