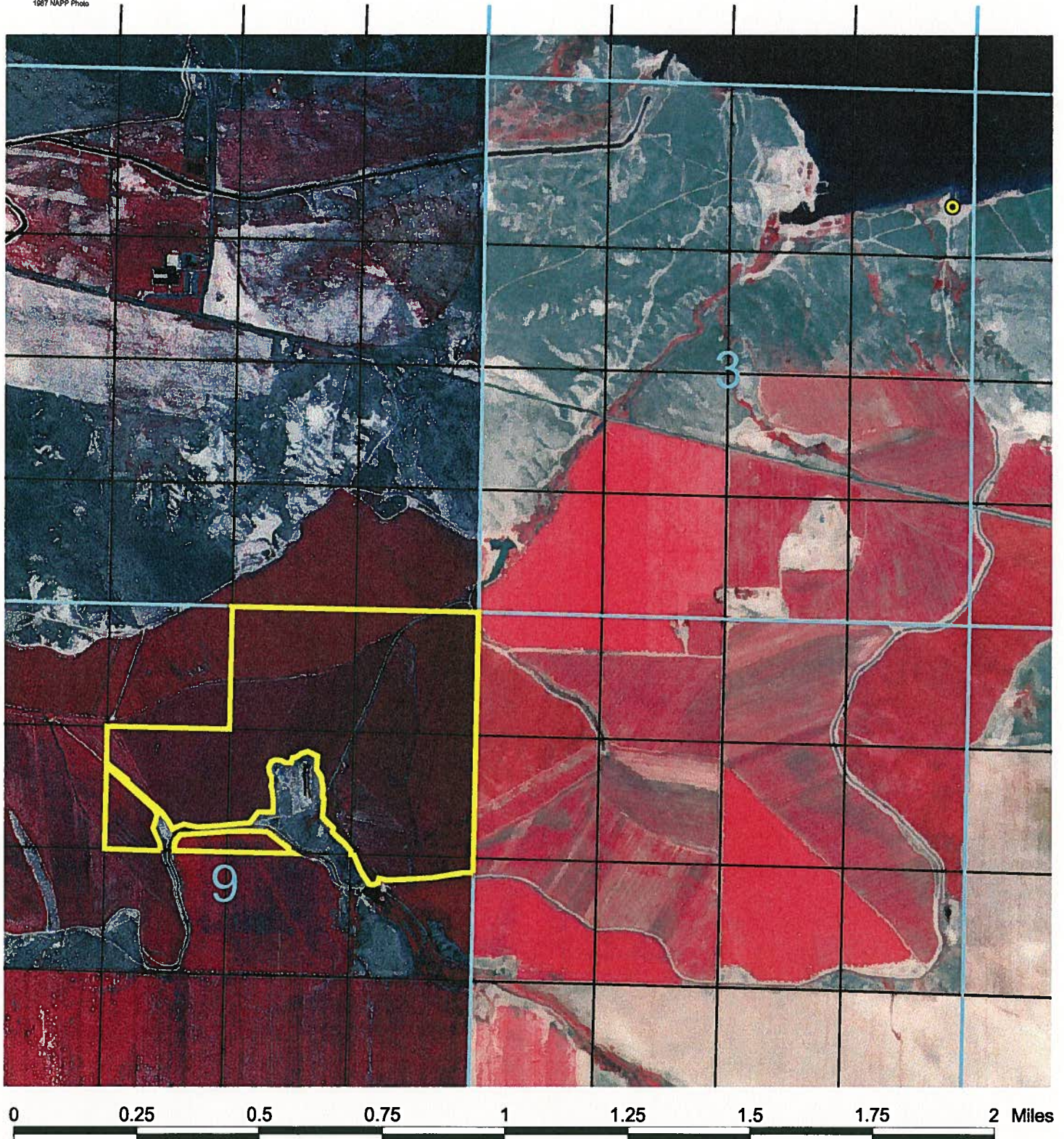


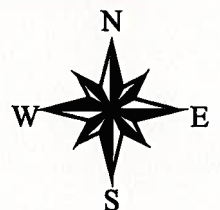
Idaho Department of Water Resources

1987 NAPP Photo



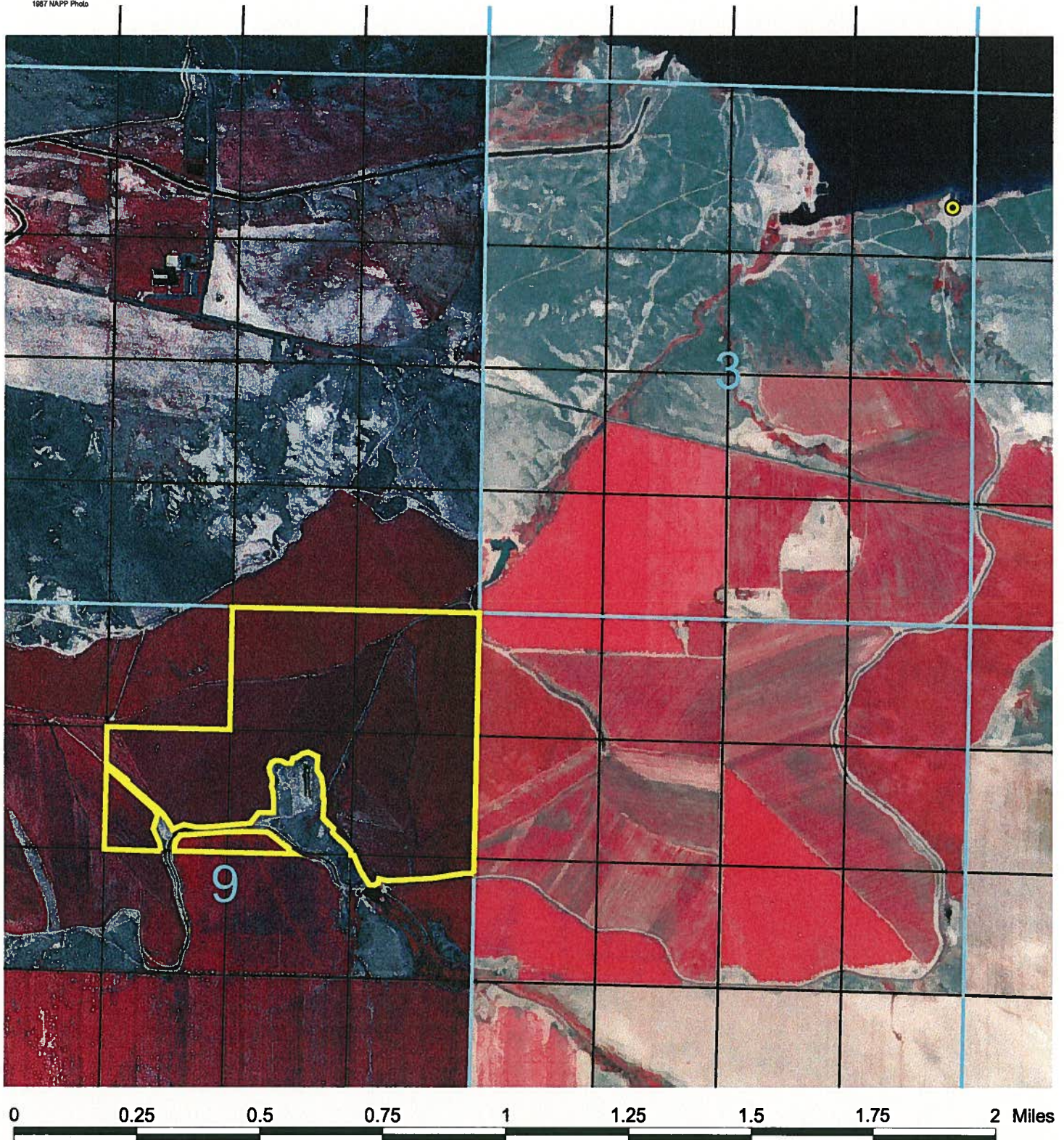
Claim Number: 02-2098
Legal: T06S, R04E, S3 & S9
Reviewed By: JLD 7/28/05

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



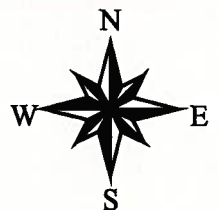
Idaho Department of Water Resources

1987 NAPP Photo



Claim Number: 02-2098
Legal: T06S, R04E, S3 & S9
Reviewed By: JLD 7/28/05

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



07/28/2005

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

RIGHT NUMBER: 2-2098

NAME AND ADDRESS: M L INVESTMENT CO
PO BOX 27
BOISE ID 83707-0027

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 3.200 CFS
800.000 AFY

PRIORITY DATE: 03/17/1952

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	04/01 10/31	3.200 CFS 800.00 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within OWYHEE County

T06S R04E S09	NENE	21.0	T06S R04E S09	NWNE	40.0
T06S R04E S09	SWNE	22.0	T06S R04E S09	SENE	36.0
T06S R04E S09	SENE	36.0	T06S R04E S09	NESE	5.0

160 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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.

2098

WATER LICENSE

Water License No. 22653/02-2098 Priority March 17, 1952 Amount 3.2 c.f.s.

THIS IS TO CERTIFY, that John Reid Robinson, Mildred E. Swanson, Margaret E. Robinson & Ralph E. Gale - Assignee - GRANDVIEW REALTY, INC.
of Boise, Idaho, made application for a permit to appropriate the public waters of _____

the State of Idaho, dated March 17, 1952; that Permit 22653/02-2098 was issued pursuant to said application; that the proposed works were completed on or about 1957

with a storage/or carrying capacity of 3.2 c.f.s., said works consisting of _____

pumps, motors, pipes and open ditch ; and that on August 17, 1962 .

proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 800
or 5080 acre feet per season when combined with all other rights appurtenant
