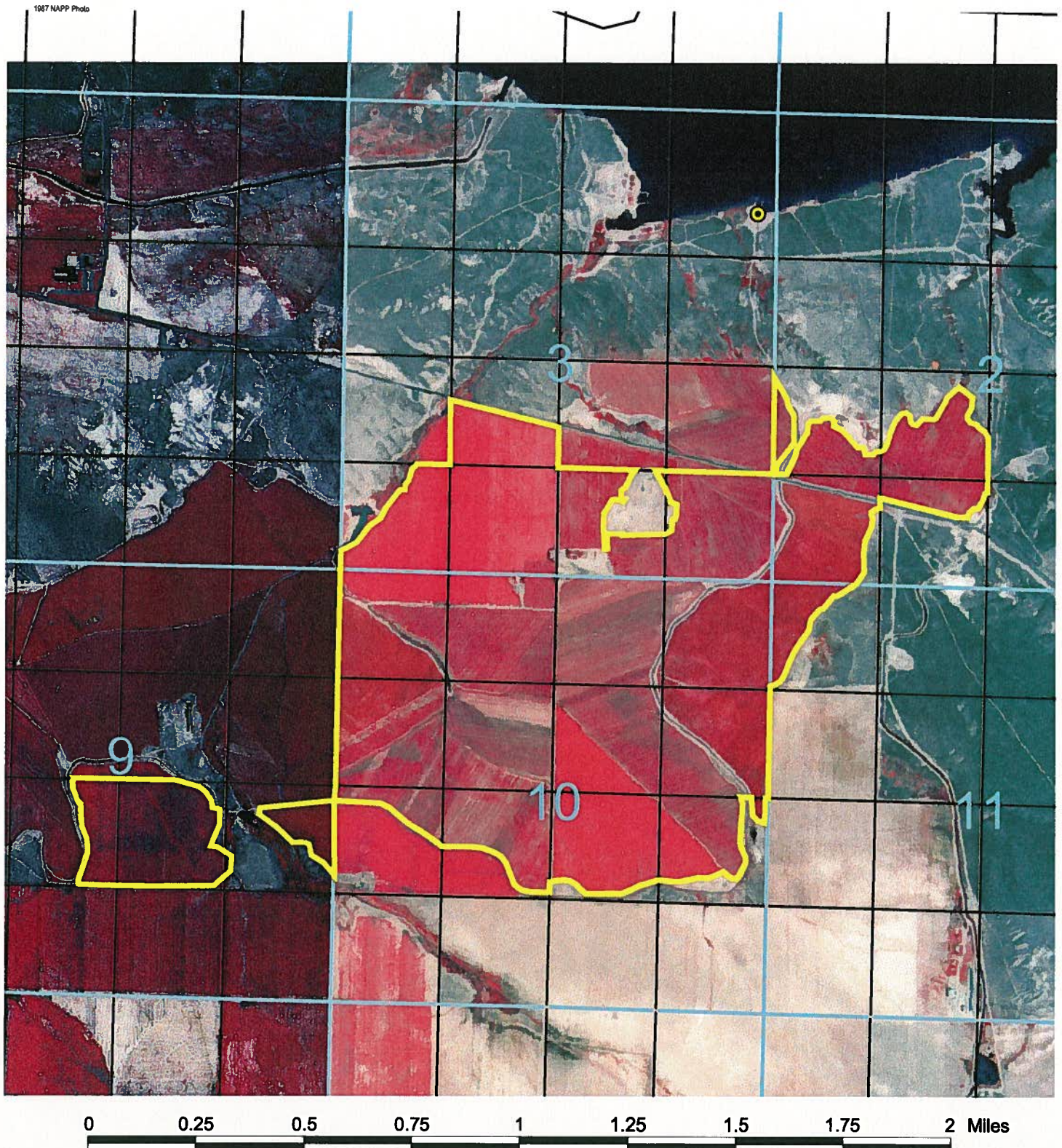
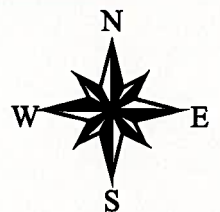


Idaho Department of Water Resources

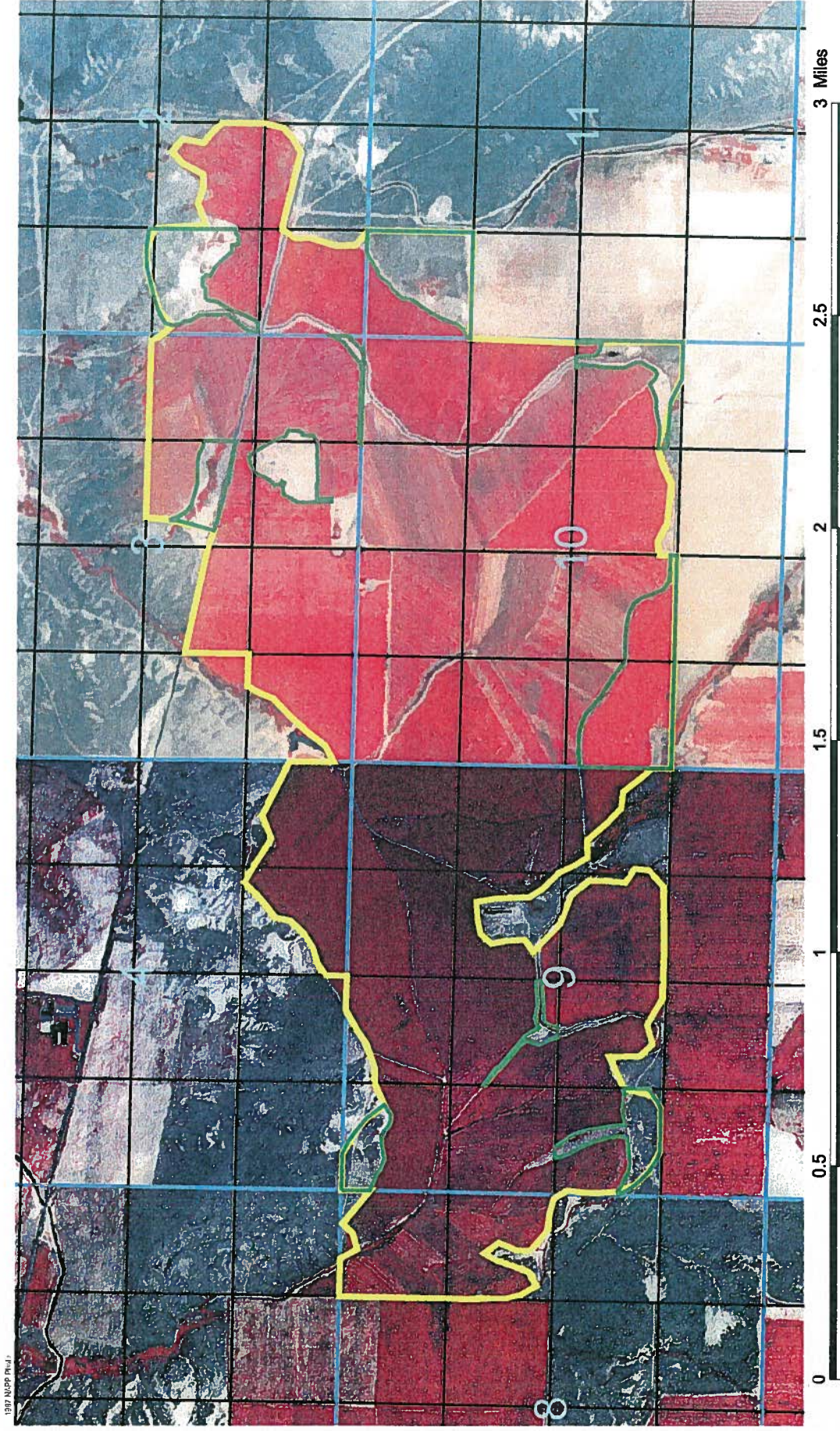


Claim Number: 02-2096
Legal: T06S, R04E, S2,
S3, S9, S10, & S11
Reviewed By: JLD 7/26/05

