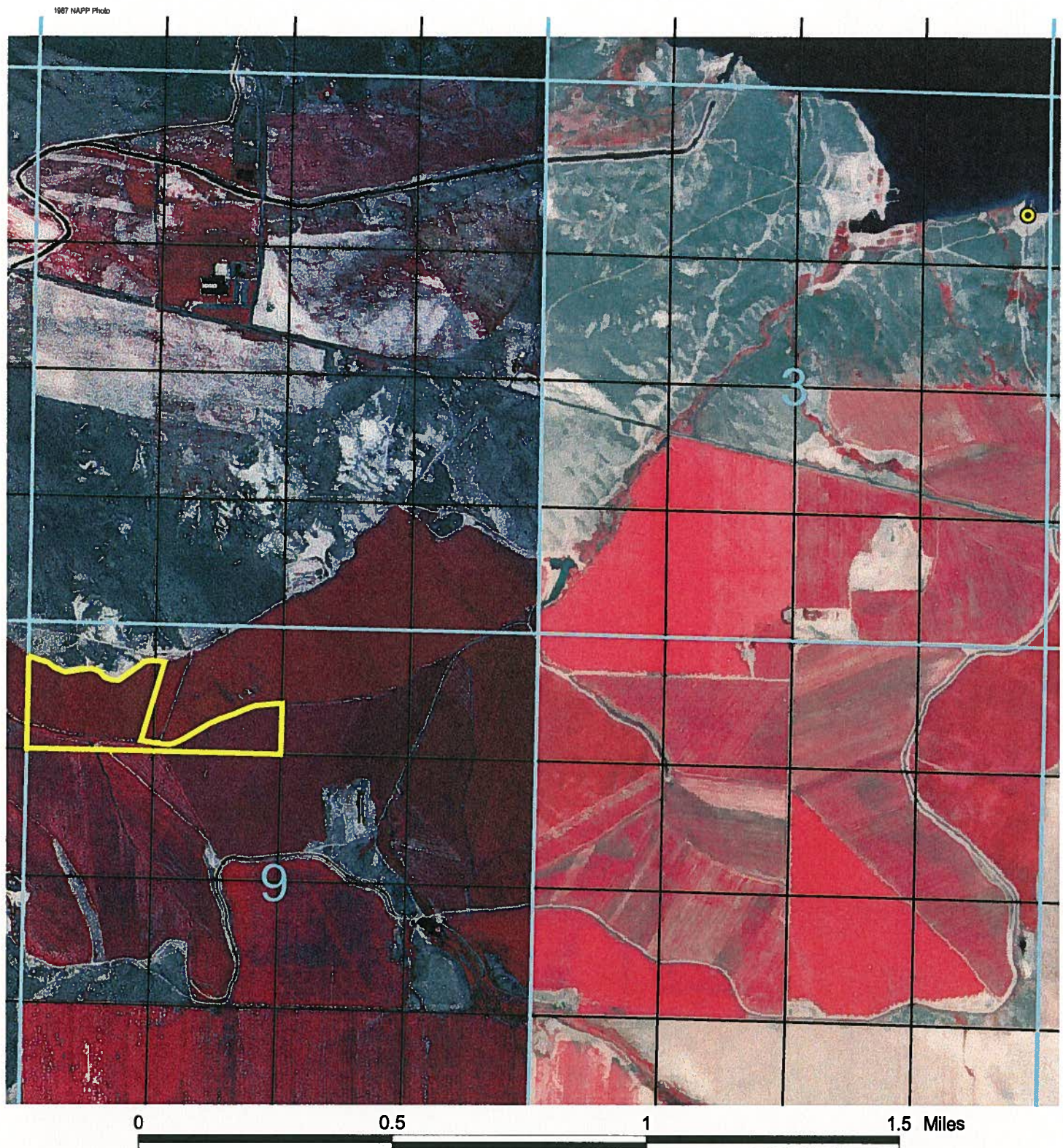
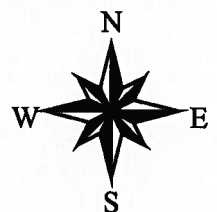