acre feet per season, /with a maximum rate of diversion of 3.2 cubic feet per second of the waters to th

of Snake River, tributary of Columbia River

for the purpose of irrigation from April 1 to October 31;

and for _____ from _____ to _____; and for _____

_____ from _____ to _____; and that the use

of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-

mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is

located in Lot 1 (NE ¼ NE ¼) Sec. 3, T. 6 S, R. 4 E, B.M., and

other additional points _____, in the County of _____

Owyhee; and that the amount of water to which such right is

entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially

used for said purposes and shall not exceed 800 acre feet per year. or 5080 acre feet per season when combined with all other rights appurtenant to the same land and shall not exceed that amount

Description and location of place of use:

[illegible]

Total number of acres irrigated 160

The right to the use of the water 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

8th day of January, 1969.

affixed at Boise, Idaho, this

R. Keith Higgins
State Reclamation Engineer

2 2098

22653
02-2098

Disallow Conditions
P1, P3, P11, P12

22.99 cfs Apr 63

Disallowed Rec. as 2-2-198

2.5-
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

3 pumps

pumps

pansion

91

Add to 2-2096 E37, E31

Originals in 2-2085

Overlaps

— 2-7090B Overlapping Claims

2-2085 - 11/14/50 - 12.30 - 632 - ≈ 0.0195 ^{ML} ^{> 0.0021} ^{Simpshot}
 2-2096 - 3/18/52 - 1.66 - 632 - ≈ 0.0026 ^{ML} ^{investment owner, Simpshot att}
 (see 2-10016 for expansion)

2-4003A - 4/1/61 - 0.1 - 119 - ≈ 0.0008 ^{> 0.02} ^{ML, Simpshot}
 2-4003B - 4/1/61 - 2.28 - 119 - ≈ 0.0192 ^{> 0.02} ^{ML, Simpshot}
 (53 NESE39) NWSE25 59 SWNW38 NESW10
 2-4003 - statutory .1 + 2.32 - 121 - 0.02 - pick 8/29/68
 (53 NESE37) NWSE25 59 SWNW39 NESW15, (NESE55)

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

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

— 2-2137 overlapping claims

2-7090B (see above)

