

12/20/2005

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

RIGHT NUMBER: 2-2220

NAME AND ADDRESS: J R SIMPLOT CO  
C/O RON GRAVES  
999 MAIN ST STE 1300  
PO BOX 27  
BOISE ID 83707

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 5.300 CFS  
1,206.000 AFY

PRIORITY DATE: 06/17/1963

POINT OF DIVERSION:

T05S R04E S22 SESWSW Lot 4 Within ELMORE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>           |
|-----------------------|----------------------|---------------------------|
| IRRIGATION            | 04/01 10/31          | 5.300 CFS<br>1,206.00 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 ELMORE County

|               |      |      |               |      |      |
|---------------|------|------|---------------|------|------|
| T05S R04E S17 | NENE | 39.0 | T05S R04E S17 | SWNE | 40.0 |
| T05S R04E S17 | SENE | 39.0 | T05S R04E S17 | NWNW | 32.0 |
| T05S R04E S17 | SWNW | 38.0 | T05S R04E S17 | SENW | 40.0 |
| T05S R04E S17 | NESW | 32.0 | T05S R04E S17 | SESW | 38.0 |
| T05S R04E S17 | NESE | 33.0 | T05S R04E S17 | NWSE | 39.0 |
| T05S R04E S17 | SWSE | 40.0 | T05S R04E S17 | SESE | 39.0 |
| T05S R04E S18 | NENE | 40.0 | T05S R04E S18 | NWNE | 37.0 |
| T05S R04E S18 | SENE | 38.0 | T05S R04E S20 | NENE | 32.0 |
| T05S R04E S20 | NWNE | 40.0 | T05S R04E S20 | SWNE | 30.0 |
| T05S R04E S20 | SENE | 40.0 | T05S R04E S20 | NENW | 20.0 |
| T05S R04E S20 | NESE | 37.0 | T05S R04E S21 | SWNW | 19.0 |
| T05S R04E S21 | NWSW | 38.0 | T05S R04E S21 | SWSW | 38.0 |

858 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 858 acres in a single irrigation season.  
Combined Right Nos.: 2-2220, 2-2221 and 2-2222

This right is limited to the irrigation of 268 acres within the place of use described above in a single irrigation season.

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

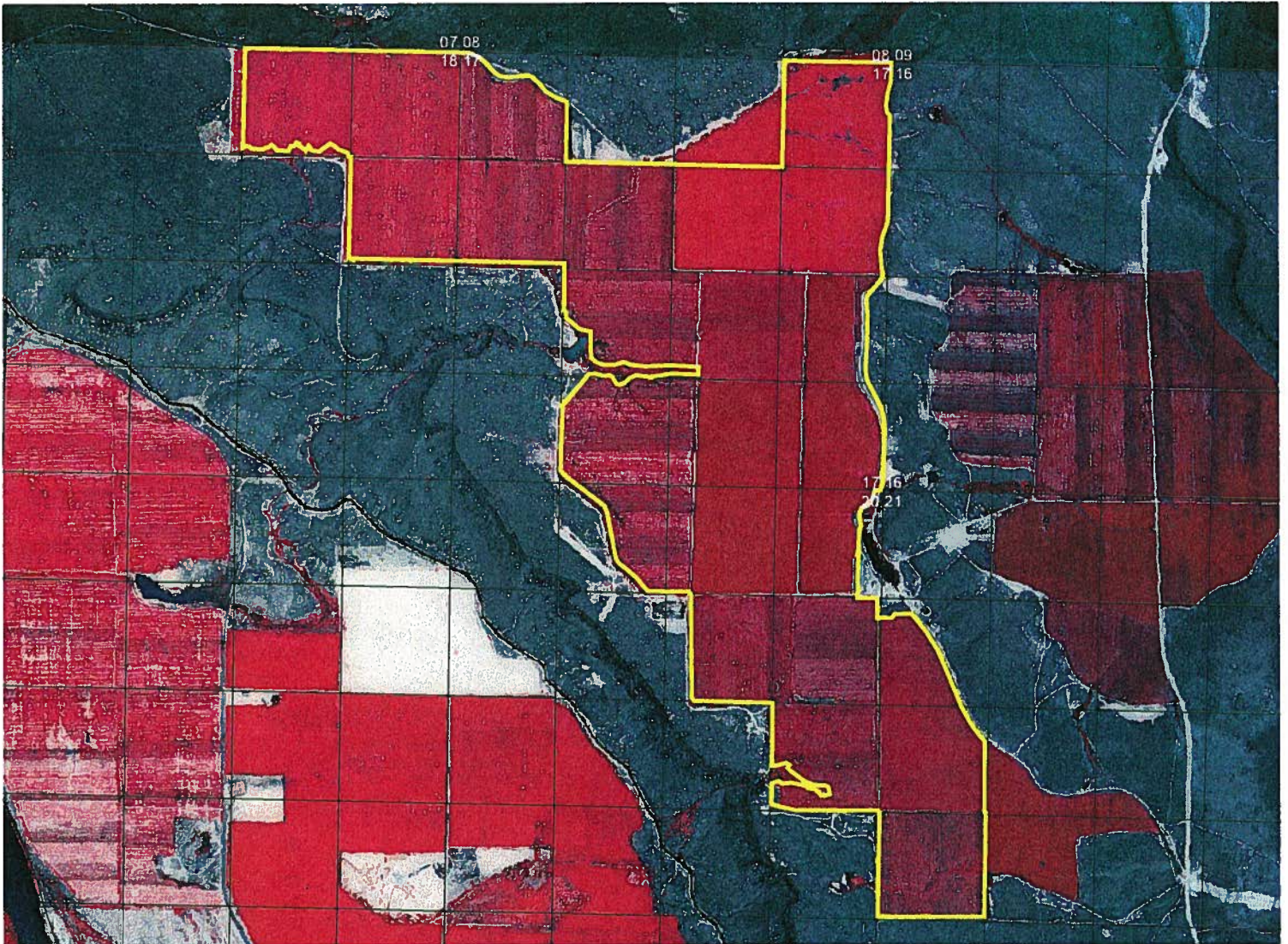
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right Nos. 2-2221, 2-2222, 2-2409 and 2-7040 are also diverted through point of diversion described above.