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



Idaho Department of Water Resources

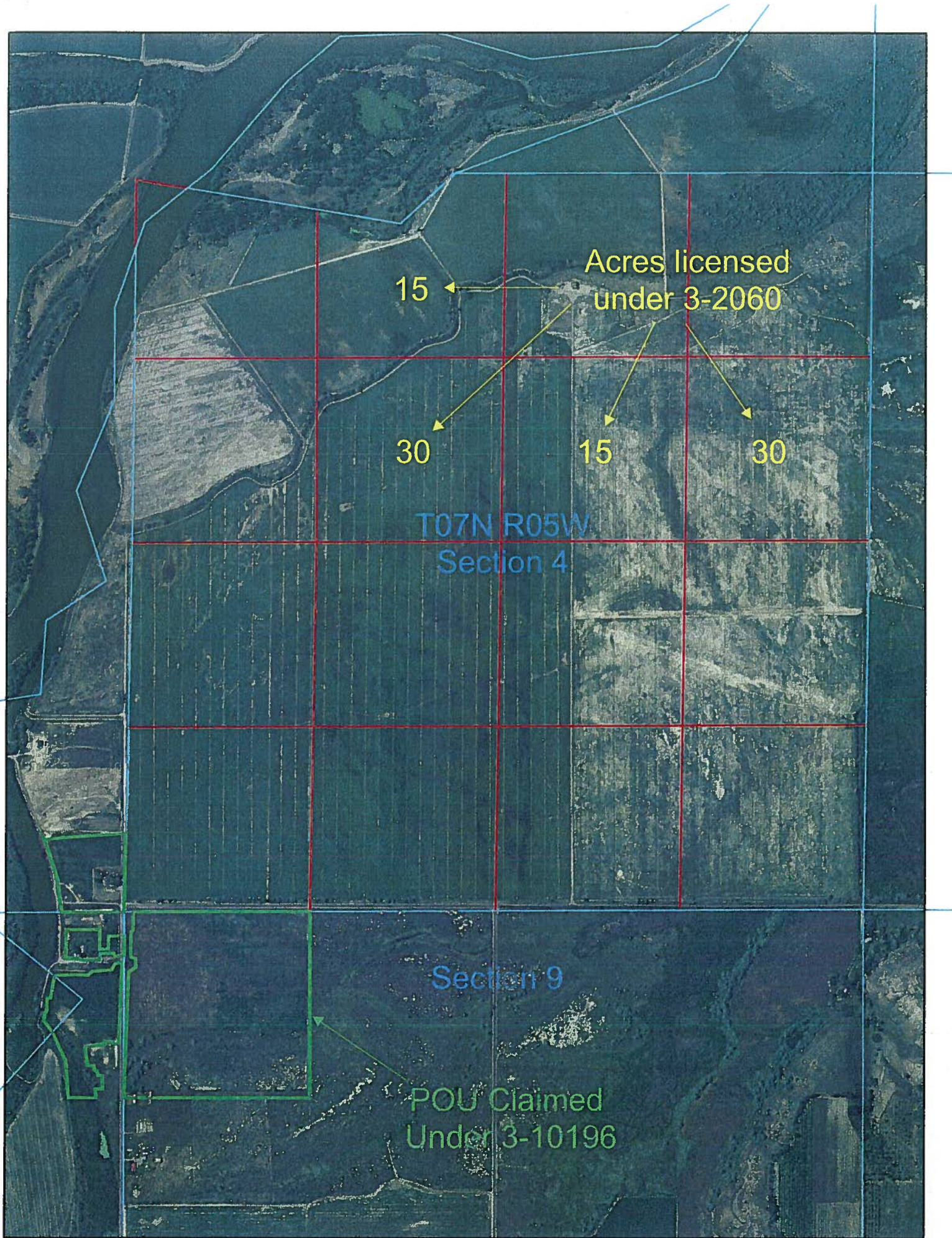


Farm 2 Approximate Place of Use
 Legal: T06S, R04E, S2-4, 8-11
 Claim Numbers: 2-2085, 2-2096, 2-2098
 2-2102, 2-2137, 2-2138, 2-4003A
 2-4003B, 2-7090B and 2-10016

2-7090B Rec POU
 Farm 2 POU
 Sections
 06S04E GCDB

Claim Number	Recommendation Status	Acres	TextBlock
2-5	Disallowed	146	FARM 2.□□
2-2085	JD verified	632	FARM 2
2-2096	JD verified	712	FARM 2 SEE CLAIM A02-10016 FOR EXPANSION OF THIS RIGHT
2-2098	JD verified	160	FARM 2
2-2102	JD verified	50	FARM 2
2-2137	SR verified	33	FARM 2
2-2138	JD verified	146	FARM 2
2-4003A	JD verified	119	FARM 2
2-4003B	JD verified	119	FARM 2
2-10016	JD verified	712	See 2-2096 above

2-7090B	SR verified	152	Needs Change of Ownership
---------	-------------	-----	---------------------------