2-5 - 6/16/63 - 0.72 - 146 - $= 0.0049$ ^{> 0.02} ^{ML, Simpshot}

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

Claims

2-2137

claim POLLS $\Rightarrow 2 \times 40 = 80$

claim (mines) = 33

overlap

65 4E

54 NENW 2-2137 (9), 2-5 (26), 2-2138 (26) ✓

NW 1/4 2-2137 (24), 2-7090B (9), 2-070B (40 min. PPOU) ✓

overall 27 min PPOU = 33 + 26 + 9 = 68 -

Claims

2-7090B

claim POUKUS $\Rightarrow 12 \times 40 = 480$ ac
 claim acres $\Rightarrow 152$
 tax lots > all Simplelot

(S11 NWNW not on map)

T06504E

Overlaps

52 NWSW 2-7085 (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 ^{S field} 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 TND (65 4E 53 LI NENE)

72-2-5 * 6/16/63 - 7

12.30-2-2085 * - 11/14/50 - 1 - 12.3

1.65-2-2096 * - 3/18/52 - 3 - 17.1

3.20-2-2048 * - 3/17/52 - 2 - 15.0

1.00-2-2102 * - 1/3/52 - 4

✓ 66-2-2137 * - 9/4/56 - 5

2.20-2-2138 * - 6/16/63 - 7

2.10-2-4003A * - 4/1/61 - 6

2.23-2-4003B * - 4/1/64 - 9

✓ 3.04-2-7090B - 8/24/71 - 10

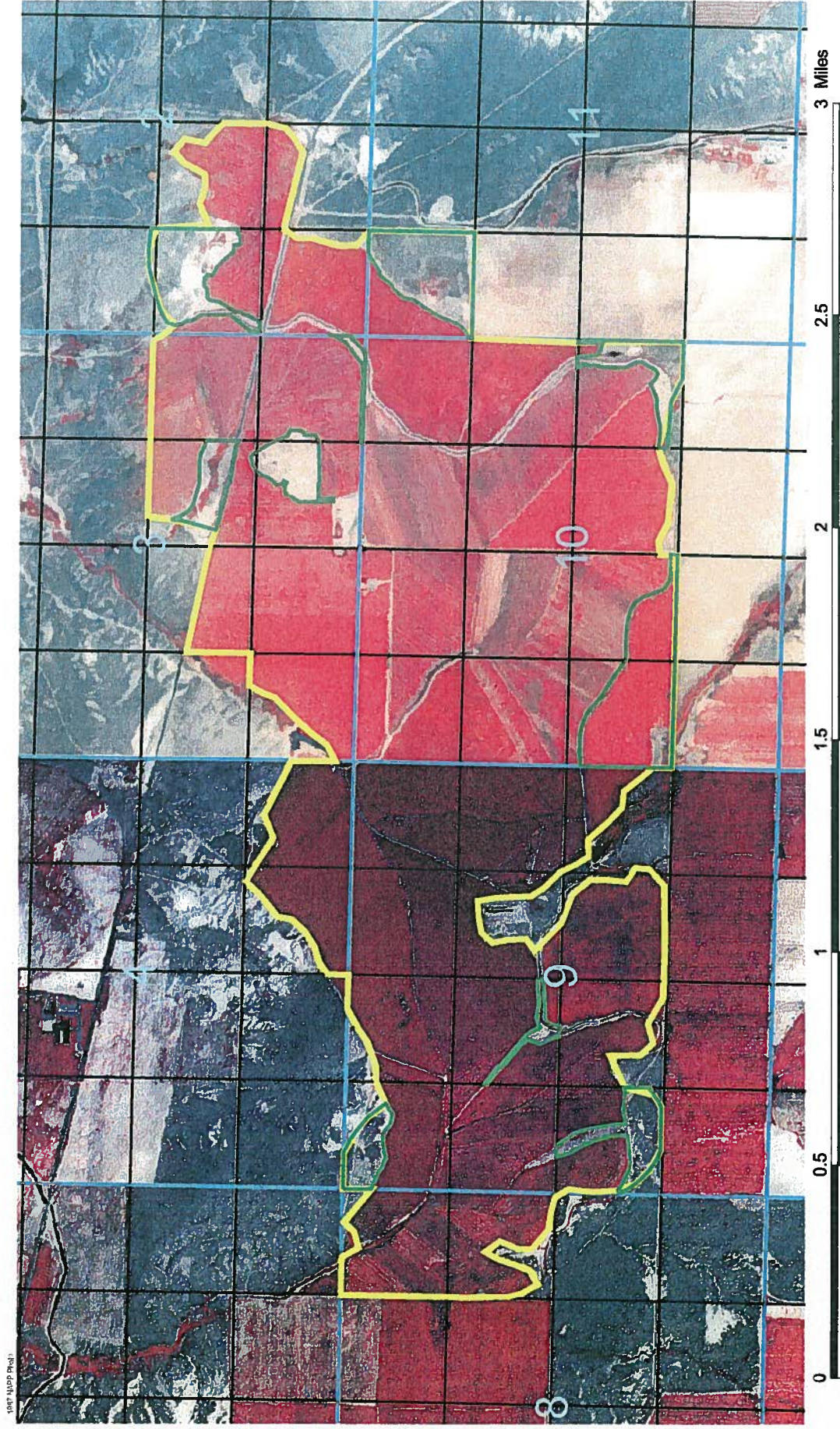
1.66-2-10016 * (approx. value of 2-2096) - 12/31/50 - 11

Σ 28.32

* M. K. Investment Co (owner)