Idaho Department of Water Resources

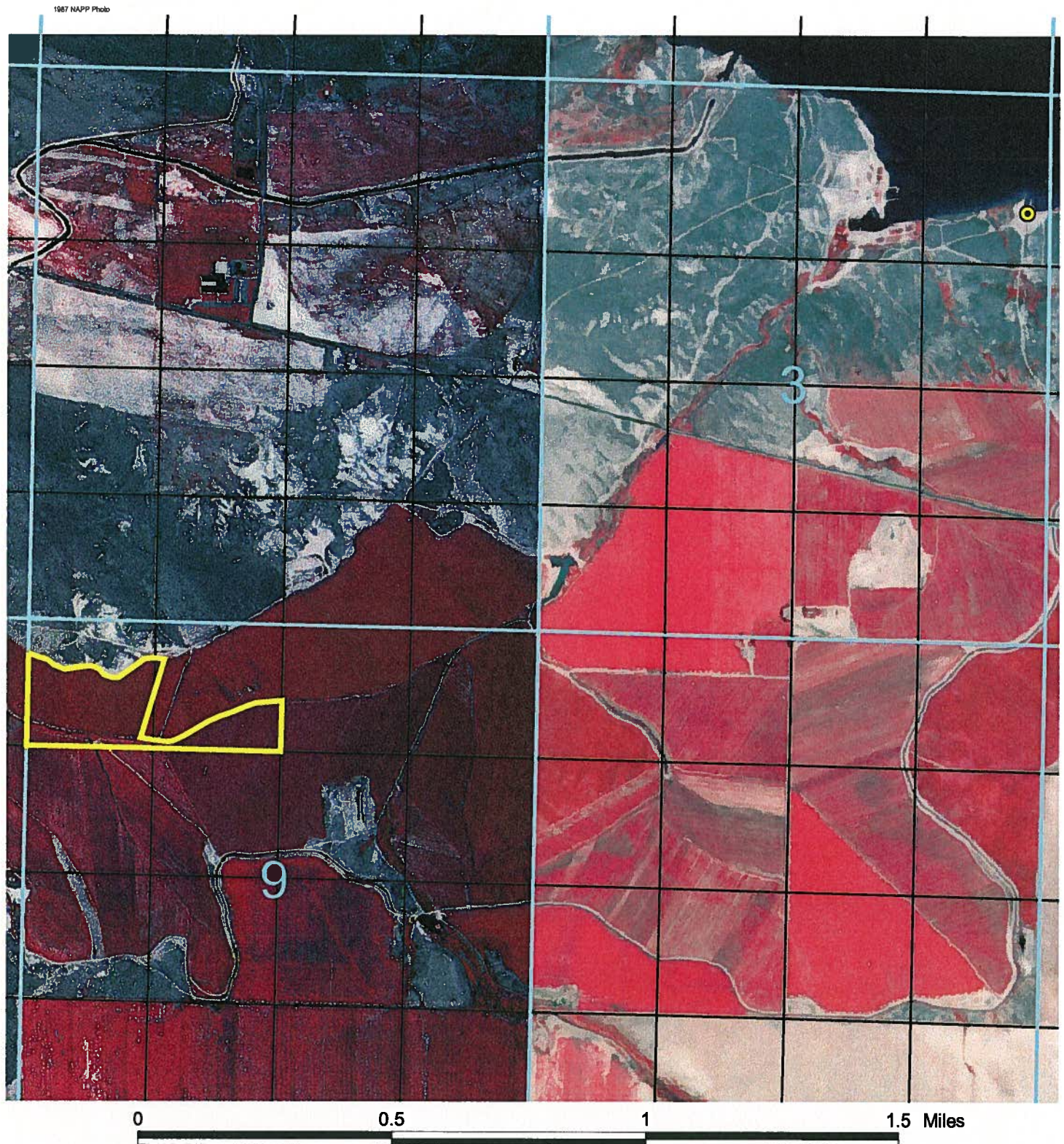


Claim Number: 02-02137
Legal: T06S, R04E, S3 & S9
Reviewed By: JLD 8/1/05

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

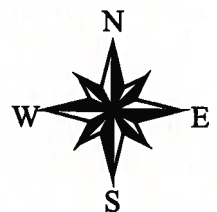


Idaho Department of Water Resources



Claim Number: 02-02137
Legal: T06S, R04E, S3 & S9
Reviewed By: JLD 8/1/05

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



08/01/2005

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

RIGHT NUMBER: 2-2137

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

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.660 CFS
165.000 AFY

PRIORITY DATE: 09/04/1956

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	0.660 CFS 165.00 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 NENW 9.0 T06S R04E S09 NWNW 24.0

33 ACRES TOTAL

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

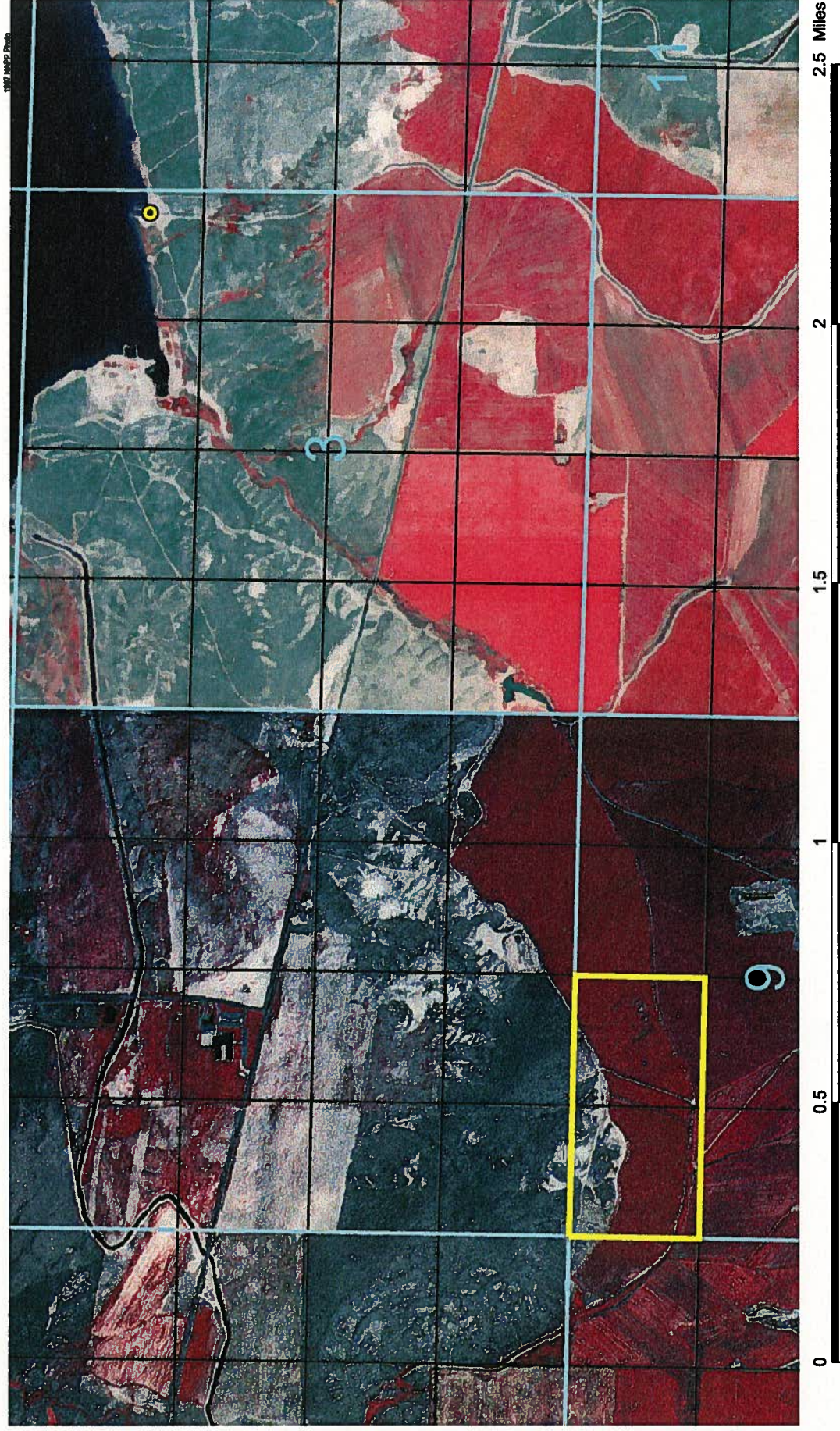
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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.

Idaho Department of Water Resources



Claim Number: 02-02137
Legal: T06S R04E, S3 & 9
Reviewed By: SJR 3/8/05

03/09/2005

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

RIGHT NUMBER: 2-2137

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

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.660 CFS
165.000 AFY

PRIORITY DATE: 09/04/1956

POINT OF DIVERSION:

T06S R04E S3 NENE Lot 1 Within OWYHEE County

Rights 2-5, 2-2085, 2-2096, 2-2098, 2-2102, 2-2138, 2-4003A, 2-4003B, 2-7090B, and 2-10016 are also diverted through the point of diversion described above.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.660 CFS 165.00 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	NENW	9.0	T06S R04E S09	NWNW	24.0
---------------	------	-----	---------------	------	------

33 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 2-5, 2-2138 AND 2-7090B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 68 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

This right is limited to the irrigation of 33 acres within the place of use described above in a single irrigation season.