Acres licensed
under 3-2060

15

30

15

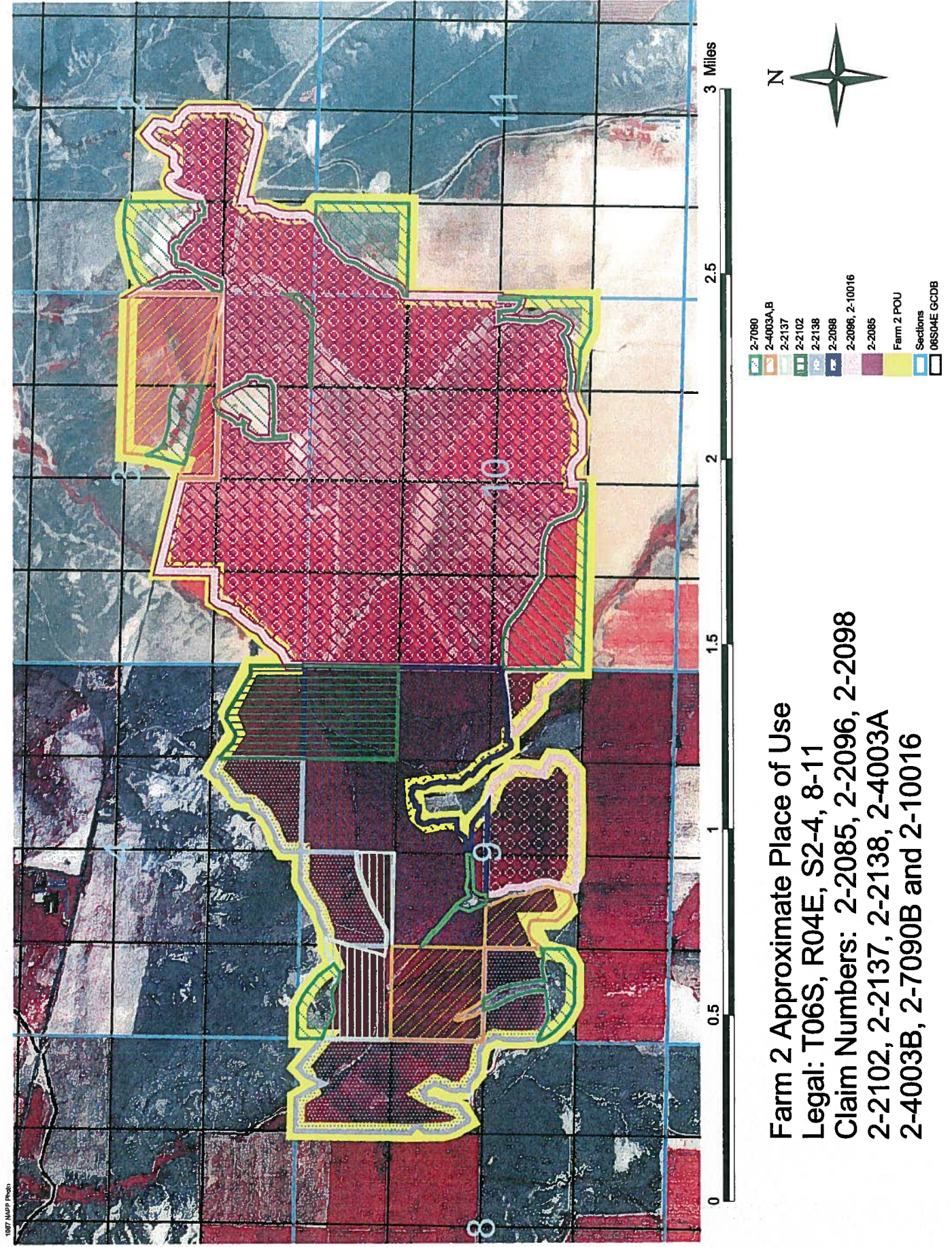
30

T07N R05W
Section 4

Section 9

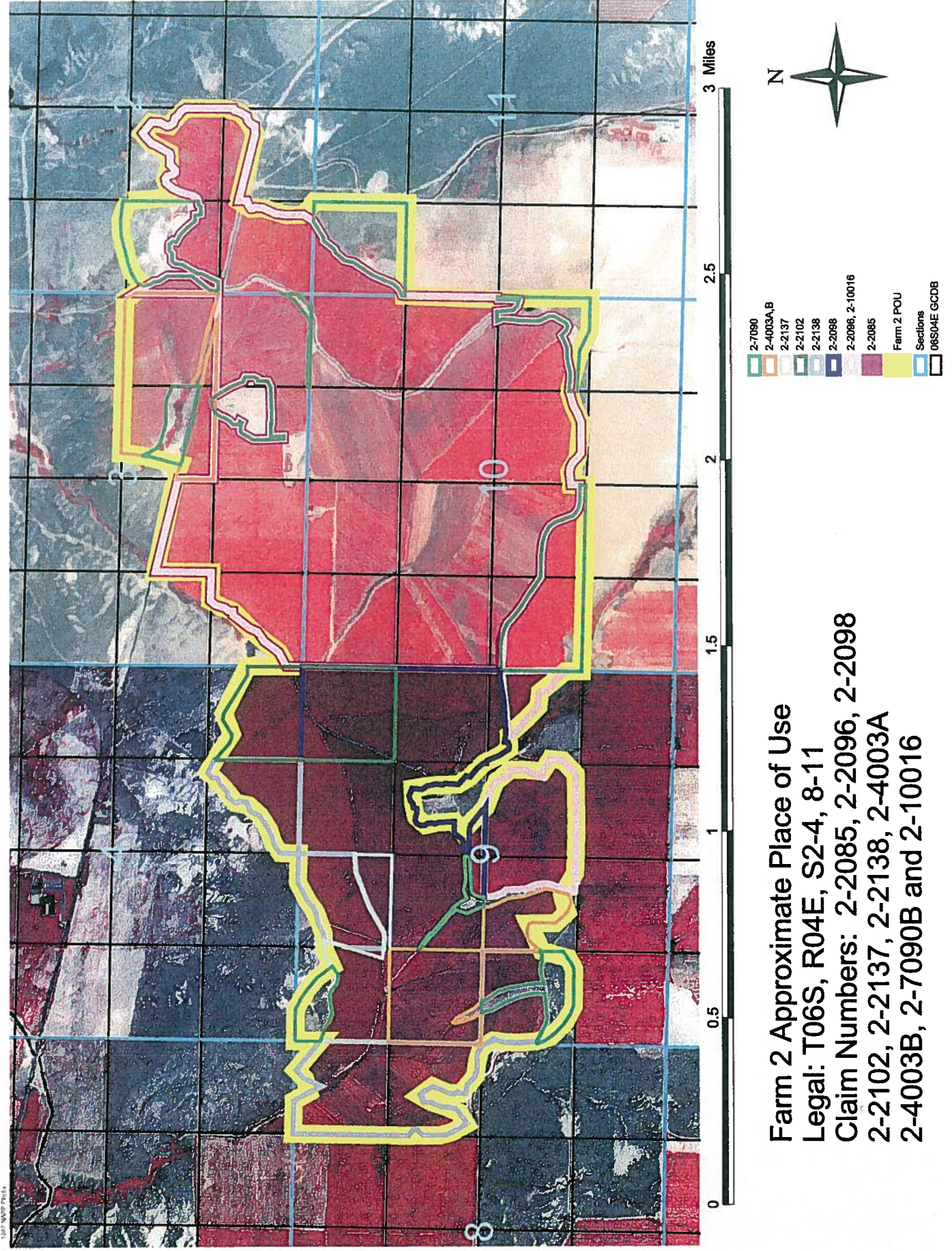
POU Claimed
Under 3-10196

Idaho Department of Water Resources



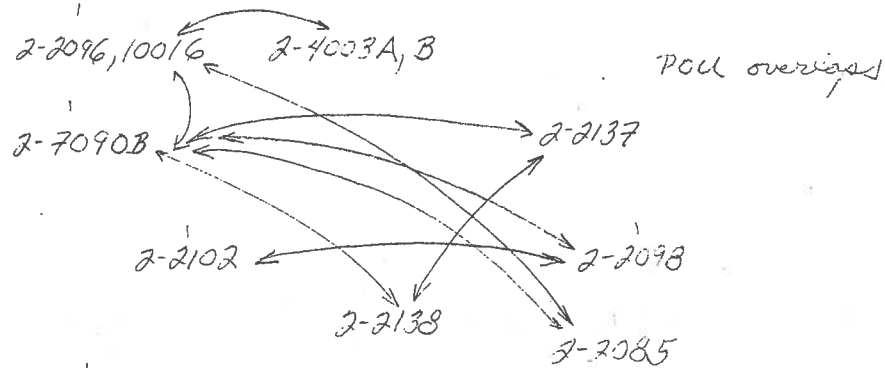
Farm 2 Approximate Place of Use
Legal: T06S, R04E, S2-4, 8-11
Claim Numbers: 2-2085, 2-2096, 2-2098
2-2102, 2-2137, 2-2138, 2-4003A
2-4003B, 2-7090B and 2-10016

Idaho Department of Water Resources

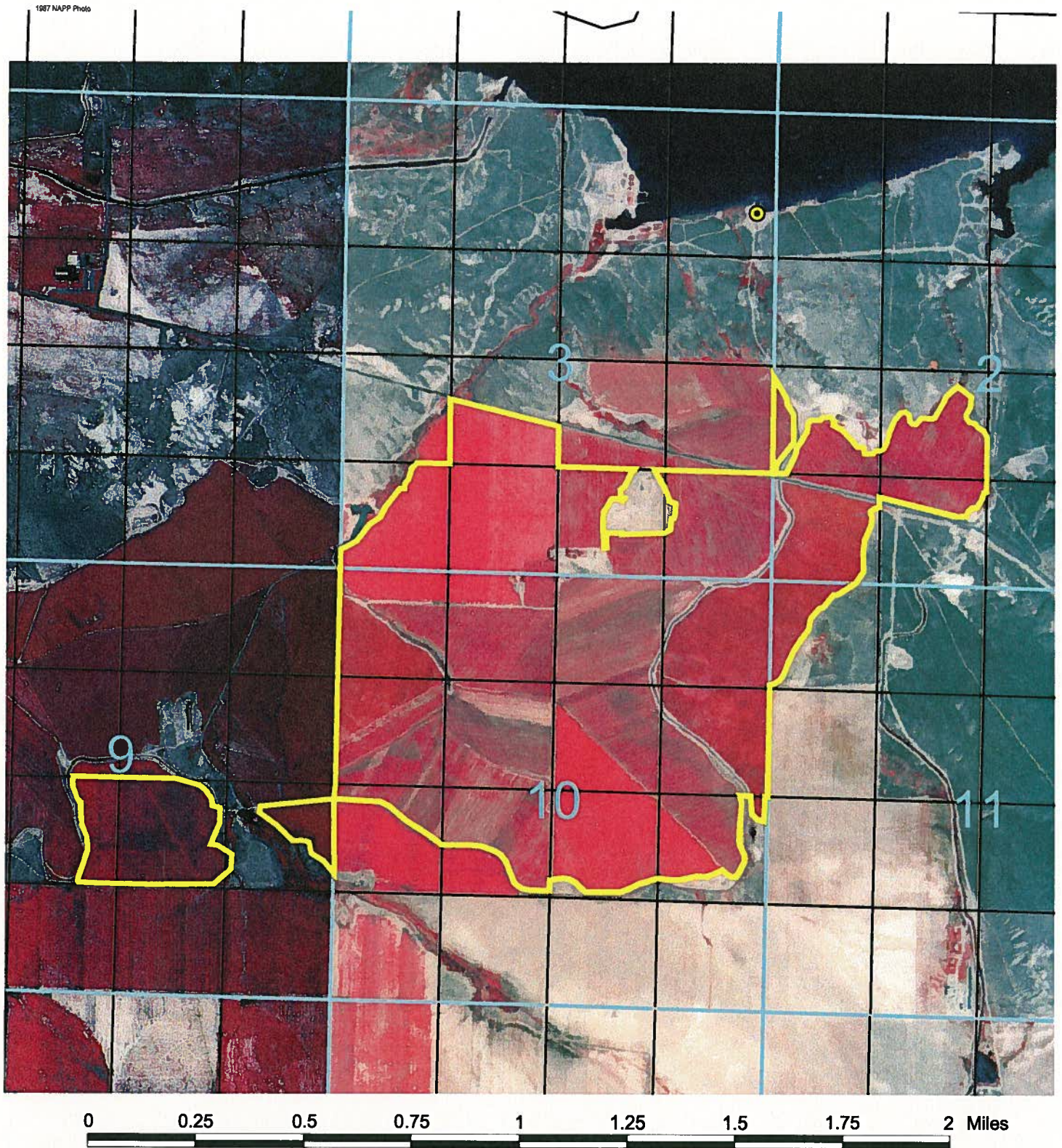


⑤ 2-2085	632	12.3	$85 + 76 = 632$
⑤ 2-2096	712 (232)	1.66	$76 + 10016 \leq 1.66$
⑤ 2-2098	160	3.2	
⑤ 2-2102	50	1.0	
⑤ 2-2137	33	0.66	
⑤ 2-2138	146	2.2	
⑤ 2-4003A	119 (5)	0.1	$4003A + 4003B \leq 119$
⑤ 2-4003B	<u>119</u> (119)	2.28	$\sum n_i \leq 22.99$
⑤ 2-7090B	152	3.04	? overlap
⑤ 2-10016	<u>712</u> (30)	1.66	enlargement of 2-2096