1. K. Simplelot Co (772 records)

Idaho Department of Water Resources

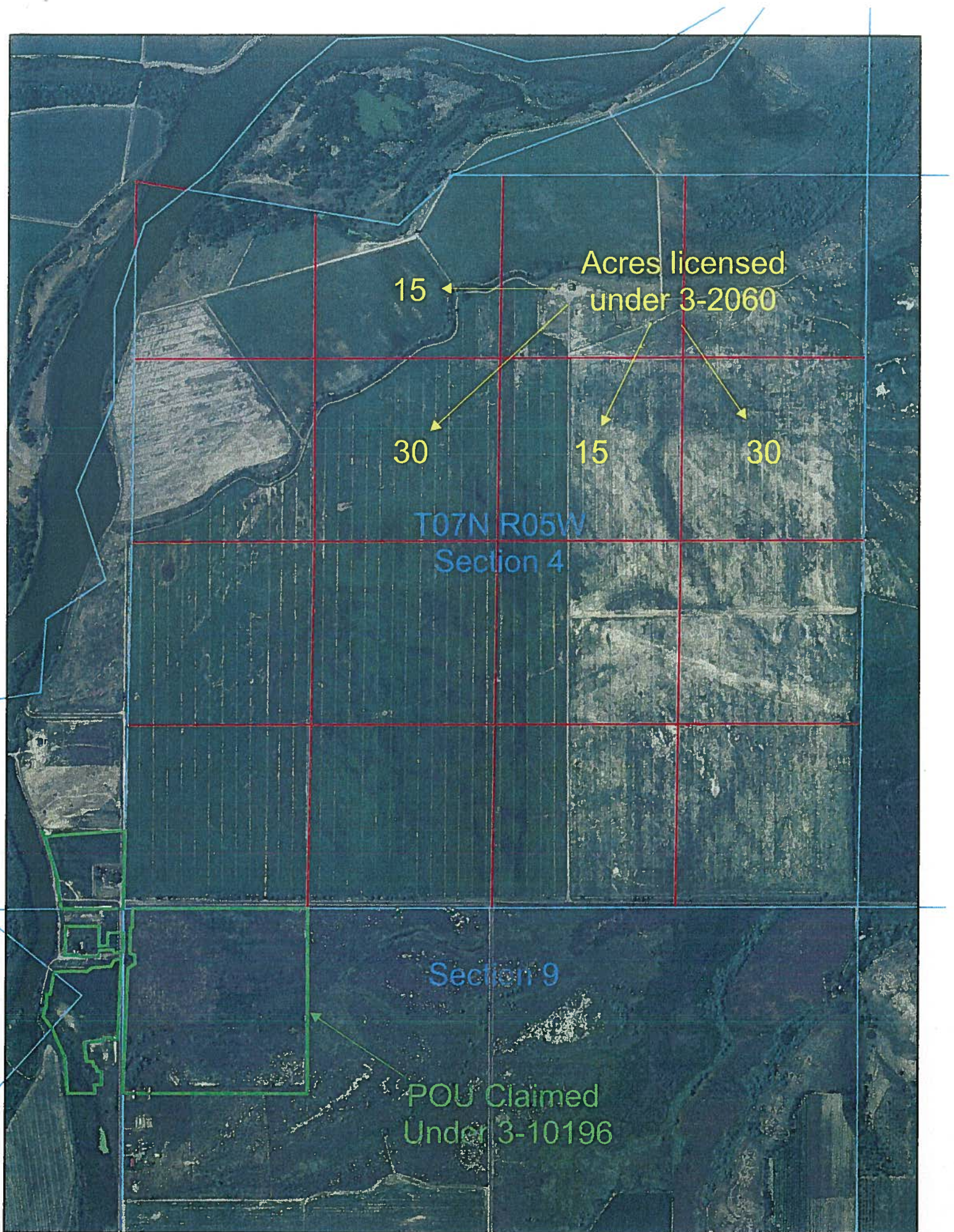


Farm 2 Approximate Place of Use
 Legal: T06S, R04E, S2-4, 8-11
 Claim Numbers: 2-2085, 2-2096, 2-2098
 2-2102, 2-2137, 2-2138, 2-4003A
 2-4003B, 2-7090B and 2-10016

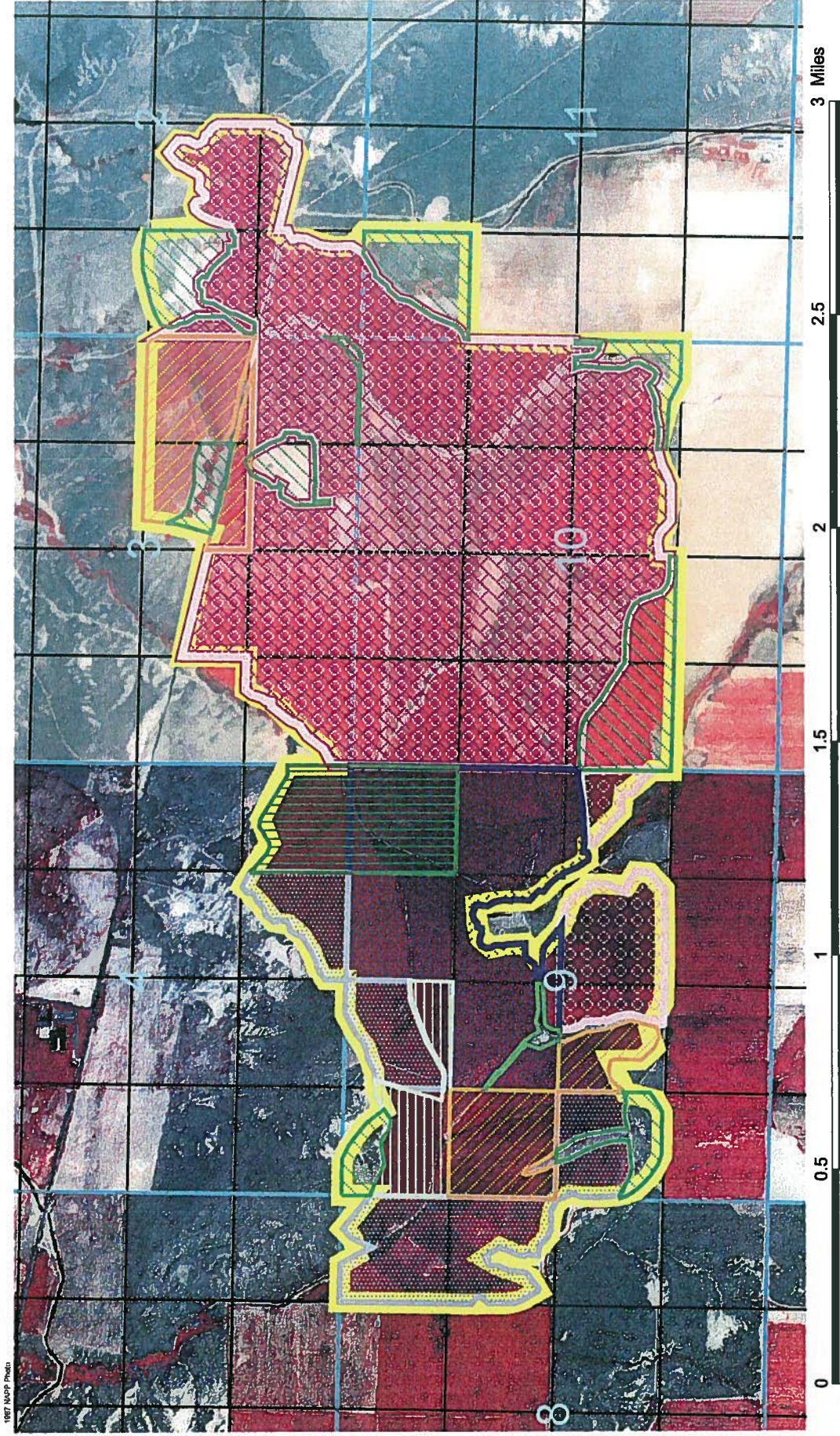
2-7090B Rec POU
 Farm 2 POU
 Sections
 06S04E GCDB