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: License

2 2137

26518



SUPPLEMENTAL IRRIGATION

Total number of acres irrigated 33

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

affixed at Boise, Idaho, this _____
L. Keith Higin
 State Reclamation Engineer

Disallow Conditions
P1, P3, P11, P12

22.9 cfs Apr 63

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

2 pumps

transition

Disallowed Rec. as 2-2-1988

2.3-
2.25-

91

10172
K02, K09, C11

E37, E31

Add to 2-2096

Originals in 2-2085

Overlaps

— 2-7090B Overlapping Claims

2-2085 - 11/14/50 - 12.30 - 632 - ≈ 0.0195 > 0.0021 ML, 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
 (53 NESE39, NWSE25, S9 SWNW38, NESW12)
 2-4003 - statutory 1+2.32 - 121 - 0.02 - filed 8/29/68
 (53 NESE37, NWSE25, S9 SWNW39, NESW15, NESW55)

2-2137 - 9/4/56 - 0.66 - 33 - $= 0.02$ ML, Simplot
 (license "supplemental vegetation")

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

— 2-2137 overlapping claims

2-7090B (see above)

2-5 - 6/16/63 - 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 HOU HKS $\Rightarrow 2 \times 40 = 80$

claim HOU = 33

overclaim

65 HE

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

NNNW 2-2137 (24), 2-7090B (9), 2-7090B (10 in. acc. PPOU) ✓

overclaim 2-ten PPOU = 33 + 26 + 9 = 68 -

Claims

2-7090B

claim POLK5 $\Rightarrow 12 \times 40 = 480$ ac
claim acres $\Rightarrow 152$
tax lots $\rightarrow$ all Simplot

(S11 NWNW not on map)

TOG504E

Overlaps

S2 NWSW 2-7085 (12), 2-2096 (12), 2-7090B (24) ✓

S3 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) ✓

S9 NWNW ^{5 full} 2-2137 (24), 2-7090B (9) ✓

SESW 2-2098 (36), 2-7090B (4) ✓

NWSW 2-2098 (36), 2-7090B (4) ✓

S10 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) ✓

S11 NWNW 2-2085 (10), 2-2096 (10), 2-7090B (30) ✓

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

Same TUL (65 4E 53 LI NENE)

72-2-5 $\pm$ 6/16/63 - 7

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

1.65-2-2096 $\pm$ 3/12/52 - 3 - 17.6

3.20-2-2098 $\pm$ 3/17/52 - 2 - 15.0

1.00-2-2102 $\pm$ 1/13/52 - 4

✓ 66-2-2137 $\pm$ 9/4/56 - 5

2.30-2-2138 $\pm$ 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

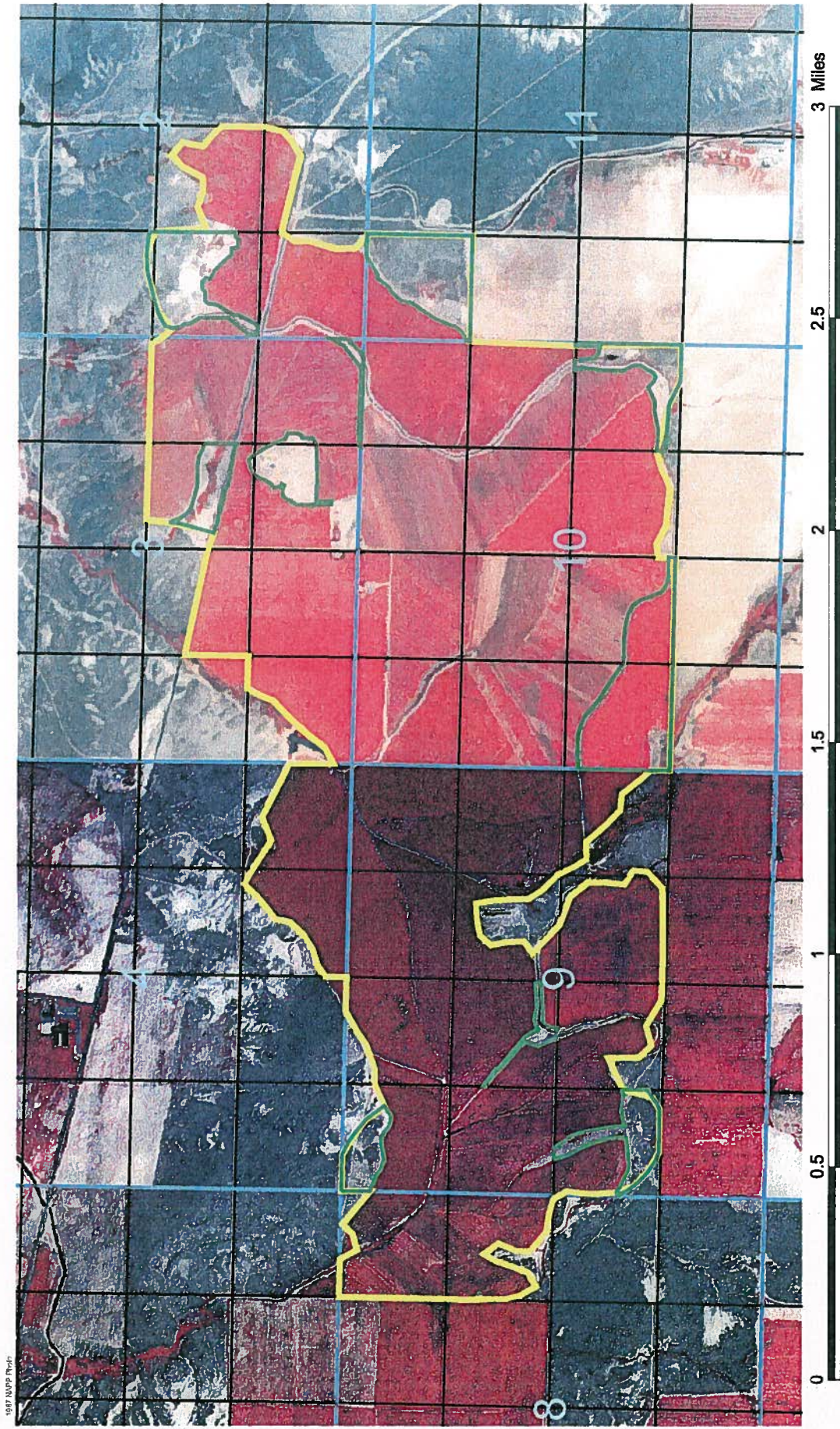
1.66-2-10016 $\pm$ (approx of 2-2096) - 12/31/60 - 11

Σ 28.82

2-71.2. Investment Co (overlaid)

1 of Simplot Co (allotted 772 net acres)