total 2 sheets = 1408 acres ← E56 POU-configuration

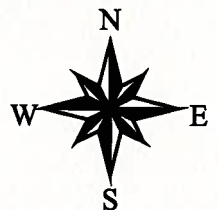


Idaho Department of Water Resources



Claim Number: 02-2096
Legal: T06S, R04E, S2,
S3, S9, S10, & S11
Reviewed By: JLD 7/26/05

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines



07/26/2005

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

RIGHT NUMBER: 2-2096
NAME AND ADDRESS: M L INVESTMENT CO
PO BOX 27
BOISE ID 83707-0027
SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 1.660 CFS
Right Nos. 2-2096 and 2-10016 are limited to a total combined diversion rate of 1.66 cfs.
PRIORITY DATE: 03/18/1952
POINT OF DIVERSION:

T06S R04E S3 NENE Lot 1 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.660 CFS

PLACE OF USE: IRRIGATION Within OWYHEE County

T06S R04E S02	NESW	18.0	T06S R04E S02	NWSW	12.0
T06S R04E S02	SWSW	32.0	T06S R04E S02	SESW	11.0
T06S R04E S03	NESW	15.0	T06S R04E S03	SWSW	25.0
T06S R04E S03	SESW	39.0	T06S R04E S03	SWSE	22.0
T06S R04E S03	SESE	35.0	T06S R04E S09	NESW	10.0
T06S R04E S09	NESE	30.0	T06S R04E S09	NWSE	40.0
T06S R04E S10	NENE	38.0	T06S R04E S10	NWNE	38.0
T06S R04E S10	SWNE	39.0	T06S R04E S10	SENE	37.0
T06S R04E S10	NENW	39.0	T06S R04E S10	NWNW	39.0
T06S R04E S10	SWNW	40.0	T06S R04E S10	SENW	40.0
T06S R04E S10	NESW	29.0	T06S R04E S10	NWSW	12.0
T06S R04E S10	NESE	25.0	T06S R04E S10	NWSE	37.0
T06S R04E S11	NWNW	10.0			

712 ACRES TOTAL

Right Nos. 2-2085 and 2-2096 are limited to the irrigation of a combined total of 632 acres in a single irrigation season.

This right authorizes the irrigation of 632 total acres.

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

07/26/2005

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

The following rights are also diverted through point of diversion described above: 2-2085, 2-2096, 2-2098, 2-2102, 2-2137, 2-2138, 2-4003A, 2-4003B, 2-7090B & 2-10016.

2096

State of Idaho License and Certificate of Water Right

Water License No. 22644

Amount 1.66 c.f.s.

Water District No. _____

Priority March 18, 1952

THIS IS TO CERTIFY that JEAN D. SWANSON - Assignee - GRANDVIEW REALTY, INC.
of Caldwell, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated March 7, 19 52; that Permit No. 22644
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
second feet, was issued thereunder on May 9, 19 57, showing that said works
were completed on the 22nd day of April, 19 57; and that on the 25th
day of March, 19 63,

GRANDVIEW REALTY, INC.

of Boise, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of
Snake River, a tributary of Columbia River, for the purpose of irrigation & domestic use
under Use Permit No. 22644 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 7624, on the 9th day of July, 19 63;

The right hereby confirmed dates from March 18, 19 52;

The Point of Diversion is located (Lot 1)

In the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, Tp. 6 S., R. 4 E., B. M. County Owyhee

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 1.66 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 S	4 E	2	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	18 ✓
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	12 ✓
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	32 ✓
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	11 ✓
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	15 ✓
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	25 ✓
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	39 ✓
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	22 ✓
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	35 ✓
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	17 —
		11 10	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40 —
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40 —
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	38 —
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40 —
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40 —
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40 ✓
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40 ✓
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40 ✓
			NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	25 —
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	12 ✓
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	28 —

The right to the use of the waters 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
day of _____

Total number of acres to be irrigated 632

State Reclamation Engineer

SEAL

2 2096

Disallowed Conditions
P1, P3, P11, P12

22,99 cfs Apr 63

Disallowed Rec. as of 8/1/98

2.5-
2.5-

10172
K02, K09, C11

Water Right #	Priority Date	Basis	Owner	POD	Diversion Amount	Remaining Diversion	Acres	cfs/acre
2-02085	11/14/1950	License	ML Investment Co.	6S 4E S3 NENE	12.3	10.69	632	0.019462025
2-02098	3/17/1952	License	ML Investment Co.	6S 4E S3 NENE	3.2	7.49	160	0.02
2-02096	3/18/1952	License	ML Investment Co.	6S 4E S3 NENE	1.66	5.83	632	0.002626582
2-02102	12/5/1952	License	ML Investment Co.	6S 4E S3 NENE	1	4.83	50	0.02
2-02137	9/4/1956	License	ML Investment Co.	6S 4E S3 NENE	0.66	4.17	33	0.02
2-04003A	4/1/1961	BU	ML Investment Co.	6S 4E S3 NENE	0.1	4.07	119	0.000840336
2-00005	6/16/1963	BU	ML Investment Co.	6S 4E S3 NENE	0.72	3.35	146	0.004931507
2-02138	6/16/1963	License	ML Investment Co.	6S 4E S3 NENE	2.2	1.15	146	0.015068493
2-04003B	4/1/1964	BU	ML Investment Co.	6S 4E S3 NENE	2.28	-1.13	119	0.019159664
2-10016	12/31/1986	BU	ML Investment Co.	6S 4E S3 NENE	1.66	-2.79	80	0.02075
2-07090B	8/24/1971	License	Thomas and Diana Nicholson	6S 4E S3 NENE	3.04	-5.83	152	0.02

91

E37, E31

2-2096

Add to

originals in 2-2085

Overlaps

— 2-7090B Overlapping Claims

2-2085 - 11/14/50 - 12.30 - 632 - ≈ 0.0195 ^{ML} ^{> 0.0201} ^{Simplot}
 2-2096 - 3/18/52 - 1.66 - 632 - ≈ 0.0026 ^{ML} ^{investment owner, Simplot att}
 (see 2-10016 for expansion)

2-4003A - 4/1/61 - 0.1 - 119 - ≈ 0.0008 ^{> 0.02} ^{ML, Simplot}
 2-4003B - 4/1/61 - 2.28 - 119 - ≈ 0.0192 ^{> 0.02} ^{ML, Simplot}
 (53 NESE39) NWSE25 59 SNNW38; NESW121
 2-4003 - statutory 1 + 2.32 - 121 - 0.02 - filed 8/29/68
 (53 NESE37) NWSE25 59 SNNW39; NESW15, (NESE55)

2-2137 - 9/4/56 - 0.66 - 33 - $= 0.02$ ^{ML, Simplot}
 (license "superventorial origination")

2-2098 - 3/17/52 - 3.2 - 160 - $= 0.02$ ^{ML, Simplot}

— 2-2137 overlapping claims

2-7090B (see above)

2-5 - 6/15/63 - 0.72 - 146 - $= 0.0049$ ^{> 0.02} ^{ML, Simplot}

2-2138 - 6/16/63 - 2.20 - 146 - $= 0.0151$ ^{ML, Simplot}

Claims

2-2137

claim POLK PLS $\Rightarrow 2 \times 40 = 80$

claim acres = 33

overhead

65 HE

54 NENW 2-2137 (?), 3-5(26), 2-2135(26) ✓

NW NW 2-2137(24), 2-7090B(9), 2-7090B(40) (see PROX) ✓

overall 27m PROX = 33 + 26 + 9 = 68 -

Claims

2-7090B

claim POLYK5 $\Rightarrow 12 \times 40 = 480$ ac
claim acres $\Rightarrow 152$
tax lots $\rightarrow$ all Simplex