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
---------	-------------	-----	---------------------------



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

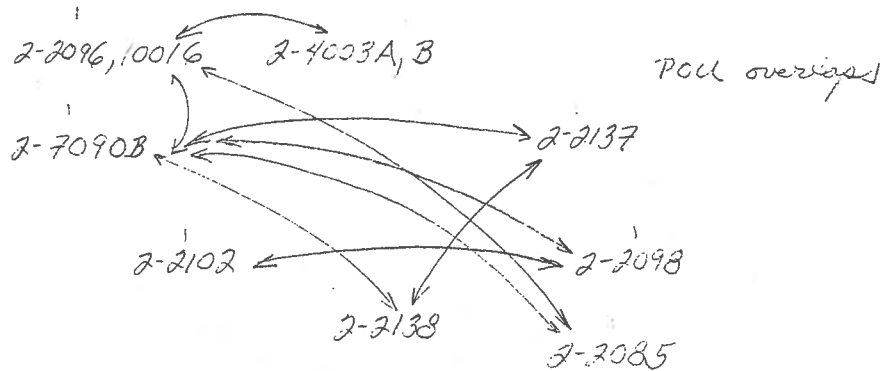
Idaho Department of Water Resources



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

⑤ 2-2085	632	12.3	$E5 + 76 = 632$
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>110 (11)</u>	2.28	$\sum n_i \leq 22.99$
⑤ 2-7090B	152	3.04	? overlap
⑤ 2-10016	<u>712 (35)</u>	1.66	enlargement of 2-2096

main 2 sheet = 1408 acres ← E56 POU-configuration



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-02098

Date: 8-13-02

	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	65	4E	9	21	40	22	36				36					5				1
GIS				40	40	40	40				40					40				24
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 160

Overlapping FOU Claim #'s:

02-10016, 02-07090B, 02-02102

Total GIS Acres: 240

COMMENTS:

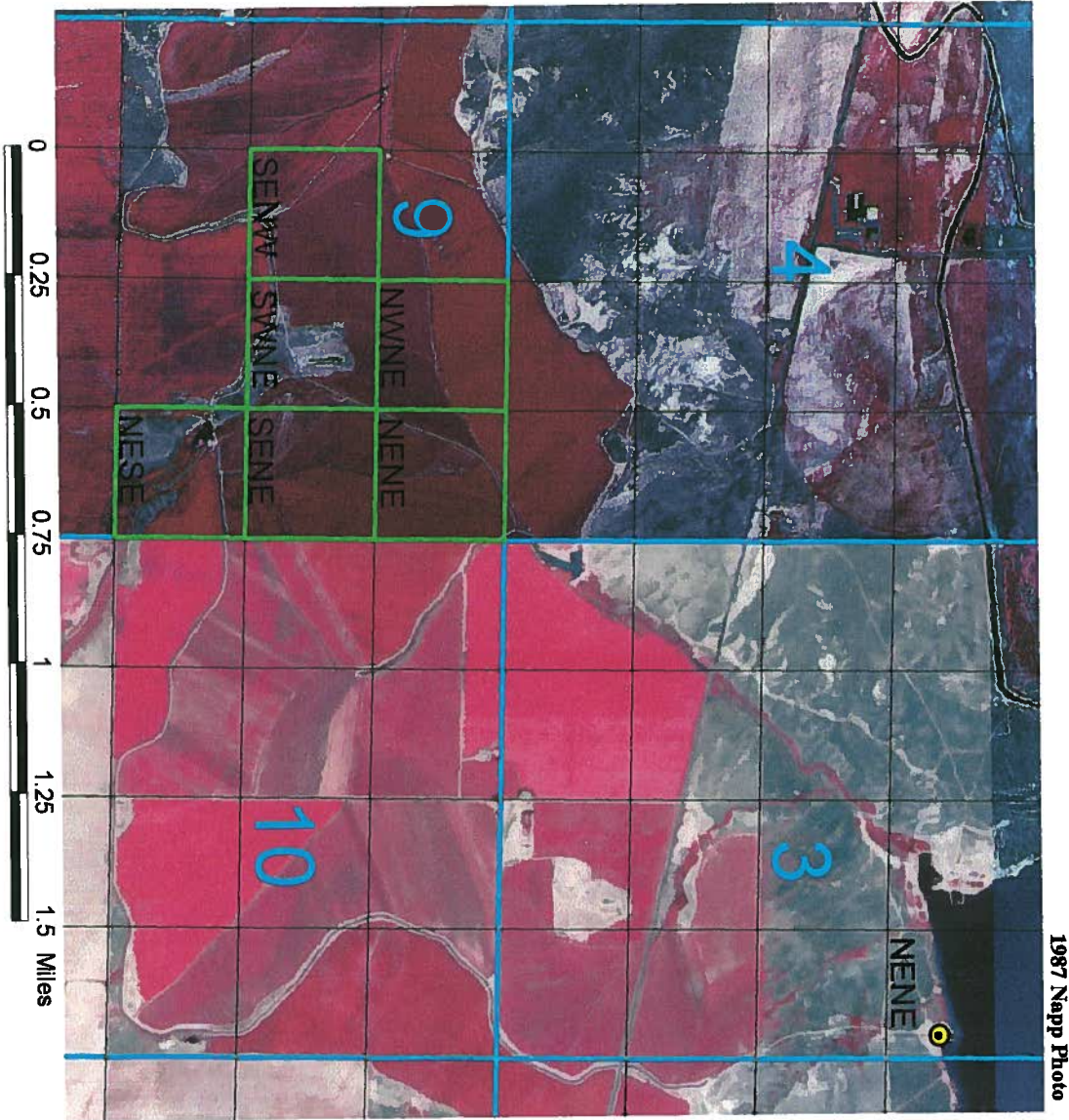
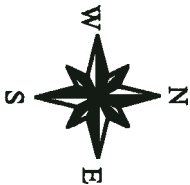
County data indicates Simplot owns this property. Per claim map