Idaho Department of Water Resources

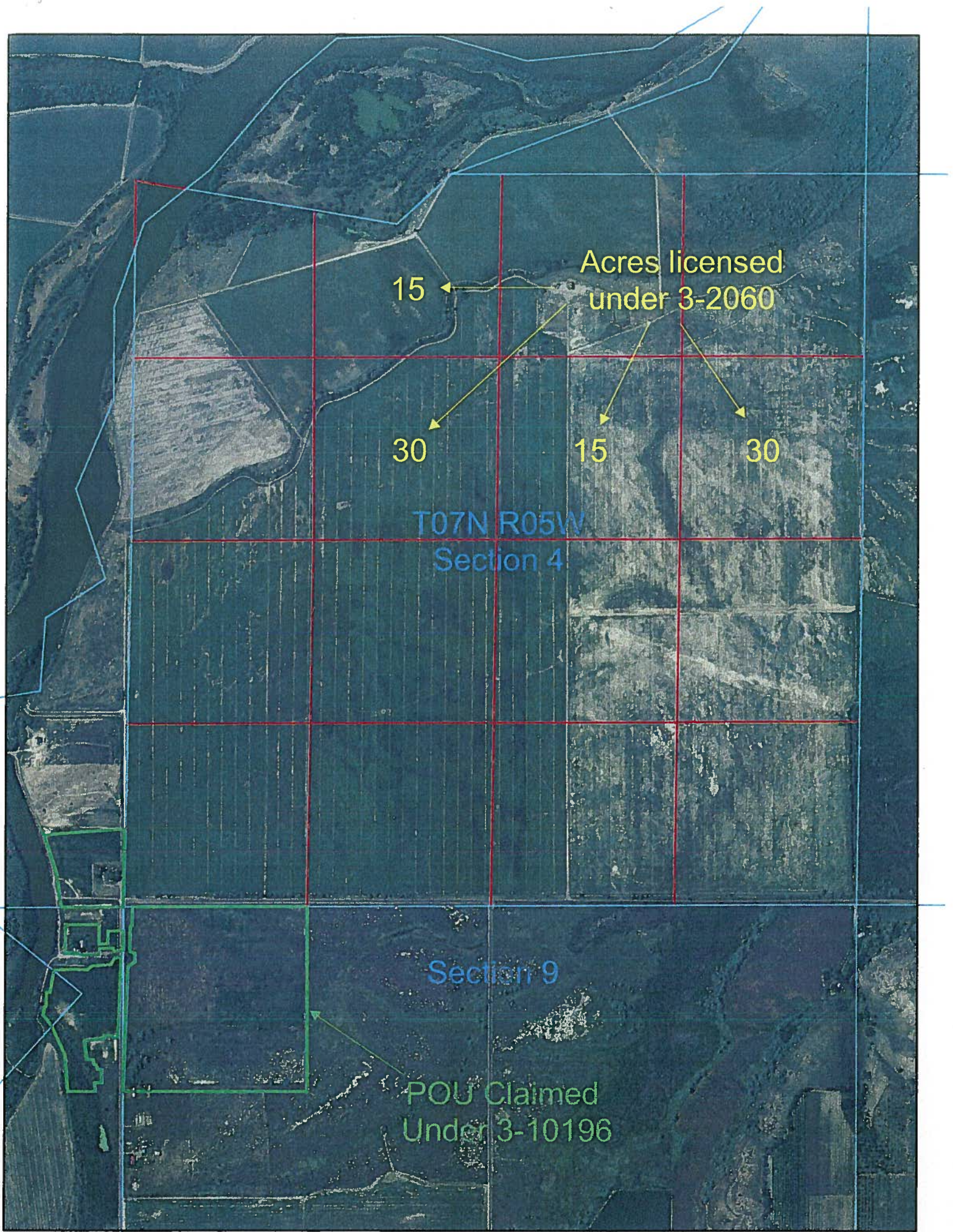


Farm 2 Approximate Place of Use
 Legal: T06S, R04E, S2-4, 8-11
 Claim Numbers: 2-2085, 2-2096, 2-2098
 2-2102, **2-2137**, 2-2138, 2-4003A
 2-4003B, 2-7090B and 2-10016