(S11 NWNW not in shape)

T06504E

Overlaps

52 NWSW 2-2085 (12), 2-2096 (12), 2-7090B (24) ✓

53 NWSE 2-4003A (25), 2-4003B (25), 2-7090B (9) ✓

SWSE 2-2085 (22), 2-2096 (22), 2-7090B (13) ✓

SESE 2-2085 (35), 2-2096 (35), 2-7090B (4) ✓

59 NWNW ^{5 fields} 2-2137 (24), ^{N field} 2-7090B (9) ✓

SESW 2-2098 (36), 2-7090B (4) ✓

NWSW 2-2098 (36), 2-7090B (4) ✓

510 NESW 2-2085 (29), 2-2096 (29), 2-7090B (11) ✓

NWSW 2-2085 (12), 2-2096 (12), 2-7090B (27) ✓

NESE 2-2085 (25), 2-2096 (25), 2-7090B (13) ✓

511 NWNW 2-2085 (10), 2-2096 (10), 2-7090B (30) ✓

Overall upon PPOU = $152 + 12 + 25 + 22 + 35 + 24 + 36 + 29 + 12 + 25 + 10 = 418$

Same 7011 (65 4E 53 LI NENE)

72-2-5 $\pm$ 6/16/63 =

12.30-2-2085 $\pm$ 11/14/50 - 1 - 12.3

1.65-2-2096 $\pm$ 3/18/52 - 3 - 17.12

3.20-2-2098 $\pm$ 3/17/52 - 2 - 15.2

1.00-2-2102 $\pm$ 10/15/52 - 4

✓ 66-2-2137 $\pm$ 9/4/56 - 5

2.20-2-2138 $\pm$ 6/16/63 - 7

2.10-2-4003A $\pm$ 4/1/61 - 6

2.23-2-4003B $\pm$ 4/1/64 - 9

✓ 3.04-2-7090B $\pm$ 8/24/71 - 10

1.66-2-10016 $\pm$ (approx. mon. of 2-2096) - 13/5/50 - 11

Σ 28.32

* = M. R. Investment Co (owner)
! of Simplex Co (772 records)

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-020910

Date: 7-30-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	6S	4E	2									18	12	32	11					73
GIS												40	40	40	40					160
Claim			3									15		25	39			22	35	136
GIS												40		40	40			40	40	200
Claim			10	38	38	39	37	39	39	40	40	29	12			25	37			413
GIS				40	40	40	40	40	40	40	40	40	40			40	40			480
Claim			11						10											10
GIS								40												40

Number of POD's 1

Total Claimed Acres: 1032

Overlapping FOU Claim #'s:

02-02085, 02-07090B

Total GIS Acres: 880

COMMENTS:

County data indicates Simplot owns property in sections 3, 10 & 11. There is no data available for section 2. Per claim map and 02-02085, overlapping claim.

POD per claim legal.

1987 Napp Photo

Reviewed By:

-

1987 Napp Photo

Reviewed By:

-
- Figure 1 is a map of the study area, showing the location of the study site (yellow circle) and the location of the study area (green circle). The map includes a grid of 10x10 cells, with the study site located in the center cell (row 5, column 5). The map also shows the coastline of the study area and the location of the study site. A scale bar indicates distances from 0 to 1.25 miles.

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: A02-02096
Date Received: 3/1/89
Receipt No: 6005639
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
MAR 01 1989

Department of Water Resources

1. Name: M. L. INVESTMENT CO.
Address: P. O. BOX 27
BOISE, ID

83707

2. Date of Priority: MAR 18, 1952

3. Source: SNAKE RIVER

Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	04E	3	NE	NE		1	OWYHEE

5. Description of diverting works:
PUMPS AND CANALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.660		

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

A.F.A.

8. Total consumptive use is 2212.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	04E	2	NE	SW		IRR	18.0
			NW	SW		IRR	12.0
			SW	SW		IRR	32.0

A02-02096

Page 1

Date: 02/24/89

MICROFILMED

AUG 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	04E	2	SE	SW		IRR	11.0
			Section Acres				73.0
		3	NE	SW		IRR	15.0
			SW	SW		IRR	25.0
			SE	SW		IRR	39.0
			SW	SE		IRR	22.0
			SE	SE		IRR	35.0
			Section Acres				136.0
		10	NE	NE		IRR	38.0
			NW	NE		IRR	38.0
			SW	NE		IRR	39.0
			SE	NE		IRR	37.0
			NE	NW		IRR	39.0
			NW	NW		IRR	39.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	29.0
			NW	SW		IRR	12.0
			NE	SE		IRR	25.0
			NW	SE		IRR	37.0
			Section Acres				413.0
		11	NW	NW		IRR	10.0
			Section Acres				10.0
			Total Acres				632.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
02-02085

14. Remarks:
FARM 2
SEE CLAIM A02-10016 FOR EXPANSION OF THIS RIGHT

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: 1 Map

For Organizations:

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

M. L. Investment Co. _____, that I have signed the foregoing _____ Organization _____ document in the space below as _____ Secretary _____ of _____ Title _____

M. L. Investment Co. _____ and that the statements contained in the _____ Organization _____ foregoing document are true and correct.

James D. Brown
Signature of Authorized Agent

Secretary, M. L. Investment Co.
Title and Organization

2-28-89

Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 28th day
of February 19 89

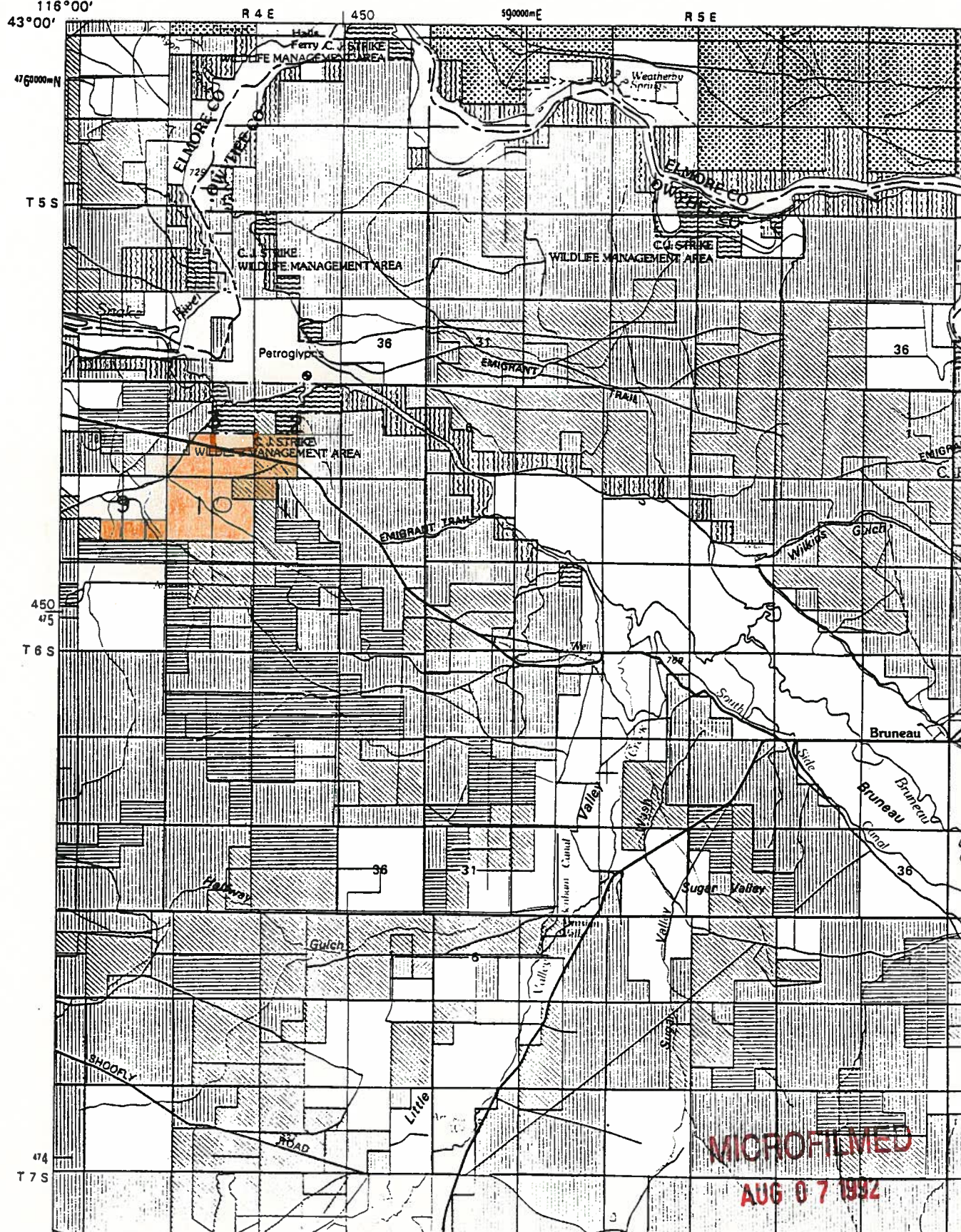
Vicki R. Lawrence
Notary Public

Seal

Residing at Meridian, Idaho

My Commission Expires 11-06-91

116°00'
43°00'





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

W.O.