POD per claim legal.

Idaho Department of Water Resources

Claim Number: 02-02098
Legal: T06S, R04E, S09
Reviewed By:

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

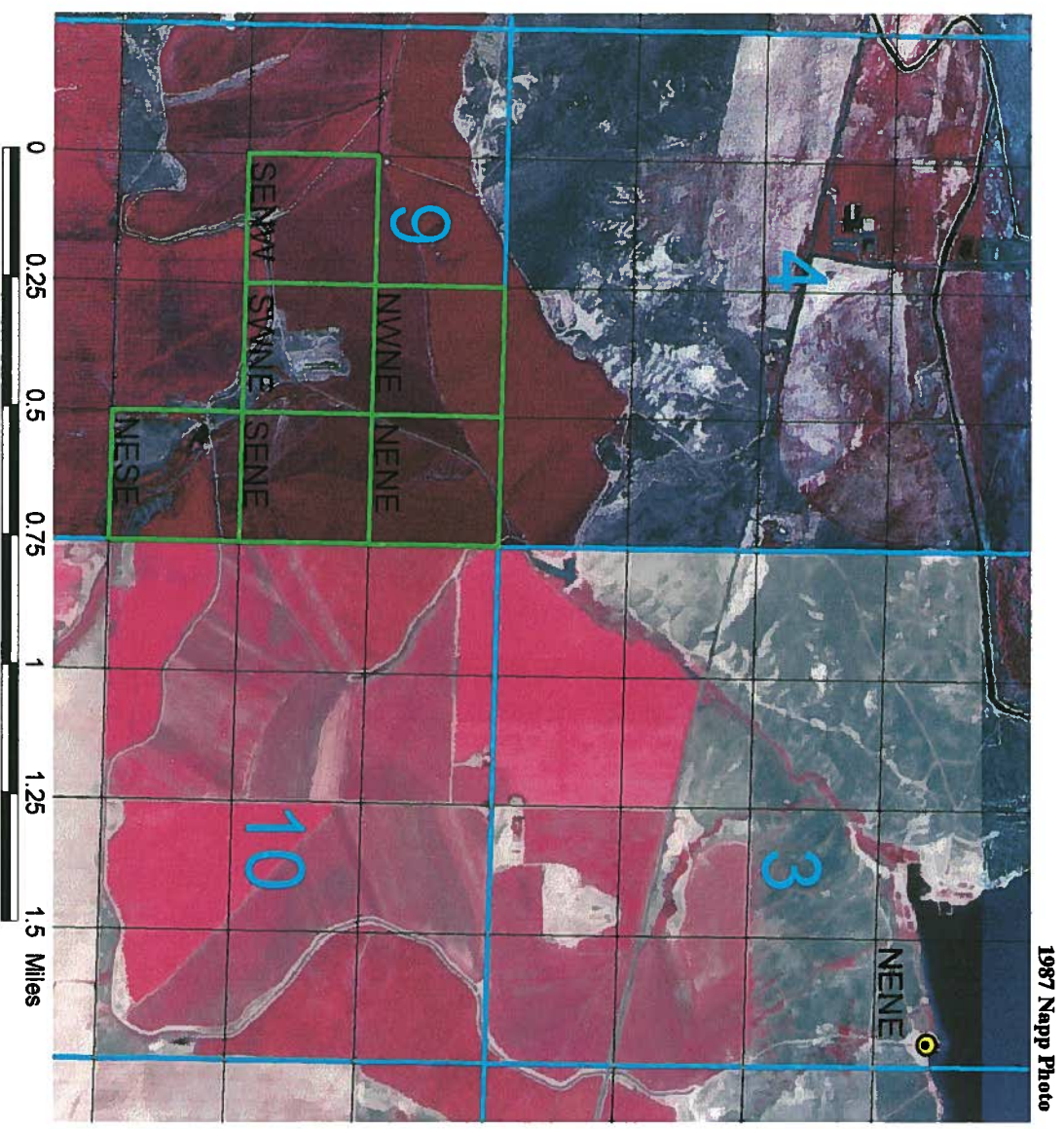
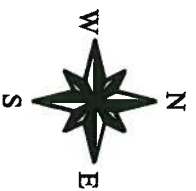


1987 Napp Photo

Idaho Department of Water Resources

Claim Number: 02-02098
Legal: T06S, R04E, S09
Reviewed By:

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



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: A02-02098

Date Received: 3/1/89

Receipt No: C005639

Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
MAR 01 1989

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

83707

Department of Water Resources

2. Date of Priority: MAR 17, 1952

3. Source: SNAKE RIVER

Trib. to: COLUMBIA RIVER

4. Point of Diversion:

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

5. Description of diverting works:
PUMP AND CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.200		

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

A.F.A.