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

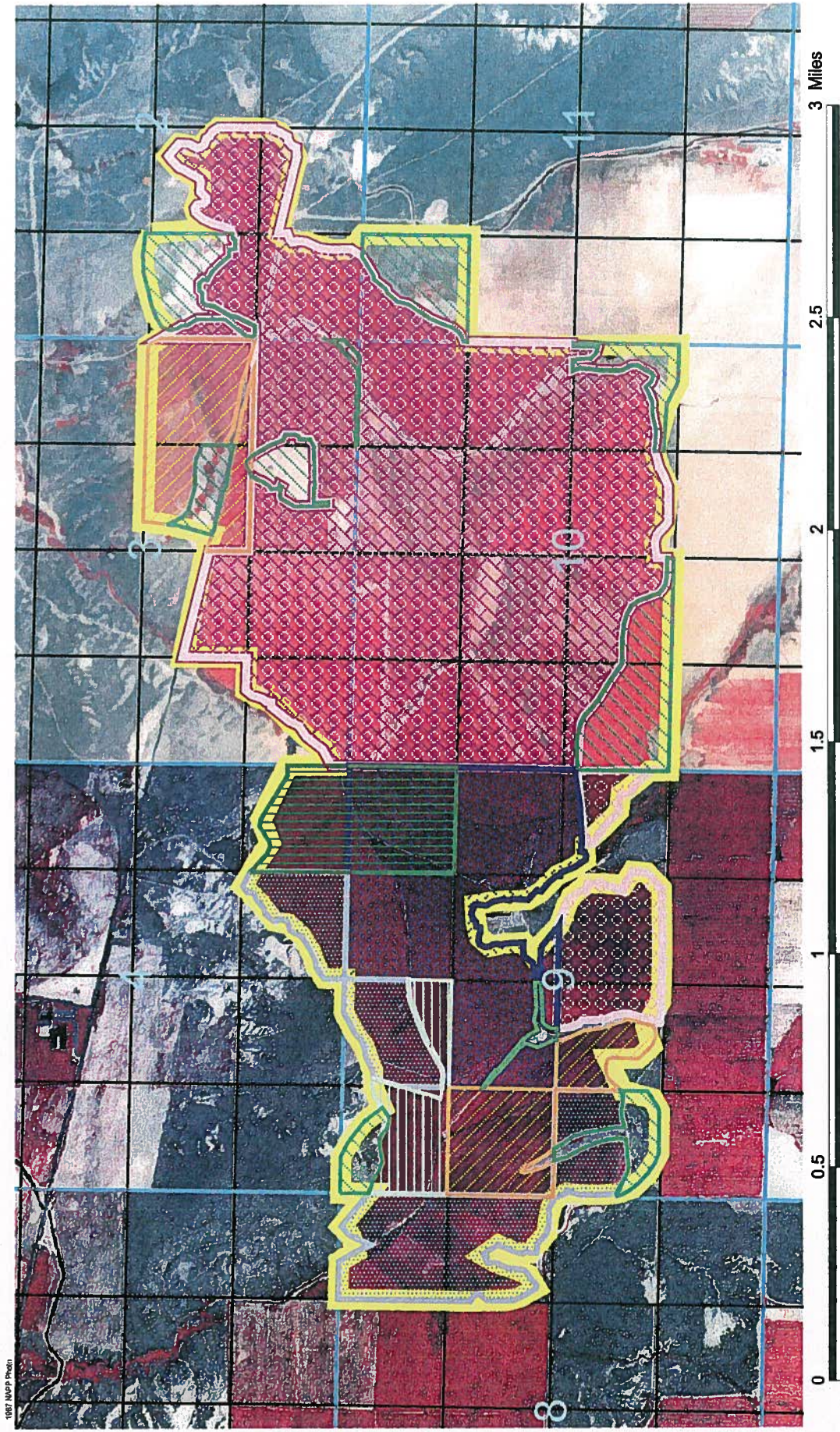
30

T07N R05W
Section 4

Section 9

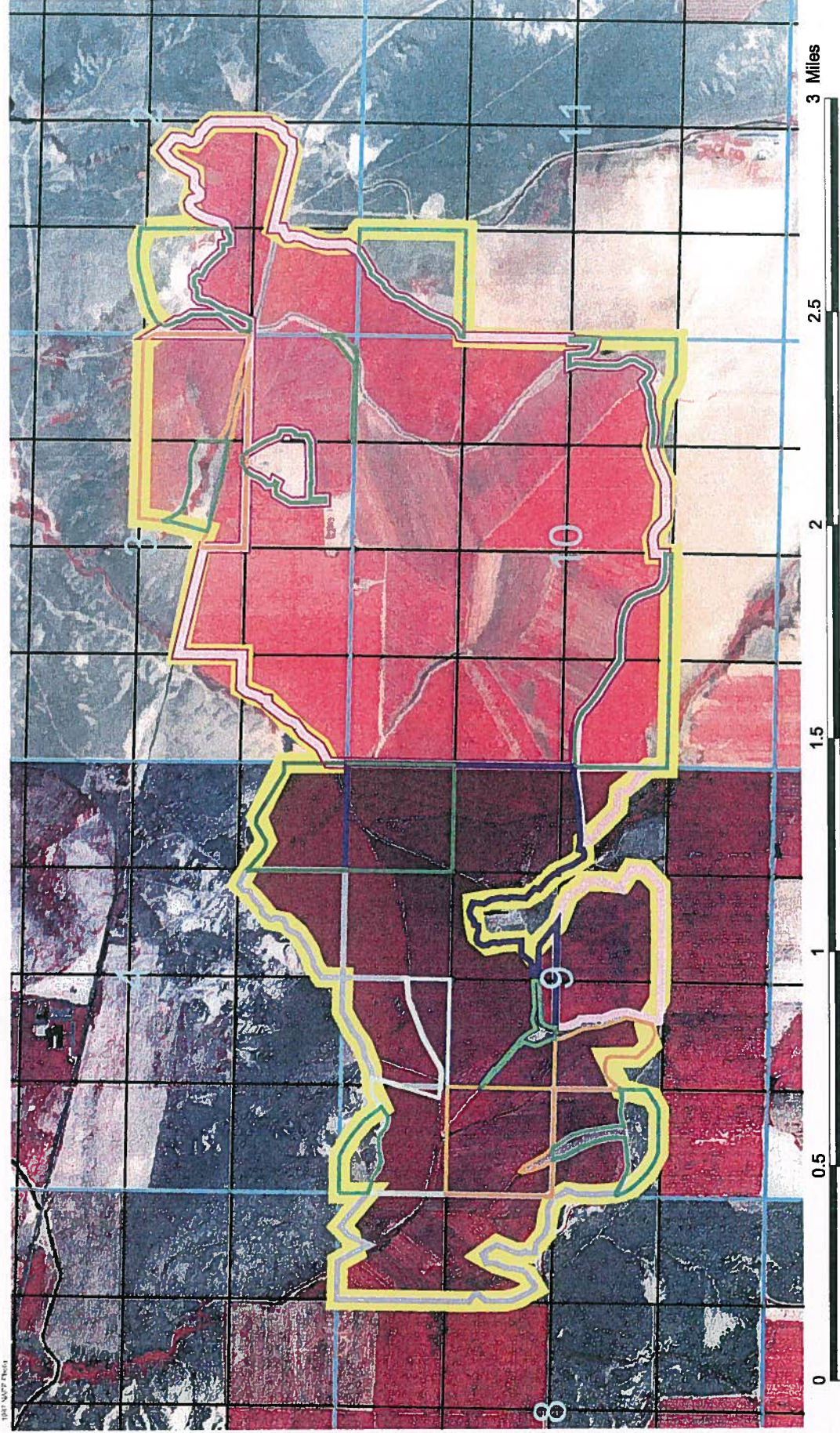
POU Claimed
Under 3-10196

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

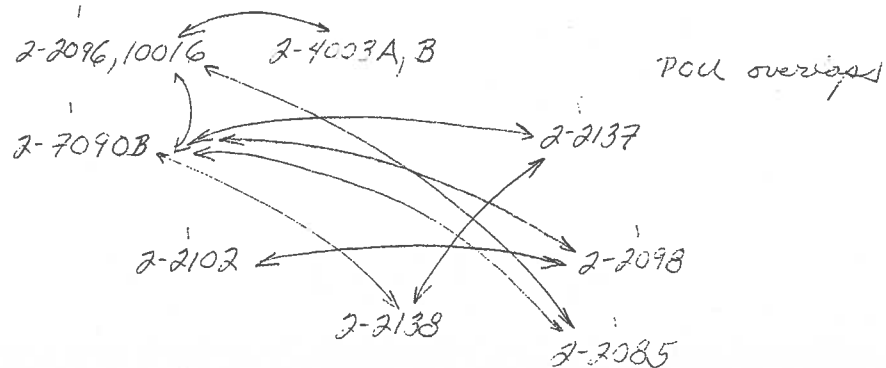
Idaho Department of Water Resources



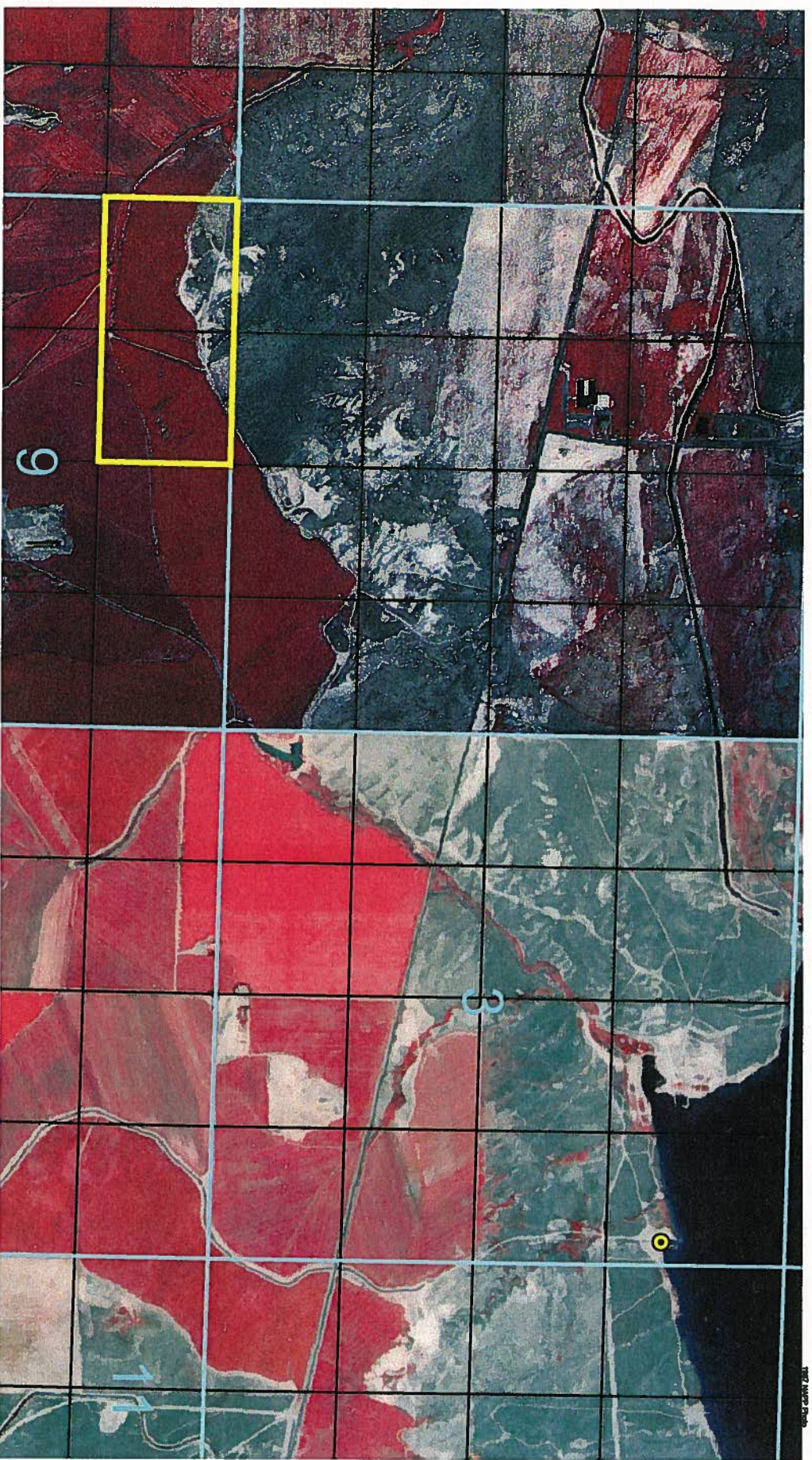
Farm 2 Approximate Place of Use
Legal: T06S, R04E, S2-4, 8-11
Claim Numbers: 2-2085, 2-2096, 2-2098
2-2102, 2-2137, 2-2138, 2-4003A
2-4003B, 2-7090B and 2-10016

③ 2-2085	632	12.3	$8.5 + 76 = 632$
⑤ 2-2096	712 (632)	1.66	$76 + 10016 \leq 1.66$
④ 2-2098	160	3.2	
⑥ 2-2102	50	1.0	
⑦ 2-2137	33	0.66	
⑧ 2-2138	146	2.2	
⑨ 2-4003A	119 (5)	0.1	$4003A + 4003B \leq 119$
⑩ 2-4003B	119 (5)	2.28	$\Sigma n_i \leq 22.99$
⑪ 2-7090B	152	3.04	? overlap
⑫ 2-10016	712 (50)	1.66	enlargement of 2-2096