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

May 20, 1994

RECEIVED

MAY 20 1994

WATER RESOURCES
WESTERN REGION

HOLLY PEPE
LEGAL DEPARTMENT
J R SIMPLOT COMPANY
PO BOX 27
BOISE ID 83707-0027

RE: Snake River Basin Adjudication (SRBA)
Co-counsel for J. R. Simplot Company

Dear Ms. Pepe:

Our records were modified May 19, 1994, to reflect Terry Uhling and Gray Young as co-counsel for J. R. Simplot Company. Bruce Belzer was removed from the water right claim records on which he appeared as counsel.

Thank you for your assistance. If you have any questions, please contact me.

Sincerely,

Sally Sherman
Secretary, Adjudication Bureau
Department of Water Resources

SS:regions

MICROFILMED

AUG 10 1994

CORPORATE HEADQUARTERS

RECEIVED

MAY 20 1994

WATER RESOURCES
WESTERN REGION

April 12, 1994

RECEIVED

APR 14 1994

Department of Water Resources

Donald V. Shaff
Manager, Adjudication Section
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

*Records modified 05-19-94
by Don Shaff. Sel. file
copy attached.
-Jal*

RE: Snake River Basin Adjudication
Case No. 39576 and Subcase Nos. 36-13320 & 57-02203A

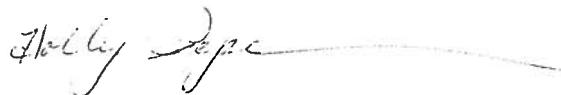
Dear Mr. Shaff:

In response to your letter of March 24, 1994, please modify your records to reflect that Terry T. Uhling and Gray Young are co-counsel of record in the above referenced matter. Mr. Uhling and Mr. Young are in-house counsel for J. R. Simplot Company, and, therefore, would be apprised of all matters relating to the claims of Simplot and its related company subsidiaries and affiliates as a matter of course. The attached Exhibit A does represent all water rights we are aware of at this time to which the Notice applies.

For your information, I have also enclosed a copy of a letter and attached Notice of Withdrawal from Diana Delaney, Chief Deputy Clerk of the Snake River Basin Adjudication Clerk's Office, which indicates that Bruce Belzer never was recorded as being counsel for J. R. Simplot Company.

If you have any questions, feel free to call me at 389-7201.

Sincerely,



Holly Pepe
Legal Department

/hp
Enclosures
5517v

MICROFILMED

AUG 10 1994

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



RECEIVED
APR 14 1994
Department of Water Resources

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
(208) 736-3011
FAX (208) 736-2121

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

April 6, 1994

Gray Young
Terry Uhling
J. R. Simplot Company
P.O. Box 27
Boise, ID 83707

Records modified 05-19-94
by Don Shaff. Sel. file
copy attached. - JEL

RE: Appearance of J. R. Simplot in Subcase Nos. 36-13320 and 57-02203A

Dear Mr. Young and Mr. Uhling:

Enclosed I am returning your *Notice of Withdrawal of Counsel* which was received by the court on April 5, 1994, and which stated that Bruce L. Belzer was withdrawing as counsel for J. R. Simplot Company in the above-referenced subcases.

After a search of the files for the above subcase, I am unable to locate any appearance by Bruce L. Belzer. However, on January 28, 1994, a *Notice and Entry of Appearance* was filed on behalf of J. R. Simplot in these subcases. That notice listed Gray Young and Terry Uhling as counsel for J. R. Simplot.

Sincerely,

A handwritten signature in cursive script, reading "Diana R. Delaney".

Diana R. Delaney
Chief Deputy Clerk

DRD

Enclosure

cc: Chief, Natural Resources Division
U.S. Department of Justice

MICROFILMED
AUG 10 1994

1 GRAY YOUNG, Assistant General Counsel
2 TERRY T. UHLING, Assistant General Counsel
3 Environmental & Regulatory Affairs
4 J. R. SIMPLOT COMPANY
5 P.O. Box 27
6 999 Main Street, Suite 1300
7 Boise, Idaho 83707
8 Telephone: (208) 389-7318
9 Fax: (208) 389-7515

10 Attorneys for J. R. Simplot Company

1994 APR - 2 PM 2:52
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

13 In Re the General Adjudication)
14 of Rights to the Use of Water)
15 from the Snake River Basin)
16 Water System.)

Civil Case No. 39576

17 The State of Idaho, ex rel.)
18 R. Keith Higginson in his)
19 official capacity as director)
20 of the Idaho Department of)
21 Water Resources,)

Petitioner,)

v.)

NOTICE OF WITHDRAWAL
OF COUNSEL

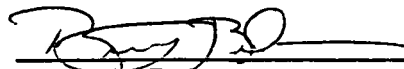
22 The United States; the State of)
23 Idaho; and all claimants to the)
24 use of water from the Snake)
25 River Basin Water System,)

Defendants.)

1 **PLEASE TAKE NOTICE** that Bruce L. Belzer hereby withdraws as
2 counsel of record for J. R. Simplot Company in the above entitled matter
3 and the following listed subcases:
4

5 36-13320
6 57-02203A

7 DATED this 4~~th~~ day of April, 1994.

8 
9 Bruce L. Belzer
10 Assistant General Counsel for
11 J. R. Simplot Company
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CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of April, 1994, I caused to be served a true and correct copy of the foregoing by United States mail, postage prepaid, addressed to the following:

James Annest
Law Office of James Annest
1742 Overland Avenue
Burley, Idaho 83318

Richard F. Smith
P.O. Box 70
Rexburg, Idaho 83440

Josephine P. Beeman
MOFFATT, THOMAS, BARRETT,
ROCK & FIELDS
First Security Bank Building
911 West Idaho
P.O. Box 829
Boise, Idaho 83701

Brad A. Flinders
STUNZ, FONDA, NICHOLS, KIYUNA,
OKAI, HORTON & FLINDERS
P.O. Box 1565
Nyssa, Oregon 97913

Cliff S. Bentz
YTURRI, ROSE, BURNHAM,
BENTZ & HELFRICH
P.O. Box 450
Fruitland, Idaho 83619

Kent W. Foster
HOLDEN, KIDWELL, HAHN & CRAPO
330 Shoup Avenue
P.O. Box 50130
Idaho Falls, Idaho 83405

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RACINE, OLSON, NYE,
COOPER & BUDGE, CHARTERED
201 East Center, Suite 2A
P.O. Box 1391
Pocatello, Idaho 83204-1391

Randall C. Fredricks
COSHO, HUMPHREY, GREENER &
WELSH, P.A.
Carnegie Building
815 West Washington Street
Boise, Idaho 83702

Rebecca Craven
Deputy Counsel
Robert T. Anderson
Staff Attorney
Nez Perce Tribal Executive
Committee
Office of Legal Counsel
P.O. Box 305
Lapwai, Idaho 83540-0305

Raymond D. Givens
Jeffrey C. Fereday
Michael C. Creamer
Christopher H. Meyer
Roy L. Eiguren
GIVENS, PURSLEY, & HUNTLEY
277 North Sixth Street, Suite 200
P.O. Box 2720
Boise, Idaho 83701

MICROFILMED

AUG 10 1994

1 Richard A. Cummings
2 MEULEMAN, MILLER, STROTHER &
3 CUMMINGS
4 960 Broadway, Suite 400
P.O. Box 955
Boise, Idaho 83701

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Grover Law office, Chartered
102 North Clark
P.O. Box 36
Rigby, Idaho 83442-0036

5 John D. Hansen
6 HANSEN, BEARD, ST. CLAIR,
7 PETERSON & SULLIVAN,
8 CHARTERED
9 683 North Capital Avenue
P.O. Box 51718
Idaho Falls, Idaho 83402-1718