8. Total consumptive use is 560.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	04E	9	NE	NE		IRR	21.0
			NW	NE		IRR	40.0
			SW	NE		IRR	22.0

A02-02098

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	9	SE	NE		IRR	36.0
			SE	NW		IRR	36.0
			NE	SE		IRR	5.0
					Section Acres		160.0
					Total Acres		160.0

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:
NONE

14. Remarks:
FARM 2

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.

Robert L. Lower
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

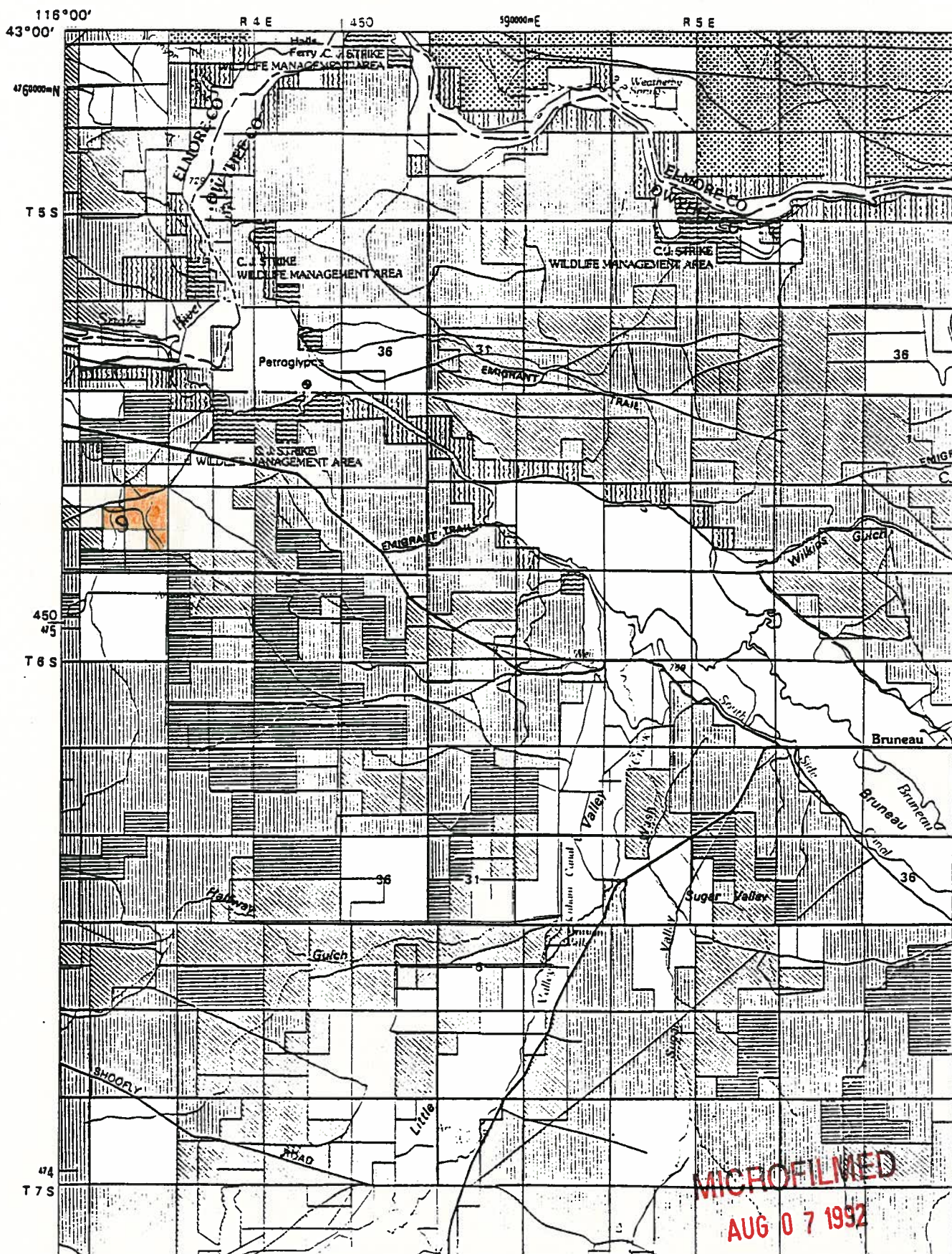
Vicki D. Lower
Notary Public

Seal

Residing at Meridian, Idaho

My Commission Expires 11-06-91

(MURPHY)



W.O.



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

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,

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

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. - Sel

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,

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 - 5 PM 12:52
DISTRICT COURT - SRPA
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,)

22 Petitioner,)

23 v.)

NOTICE OF WITHDRAWAL
OF COUNSEL

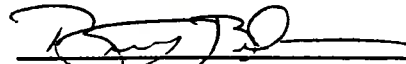
24 The United States; the State of)
25 Idaho; and all claimants to the)
26 use of water from the Snake)
27 River Basin Water System,)

28 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 4th 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

Randall C. Budge
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

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

Blair J. Grover
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
10 P.O. Box 51718
11 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
13 P.O. Box 389
14 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
17 P.O. Box 176
18 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
23 P.O. Box 2527
24 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

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

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

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

10 James P. Speck
11 HOGUE, SPECK & AANESTAD, P.A.
12 120 East Avenue
13 P.O. Box 987
Ketchum, Idaho 83340

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

14 Douglas R. Whipple
15 WHIPPLE'S LAW OFFICE, CHTD.
16 111 West 15th Street
17 P.O. Box 249
Burley, Idaho 83318

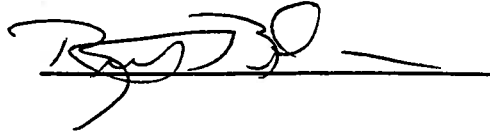
Jeanette Wolfley
Candy L. Jackson
Shoshone-Bannock Tribes
P.O. Box 306
Fort Hall, Idaho 83203

17 Craig R. Zaiss
18 CRAIG R. ZAISS, P.A.
19 Attorney at Law
20 305 Grover Street
21 P.O. Box 628
Parma, Idaho 83660

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

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

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. ~~DRAINAGE BASIN~~

**NOTICE OF CLAIM
TO A
WATER RIGHT**

02-2098 I.D. No.	Map No.
\$ 10 Fee Paid	19461 Receipt No.