total 2 sheets = 1400 acres ← E56 POU configuration



Idaho Department of Water Resources



Claim Number: 02-02137
Legal: T06S R04E, S3 & 9
Reviewed By: SJR 3/8/05

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



SCANNED

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-02137

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					9	24											33
GIS								40	40											80
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 33

Overlapping FOU Claim #'s:

Total GIS Acres: 80

02-07090B, 02-00005, 02-02138

COMMENTS:

County indicates Simplot owns property. Per claim map.

POD per claim legal.

Idaho Department of Water Resources

Claim Number: 02-02137

Legal: T06S, R04E, S09

Reviewed By:



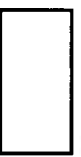
Point of Diversion



Place of Use

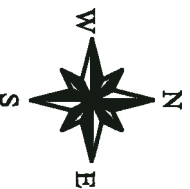
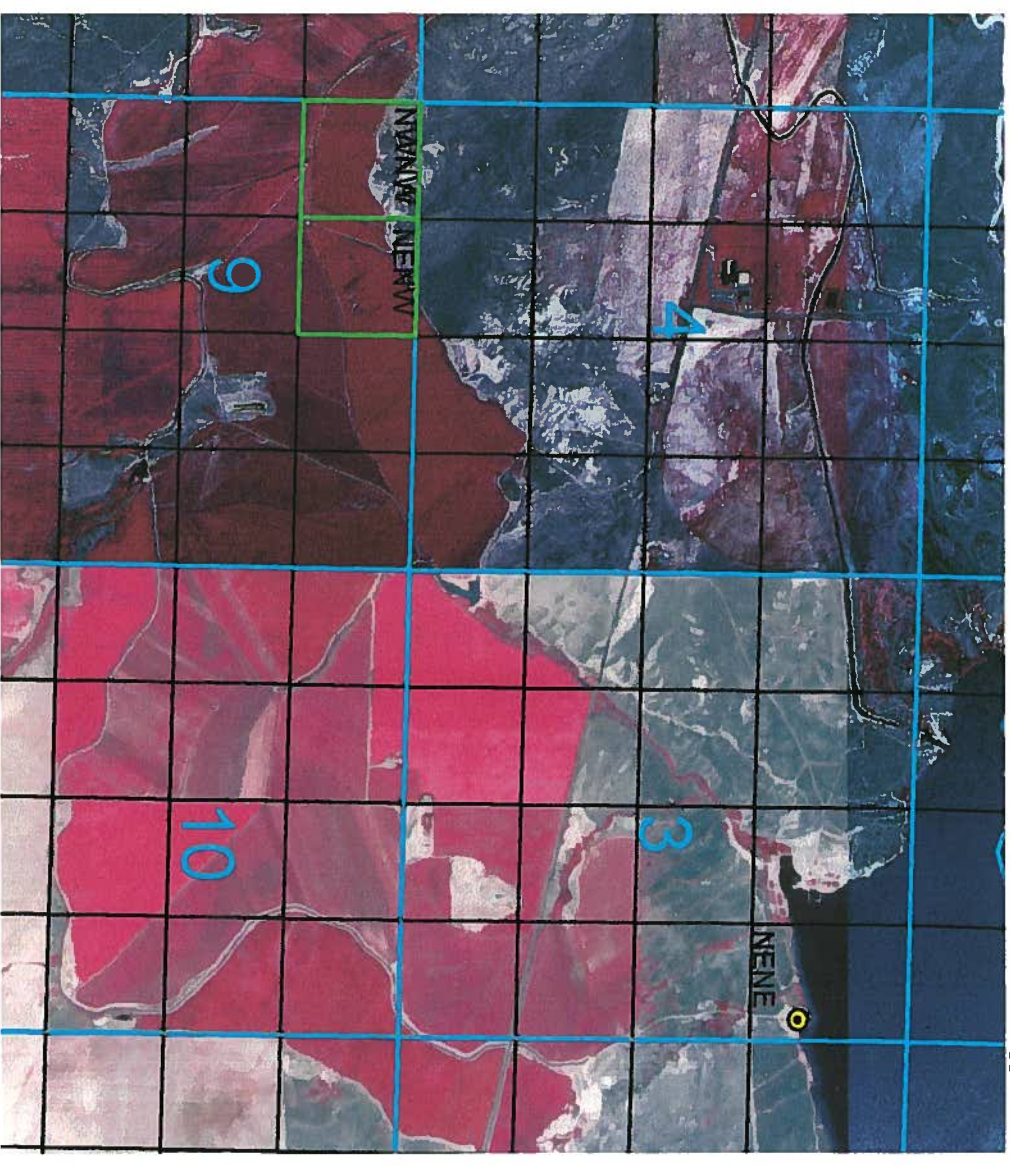