Roger D. Ling
LING, NIELSEN & ROBINSON
615 H Street
P.O. Box 396
Rupert, Idaho 83350

10 HEPWORTH, NUNGESTER &
11 LEZAMIZ, CHARTERED
12 133 Shoshone Street North
P.O. Box 389
Twin Falls, Idaho 83303-0389

J. Dee May
MAY & MAY LAW OFFICES
516 Second Street East
P.O. Box 1846
Twin Falls, Idaho 83303

13 Cecil D. Hobdey
14 HOBDEY & HOBDEY
15 Attorneys at Law
16 125 Fifth Avenue West
P.O. Box 176
Gooding, Idaho 83330

Don A. Olowinski
Albert P. Barker
Richard B. Burleigh
HAWLEY, TROXELL, ENNIS & HAWLEY
877 West Main Street
P.O. Box 1617
Boise, Idaho 83701

18 Dana L. Hofstetter
19 Murray D. Feldman
20 HOLLAND & HART
21 West One Plaza, Suite 1400
22 101 South Capitol Boulevard
P.O. Box 2527
Boise, Idaho 83701

Bert L. Osborn
26 South Ninth Street
P.O. Box 158
Payette, Idaho 83661

23 William R. Hollifield
24 HOLLIFIELD AND TOLMAN
25 249 Third Avenue East
26 P.O. Box 66
27 Twin Falls, Idaho 83303-0066

David B. Lincoln
Scott L. Campbell
ELAM & BURKE
Key Financial Center, 10th Floor
702 West Idaho Street
P.O. Box 1539
Boise, Idaho 83701

MICROFILMED

AUG 10 1994

1 William A. Parsons
2 Kent Fletcher
3 PARSONS, SMITH, STONE &
4 FLETCHER
5 137 West 13th Street
6 P.O. Box 910
7 Burley, Idaho 83318

8 William F. Ringert
9 Daniel V. Steenson
10 RINGERT, CLARK, CHARTERED
11 455 South Third Street
12 P.O. Box 2773
13 Boise, Idaho 83701-2773

14 James P. Speck
15 HOGUE, SPECK & AANESTAD, P.A.
16 120 East Avenue
17 P.O. Box 987
18 Ketchum, Idaho 83340

19 Douglas R. Whipple
20 WHIPPLE'S LAW OFFICE, CHTD.
21 111 West 15th Street
22 P.O. Box 249
23 Burley, Idaho 83318

24 Craig R. Zaiss
25 CRAIG R. ZAISS, P.A.
26 Attorney at Law
27 305 Grover Street
28 P.O. Box 628
Parma, Idaho 83660

Jerry R. Rigby
Ray W. Rigby
RIGBY, THATCHER, ANDRUS,
RIGBY & KAM, CHARTERED
25 North Second East
P.O. Box 250
Rexburg, Idaho 83440

John A. Rosholt
James C. Tucker
ROSHOLT, ROBERTSON & TUCKER
142 Third Avenue North
P.O. Box 1906
Twin Falls, Idaho 83303-1906

Larry Sullivan
SCHROEDER, HUTCHENS & SULLIVAN
P.O. Box 220
Vale, Oregon 97918

Jeanette Wolfley
Candy L. Jackson
Shoshone-Bannock Tribes
P.O. Box 306
Fort Hall, Idaho 83203

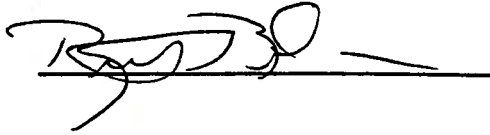
Addresses Under A.O.1., Section 7.d(2)

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

MICROFILMED

AUG 10 1994

1 United States Department of Justice
2 Environment & Natural Resources Division
3 550 West Forth Street, Box 33
4 Boise, Idaho 83724

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IN THE DISTRICT COURT OF THE Fourth JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF Ada

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
Snake River from base of Milner Dam
to Oregon border.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

<u>02-2096</u> I.D. No.	Map No.
\$ <u>10</u> Fee Paid	<u>19461</u> Receipt No.

Notice is hereby given that M. L. Investment Company

(Name of Claimant)

P.O. Box 27, Boise, ID 83707

(Mailing Address)

Telephone No. Tom Blessinger
342-8144

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 18 March 1952

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River tributary to Columbia River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 1.66 cfs Use irrigation and domestic Period of Use From 3/15 To 11/15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity .34 Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 1.66 cfs TOTAL QUANTITY CLAIMED.

(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source NE Lot 1 NE Sec. 3, Twp. 6 S., Rge. 4 E., B.M., Owyhee 73 County

Additional Points: SCI: 2720(1) 492.8 492.7

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. pumps and canals

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	4 E	2									18	12	32	11					73
		3									15		25	39			22	35	136
		10	40	40	38	40	40	40	40	38	25	12			25	28			406
			38	38	39	37	39	39	40	40	29	12			25	37			413
		11						17											10 17

Total no. of acres 632

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks Swanson filing, Farm 2

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case.

☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 22644/02-2096

Department of Water Resources
Western Regional Office

KEYPUNCHED

RECEIVED

JUN 22 1981

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

4/27/81

(Date)

(Signature of Claimant)

State of IDAHO

Organization

Organization

M. L. Investment Company

County of ADA

ss.

Seal

By:

Randolph N. Draves
(Signature of Authorized Agent)

SECRETARY

before me

On this 27th day of April, in the year 1981
a notary public, personally appeared Gonzalez N. Draves

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

My commission expires 4/27/83

Notary Public residing at Boise, Idaho

IN THE DISTRICT COURT OF THE Fourth JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

IN THE MATTER OF THE GENERAL DETERMINATION OF RIGHTS TO THE USE OF

Snake River from base of Milner Dam to Oregon border. DRAINAGE BASIN.

NOTICE OF CLAIM
TO A
WATER RIGHT

<u>02-2096</u> I.D. No.	<u>19461</u> Map No.
\$ <u>10</u> Fee Paid	<u>19461</u> Receipt No.

Notice is hereby given that M. L. Investment Company (Name of Claimant)
P.O. Box 27, Boise, ID 83707 (Mailing Address) Telephone No. Tom Blessinger 342-8144 (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 18 March 1952
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River tributary to Columbia River
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | |
|--|---|--|-------------------------------|
| Quantity <u>1.66 cfs</u>
(CFS, GPD, AF) | Use <u>irrigation and domestic</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>3/15</u>
(Mo., Day) | To <u>11/15</u>
(Mo., Day) |
| | | (Both dates inclusive) | |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____
(Mo., Day) | To _____
(Mo., Day) |
| | | (Both dates inclusive) | |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____
(Mo., Day) | To _____
(Mo., Day) |
| | | (Both dates inclusive) | |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____
(Mo., Day) | To _____
(Mo., Day) |
| | | (Both dates inclusive) | |
- (4) 1.66 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

- (5) A) Point of Diversion: Give location of point where water is diverted from its source NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 3, Twp. 6 S., Rge. 4 E., B.M., Owyhee County
Additional Points: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. pumps and canals

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>6S</u>	<u>1 E</u>	<u>2</u>									<u>18</u>	<u>12</u>	<u>32</u>	<u>11</u>					<u>73</u>
		<u>3</u>									<u>15</u>		<u>25</u>	<u>39</u>			<u>22</u>	<u>35</u>	<u>136</u>
		<u>10</u>	<u>40</u>	<u>40</u>	<u>38</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>38</u>	<u>25</u>	<u>12</u>			<u>25</u>	<u>28</u>			<u>406</u>
		<u>11</u>						<u>17</u>											<u>17</u>

Total no. of acres 632

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks Swanson filing, Farm 2

RECEIVED

JUN 22 1981

- (9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use. ☐ B) Right decreed by court, cite title of case. ☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 22644/02-2096

Department of Water Resources
Western Regional Office

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

6/22/81 (Date)

(Signature of Claimant)

State of IDAHO

Organization

County of ADA ss.

Seal

Organization

(Signature of Spouse)

M. L. Investment Company

By: Ronald W. Schaefer (Signature of Authorized Agent)

SECRETARY

On this 22nd day of June, in the year 1981 before me a notary public, personally appeared

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

My commission expires 6/22/83

Notary Public residing at _____

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by DA

Date 4/28/82

Right No. 02-2096

Claimant M.L. INVEST.

Recommendation differs from claim: ☒ Yes ☐ No ☐ Disallow
(Document any differences)

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

☒ License

☐ Previous Statutory Claim.