Notice is hereby given that M. L. Investment Company

(Name of Claimant)

Tom Blessinger

P.O. Box 27 Boise, Idaho 83707

(Mailing Address)

(Zip Code)

Telephone No. 342-8194

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) 3/17/1952

(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 3.2 cfs Use Irrigation Period of Use From 3/15 To 11/15
(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)

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

(4) 3.2 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
Sec. 3, Twp. 6S, Rge. 4E, 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.
Pump & canal.

(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	4E	9	21	40	22	36				36					5				160

Total no. of acres 160

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 (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. 02-2098

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

4/27/81

(Date)

(Signature of Claimant)

(Signature of Spouse)

Organization

M. L. INVESTMENT COMPANY

By: Ronald N. Graves

(Signature of Authorized Agent)

Secreta

before r

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

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, corporate partnership or corporation) 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 DETER-
MINATION OF RIGHTS TO THE USE OF
SNAKE RIVER FROM BASE OF MILNER
DAM TO OREGON DRAINAGE BASIN
BORDER.

NOTICE OF CLAIM
TO A
WATER RIGHT

02-2098	I.D. No.	Map No.
\$ 10	Fee Paid	19461 Receipt No.

Notice is hereby given that M. L. Investment Company
(Name of Claimant) Tom Blessinger
P.O. Box 27 Boise, Idaho 83707 Telephone No. 342-8194
(Mailing Address) (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:
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(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 3.2 cfs Use Irrigation Period of Use From 3/15 To 11/15
(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)
Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 3.2 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. 6S, Rge. 4E, 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.
Pump & canal.

(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	4E	9	21	40	22	36				36					5				160

Total no. of acres 160

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 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. Department of Water Resources
Western Regional Office
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho
Department of Water Resources. Give No. 02-2098

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.

4/27/81 (Date) _____ (Signature of Claimant)
_____ (Signature of Spouse)

State of IDAHO Organization M. L. INVESTMENT COMPANY
County of ADA ss. _____ Seal _____
By: [Signature] (Signature of Authorized Agent) Secretary

On this 27th day of April, in the year 1981, before me
a notary public, personally appeared Ronald N. Baker
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 [Signature]

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by RL

Date 4/29/82

Right No. 02-2098

Claimant ML 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 _____

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

Measurement _____ cfs. Amount recommended _____ cfs.

Type of measuring device: _____ Meter No. _____

Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. 197A OQ 1980 O-2
A.J. STRIKE, 3422-80-152

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☐ Yes ☒ No

Remarks _____

WATER LICENSE

Water License No. 22653/02-2098 Priority March 17, 1952 Amount 3.2 c.f.s.

THIS IS TO CERTIFY, that John Reid Robinson, Mildred E. Swanson, Margaret E. Robinson & Ralph E. Gale - Assignee - GRANDVIEW REALTY, INC.
of Boise, Idaho, made application for a permit to appropriate the public waters of _____

of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 17, 1952; that Permit 22653/02-2098 was issued pursuant to said application; that the proposed works were completed on or about 1957.

with a storage/or carrying capacity of 3.2 c.f.s., said works consisting of _____

pumps, motors, pipes and open ditch ; and that on August 17, 1962 ,

proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 800
or 5080 acre feet per season when combined with all other rights appurtenant
acre feet per season, with a maximum rate of diversion of 3.2 cubic feet per second of the waters to the

of Snake River, tributary of Columbia River,

for the purpose of irrigation from April 1 to October 31 ;

and for _____ from _____ to _____; and for _____

_____ from _____ to _____; and that the use

of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-

mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is

located in Lot 1 (NE ¼ NE ¼) Sec. 3, T. 6 S, R. 4 E, B.M., and

other additional points _____, in the County of _____

Owyhee; and that the amount of water to which such right is

entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially

used for said purposes and shall not exceed 800 acre feet per year, or 5080 acre feet per season when combined with all other rights appurtenant to the same land and shall not exceed that amount.

Description and location of place of use:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6 S	4 E	9	21	40	22	36				36					5				160

SUPPLEMENTAL IRRIGATION

Total number of acres irrigated 160

The right to the use of the water 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

8th day of January, 19 69.

State Reclamation Engineer

2 2098

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WRD427

ADDITIONITION PROOF RECORDING REPORT

09/18/84

PAGE 1

WATER RIGHT NUMBER 02-2098

OWNER LAST NAME - M. L. INVESTMENT CO.

FIRST NAME -

ORIG OWNER -

ADDRESS LINE 1 - P.O. BOX 27

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - BOISE

STATE - ID ZIP CODE - 83707

SOURCE - SNAKE RIVER

STATUS -

TRIBUTARY OF - COLUMBIA RIVER

PRIORITY - 03-17-1953

COUNTY - OUYHEE

TOTAL DIV. RATE - 3.2000 CFS

TOTAL DIV. VOLUME -

.00 AFR

TRFR/AMEND -

WATER DIST. - 02

DIV/CORREY ACT -

RIGHT BASIS - E

TOTAL DIV. RATE - 3.2000 CFS

DIVERSION POINT - NENE 03 063 046 LOT 01 REDIV -

USE DIV. RATE -

3.2000 CFS

USE DIV. VOLUME -

.00 AFR

USE - IRRIGATION

PLACE OF USE - TWIN 063 RING 046 SEC 09

TRACT NENE LOT

AC 21 TRACT

NENE LOT

AC 40

DEGREE NAME -

DATE -

TRACT SENE LOT

AC 22 TRACT

SENE LOT

AC 36

REMARKS - FARM 2

TRACT SENE LOT

AC 35 TRACT

NESE LOT

AC 05

TOTAL ACRES 160

NON IRRIG USE -

TRACT SENE LOT

AC 22 TRACT

SENE LOT

AC 36

OTHER RIGHTS FOR SAME USE -

TRACT SENE LOT

AC 22 TRACT

SENE LOT

AC 36

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HERRING -

OLD NO. -

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

TRACT SENE LOT

AC 22 TRACT

SENE LOT

AC 36

DIVERSION MEANS - PUMP AND CANAL