Section Lines



Quarter Quarter Lines

1987 Napp Photo



Idaho Department of Water Resources

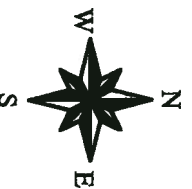
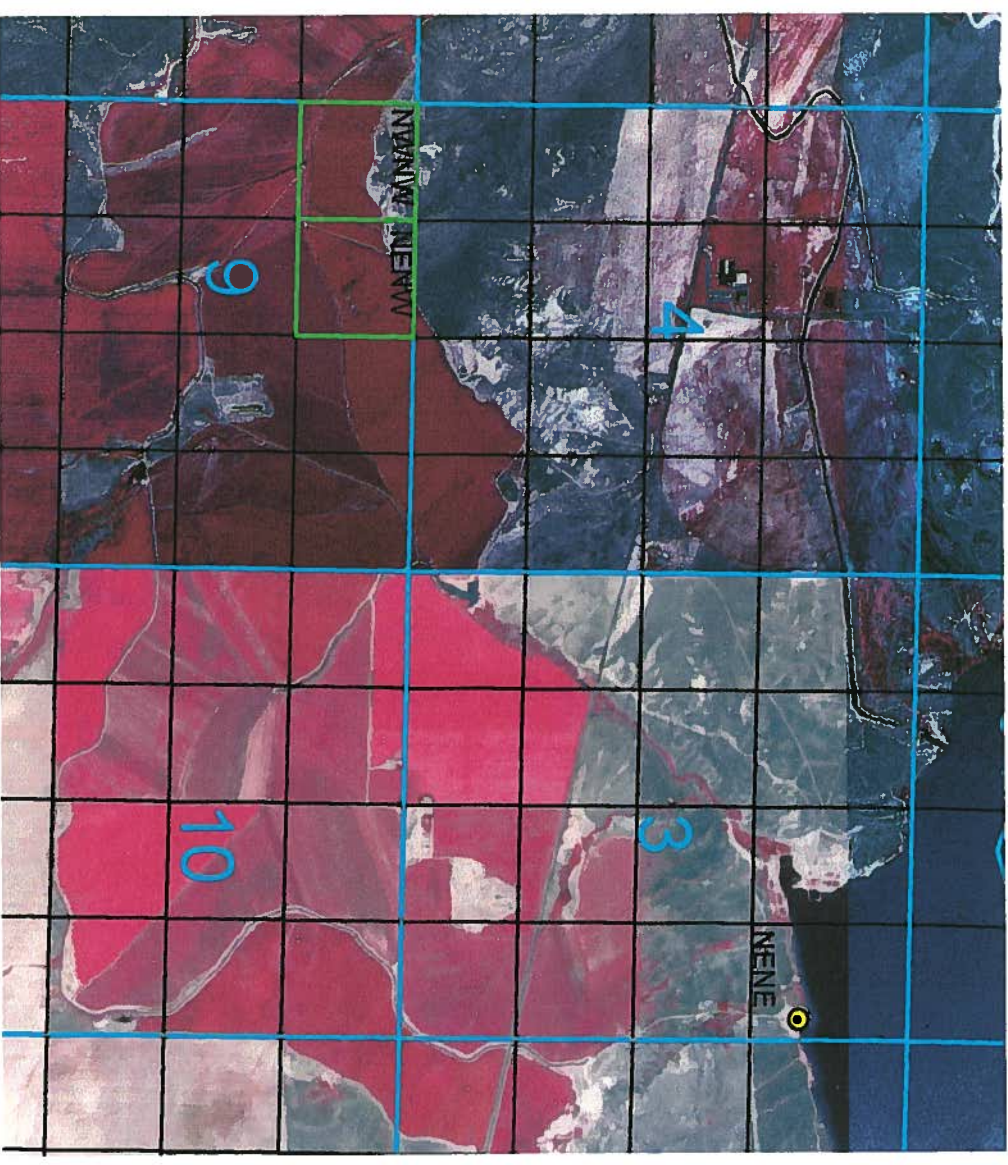
Claim Number: 02-02137

Legal: T06S, R04E, S09

Reviewed By:

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

1987 Napp Photo



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: A02-02137
Date Received: 3/1/89
Receipt No: C005639
Received By: JP

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

2. Date of Priority: SEP 04, 1956

Department of Water Resources

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:
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	0.660		

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

A.F.A.

8. Total consumptive use is 115.5 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	9	NE	NW		IRR	9.0
			NW	NW		IRR	24.0
Section Acres							33.0

A02-02137

Page 1

Date: 02/24/89

MICROFILMED

AUG 07 1992

10. Place of Use: Continued

Total Acres 33.0

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.

Frederick L. House
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 A. Lower
Notary Public