☐ Permits, valid or lapsed. Number(s) if different than above _____

☐ Decree. Name & date _____

☐ Conveyance Loss Calculations. See printout included.

☐ Title abstract. ☐ In file. Or, Name & location _____

☐ County records. ☐ In file. Or, Name & location _____

☐ Affidavits. ☐ In file.

☐ Posted Notices, Water Locations Notices. ☐ In file.

☐ Deed Records. ☐ In file. Or, Name & location _____

☐ Patent Records. ☐ In file. Or, Name & location _____

☐ Metzker Maps. Identify _____

☐ A.S.C.S. Records. Year & Photograph No. _____

☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____

☐ Historical Books. Name(s) & location _____

☐ Interview(s). Attach conversation memorandum.

☐ Other _____

☐ _____

Field Exam Made: ☒ Yes ☐ No Date 4/03/63

☐ Adj. Report in file ☒ Beneficial Use Report in License (S.O.) File

Measurement 23.2 cfs. Amount recommended _____ cfs.

Type of measuring device: _____ Meter No. _____

Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. 1974 OQ 1980 U-2
C.V. STRIKE 3422-80-132

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☒ Yes ☐ No

Remarks _____

4/28/82

To: 02-2096

From: D. SHAFF

SUBJ: REVIEW

THIS RIGHT IS USED ON THE SAME LANDS AS
02-2085 WHICH HAS A DIVERSION RATE OF 12.3 CFS.
TO BRING THE DUTY TO .02 CFS/ACRE, ONLY .34 CFS
IS REQUIRED OF 02-2096. NO MORE THAN 12.64 CFS
OF WATER HAS BEEN USED BENEFICIALLY ON THIS 632 ACRES.
THE P/U ~~IS~~ IS SLIGHTLY DIFFERENT FROM THE LICENSE.

State of Idaho
License and Certificate of Water Right

Water License No. 22644

Amount 1.66 c.f.s.

Water District No.

Priority March 18,

THIS IS TO CERTIFY that JUAN D. SWANSON - Assignee - GRANDVIEW REALTY, INC. of Caldwell, Idaho, made application for a permit to appropriate public waters of the State of Idaho, dated March 7, 1952; that Permit No. 22644 was issued under said application; that Certificate of Completion of works, with a carrying capacity of second feet, was issued thereunder on May 2, 1957, showing that said works were completed on the 22nd day of April, 1957; and that on the 25th day of March, 1963,

GRANDVIEW REALTY, INC.

of Boise, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Snake River, a tributary of Columbia River, for the purpose of irrigation & domestic use, under Use Permit No. 22644 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 7624, on the 9th day of July, 1963.

The right hereby confirmed dates from March 18, 1952;

The Point of Diversion is located (Lot 1)

in the NE 1/4 NE 1/4, Sec. 3, Tp. 6 S., R. 4 E., B. M. County Owyhee

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 1.66 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 S	4 E	2	NE 1/4 SW 1/4	40	18
			NW 1/4 SW 1/4	40	12
			SW 1/4 SW 1/4	40	32
			SE 1/4 SW 1/4	40	11
			NE 1/4 SE 1/4	40	15
			SW 1/4 SE 1/4	40	25
			SE 1/4 SE 1/4	40	39
			SW 1/4 NE 1/4	40	22
			SE 1/4 NE 1/4	40	35
			NW 1/4 NE 1/4	40	17
		3	NE 1/4 NE 1/4	40	40
			NW 1/4 NE 1/4	40	40
			SW 1/4 NE 1/4	40	38
			SE 1/4 NE 1/4	40	40
			NE 1/4 NW 1/4	40	40
			NW 1/4 NW 1/4	40	40
			SW 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	38
			NE 1/4 SW 1/4	40	25
			NW 1/4 SW 1/4	40	12
		11	NE 1/4 SE 1/4	40	25
			NW 1/4 SE 1/4	40	23
		10	NE 1/4 NW 1/4	40	40
			NW 1/4 NW 1/4	40	40

Total number of acres to be irrigated 632

02-2096

April 5, 1963

We believe that all of the above numbered permits have a common point of diversion through a pumping plant and pipe to ditches.

Permit No. 23014 was filed in connection with a desert land entry which our records show was not allowed and the case was closed. Possibly this permit should be relinquished or assigned with amendment to the land list.

The other permits claim a total of 21.82 c.f.s all for the irrigation of the same lands.

The flow from the penstock was measured as 23 c.f.s. on April 3rd. The examination showed that 542 acres were irrigated in Sections 3 and 10. Some land in Section 9 had been irrigated in the past, however, all of the works and the land were being reworked and the area was not determined from the air photo. There were also some land in Section 11 and NE 1/4 Sec. 9, which is not on the land list.

It seems that the license could be issued under Permit 21789 for all of the present development and later proofs of beneficial use will be necessary under the other permits. Land under Permit No. 22644 were not inspected.

Very truly yours,

Very truly yours,

WALTER V. THOMAS, Deputy
State Reclamation Engineer

BT:cm

22644

June 12, 1962

Mr. L. E. Haight, Vice Pres., Grandview Realty, Inc.
21757 1

Water & Agricultural Service
Box 2181
El Paso, Texas

Dear Mr. Haight:

We have the report of the field examiner that 612 acres are presently being irrigated in Sects. 2, 3, 10 and 11, T. 6 S., R. 4 E., S.M. under the above noted permits.

The land in Sects. 8 and 9 is being leveled, with new location of ditches which will require further proofs of beneficial use of the water.

Permit No. 21769 claims 12.3 cubic feet per second, and Permit No. 22514 claims 1.7 cubic feet per second, sufficient to cover the 12.3 c.f.s. allowable.

The fees for the two water licenses total \$44.00 for 22 subdivisions irrigated.

Our letter to Mr. L. E. Haight, Vice President, Grandview Realty, Inc., in regard to Permit No. 22514 is voided as the report of the examiner showed more land than can be irrigated.

Very truly yours,

RAUL W. THOMAS
Deputy State Registration Engineer

WTH:ar

cc: L. E. Haight, Vice Pres. Grand View Realty, Inc.

22644

IRRIGATION PROOF HEARING REPORT

10/12/84

PAGE 1

WATER RIGHT NUMBER 02-2096

OWNER NAME - M. L. INVESTMENT CO.

ADDRESS LINE 1 - P. O. BOX 27

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - BOISE

STATE - ID ZIP CODE - 83707

SOURCE - SAGE RIVER

STATUS -

TRIBUTARY OF - COLUMBIA RIVER

TOTAL DIV. VOLUME -

PERMIT/AMEND -

PRIORITY - 02-18-1952

COUNTY - OUYHEE

TOTAL DIV. RATE -

DIVERSION POINT - NENE 03 065 046 LOT 01 REDIY -

WATER DIST. - 02

DE/CHREY ACT -

RIGHT BRGTS - E

USE - IRRIGATION

PLACE OF USE - TWIN 065 RING 046 SEC 02

TRACT NENW LOT

AC 18 TRACT

NENW LOT AC 12

USE - IRRIGATION

PLACE OF USE - TWIN 065 RING 046 SEC 10

TRACT NENW LOT

AC 32 TRACT

SESW LOT AC 11

USE - IRRIGATION

PLACE OF USE - TWIN 065 RING 046 SEC 10

TRACT NENE LOT

AC 38 TRACT

NENE LOT AC 28

USE - IRRIGATION

PLACE OF USE - TWIN 065 RING 046 SEC 10

TRACT SAME LOT

AC 39 TRACT

SENE LOT AC 37

USE - IRRIGATION

PLACE OF USE - TWIN 065 RING 046 SEC 10

TRACT NENW LOT

AC 39 TRACT

NENW LOT AC 39

USE - IRRIGATION

PLACE OF USE - TWIN 065 RING 046 SEC 10

TRACT NENE LOT

AC 25 TRACT

NENE LOT AC 12

USE - IRRIGATION

PLACE OF USE - TWIN 065 RING 046 SEC 10

TRACT NENW LOT

AC 15 TRACT

SESW LOT AC 25

USE - IRRIGATION

PLACE OF USE - TWIN 065 RING 046 SEC 10

TRACT SESE LOT

AC 39 TRACT

SESE LOT AC 22

USE - IRRIGATION

PLACE OF USE - TWIN 065 RING 046 SEC 10

TRACT SESE LOT

AC 35

TOTAL ACRES 632

DEGREE NAME -

REMARKS - FROM 2

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROB MADE -

FLD EXAM -

DIVERSION MEANS -

PUMPS AND CANALS

PROTESTED -

HEARING -

OLD NO. -