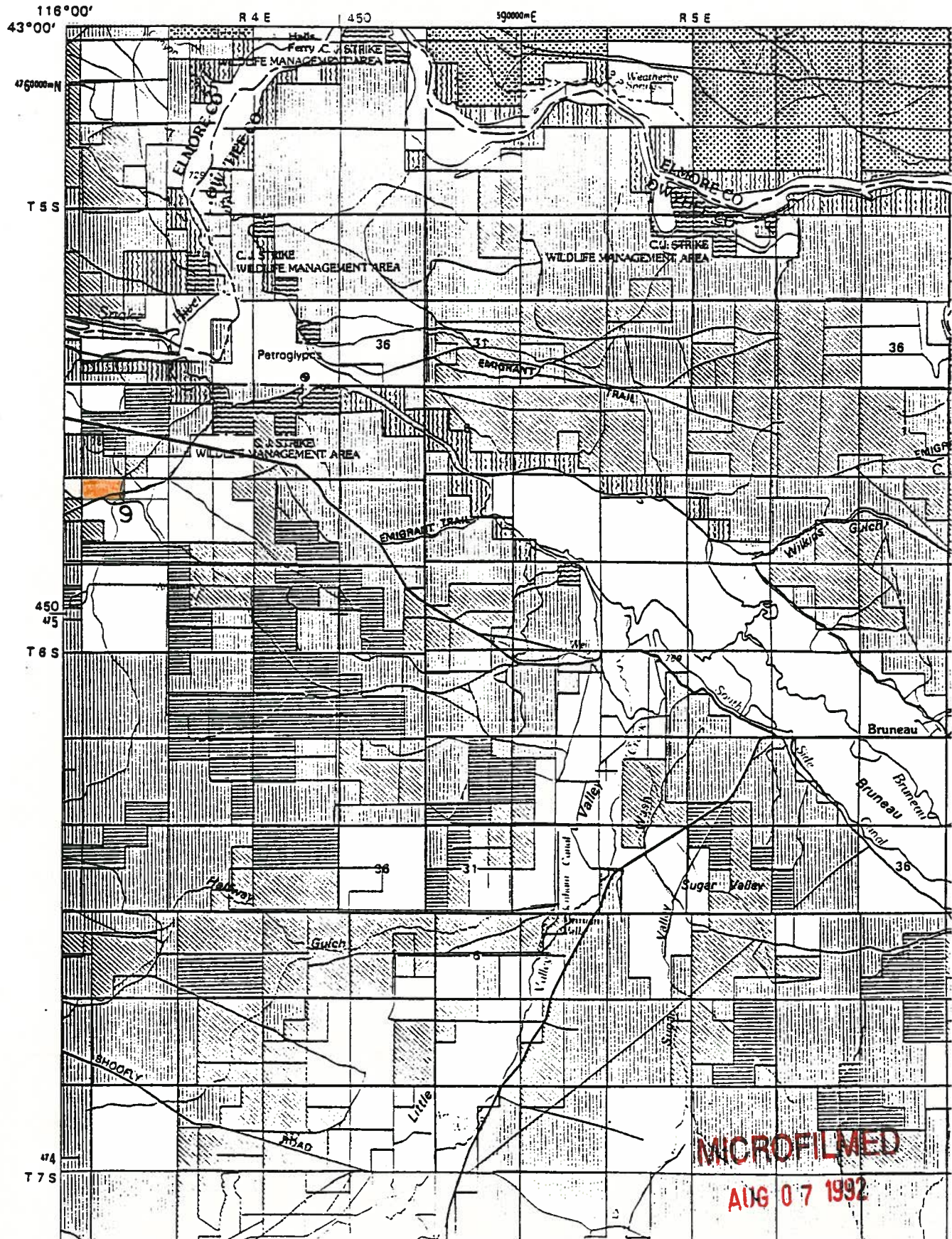
Seal

Residing at Meridian, Idaho

My Commission Expires 11-06-91

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

(MURPHY)



MICROFILMED
AUG 07 1992



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

C.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.
-Sal*

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

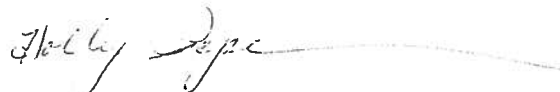
Dear Mr. Shaff:

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,

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

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4 J. R. SIMPLOT COMPANY
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7 Attorneys for J. R. Simplot Company

1991 APR - 9 PM 12:52
DISTRICT COURT - SRB
TWIN FALLS CO., IDAHO
FILED

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

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

Civil Case No. 39576

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

19 Petitioner,)

20 v.)

NOTICE OF WITHDRAWAL
OF COUNSEL

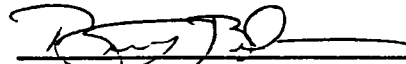
21 _____)
22 The United States; the State of)
23 Idaho; and all claimants to the)
24 use of water from the Snake)
River Basin Water System,)

25 Defendants.)
26 _____)
27)
28)

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 

10 Bruce L. Belzer
11 Assistant General Counsel for
12 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:

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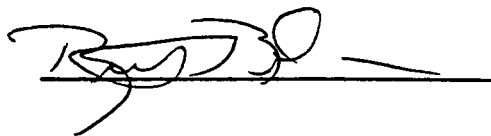
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Shoshone-Bannock Tribes
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Addresses Under A.O.1., Section 7.d(2)

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Office of the Attorney General
State of Idaho
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 ~~WATER~~ WATER
BORDER.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

02-2137
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) 9/4/1956

(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 .66 cfs Use Irrigation Period of Use From 3/15 To 11/15
(CFS, GPD, AF) (Domestic, Irrigation, stock, etc.) (Mo., Day) (Both dates inclusive)

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

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

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

(4) .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. 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					6	27											33
							9	24											

Total no. of acres 33

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 Robison, Gale, et al 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. 02-2137/26518

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.

4/27/81
(Date)

(Signature of Claimant)

State of IDAHO

Organization

Organization

(Signature of Spouse)

M. L. INVESTMENT COMPANY

County of ADA

ss.

Seal

(Signature of Authorized Agent) Secretary

On this 27th day of April, in the year 1981 before me
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, corporation, partnership or _____) executed the same.

My commission expires 4/27/83

Notary Public residing at Boise, Idaho

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by JS

Date 4/28/82

Right No. 02-2137

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 _____

☐ 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. C.W. STRIKE

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☐ Yes ☒ No

Remarks P/U VARIES SLIGHTLY.

APR 10 1982
MICROFILMED

WATER LICENSE

Water License No. 26518/02-2137 Priority September 4, 1956 Amount 0.66 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 September 4, 1956; that Permit 26518/02-2137 was issued pursuant to said application; that the proposed works were completed on or about 1957, with a storage/or carrying capacity of 0.66 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 165
or 5080 acre feet per season when combined with all other rights appurtenant to the
acre feet per season, with a maximum rate of diversion of 0.66 cubic feet per second of the waters same
land,
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-

located in Lot 1 (NE 1/4 NE 1/4) 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 165 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.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6 S	4 E	9					6	27											33
SUPPLEMENTAL IRRIGATION																			

Total number of acres irrigated 33

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 2137

26518

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 DRAINAGE BASIN.
BORDER.

NOTICE OF CLAIM
TO A
WATER RIGHT

02-2137	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)

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- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 9/4/1956
- (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>.66 cfs</u>
(CFS, GPD, AF) | Use <u>Irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>3/15</u> To <u>11/15</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
- (4) .66 cfs TOTAL QUANTITY CLAIMED. Lot 1
(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.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
6S	4E	9					6	27											33

Total no. of acres 33

- 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 Robison, Gale, et al filing. Farm 2 JUN 22 1981
- (9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use. Department of Water Resources
☐ B) Right decreed by court, cite title of case. Western Regional Office
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 02-2137/66518

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)
State of IDAHO Organization _____
County of ADA ss. _____ Seal _____
On this 27th day of April, in the year 1981 before me
a notary public, personally appeared Ronald D. Walker
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 1000 Boise, Idaho

(Signature of Claimant)
(Signature of Spouse)
Organization M. L. INVESTMENT COMPANY
(Signature of Authorized Agent) Secretary