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

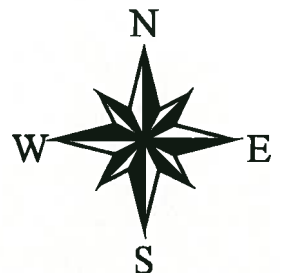
# 2-2220 2-2221 & 2-2222



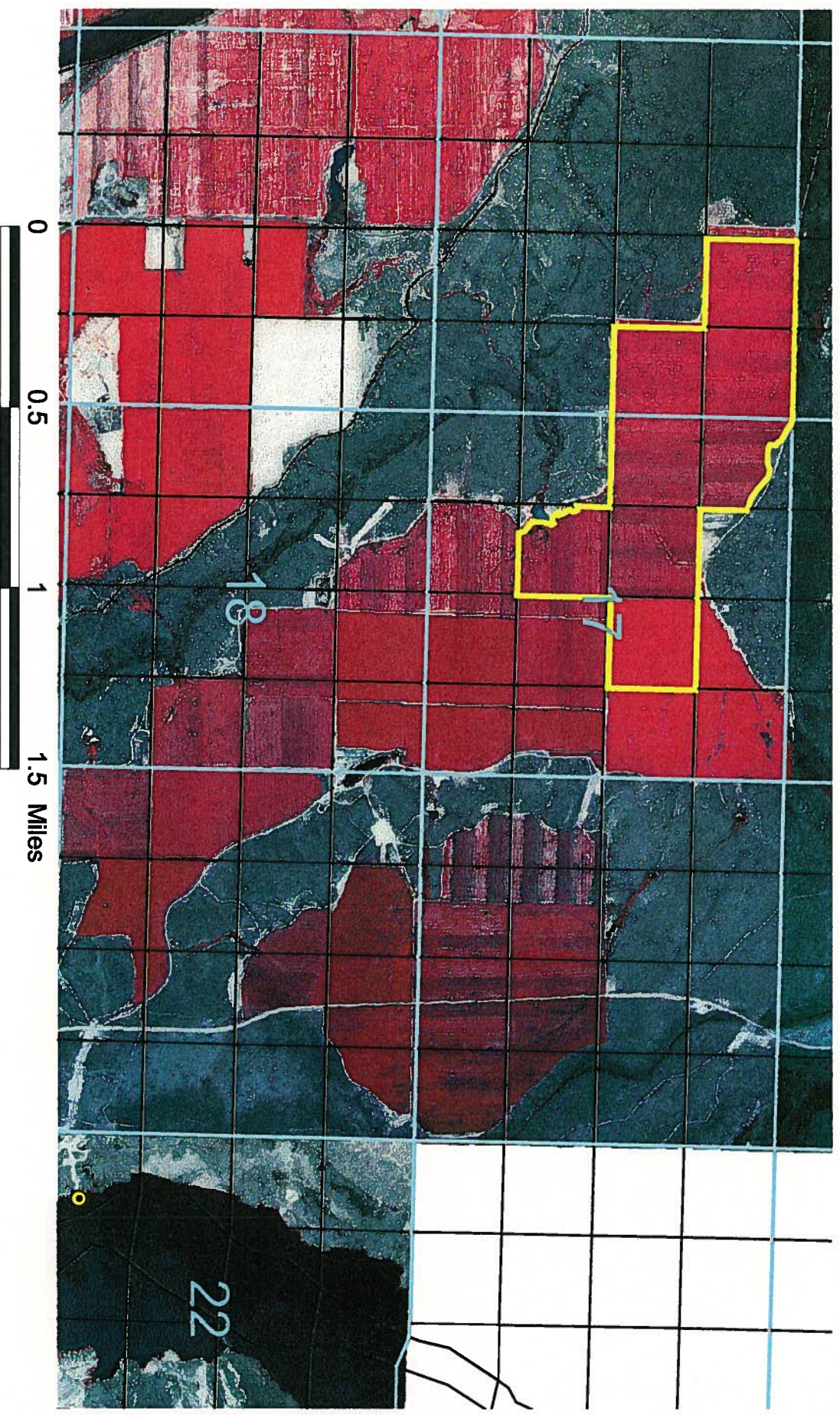
4000 0 4000 8000 Feet

## T05S R04E S17 S18 S20 & S21

Map prepared by: Carter Fritschle  
Date prepared: 12/16/05  
1987-1988 NAPP Photography  
Idaho Department of Water Resources



# Idaho Department of Water Resources



Claim Number: 02-2222

Legal: T05S, R04E, S17, 18, 22

Reviewed By: BTB 5/26/05

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



# IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-02222

Date: 6-10-02

|       | 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 | 5S  | 4E  | 17  |    |    | 40 |    |    | 31 | 40 | 40 | 36 |    |    |    |    |    |    |    | 187 |
| GIS   |     |     |     |    |    | 39 |    |    | 30 | 40 | 40 | 36 |    |    |    |    |    |    |    | 185 |
| Claim |     |     | 18  | 38 | 40 |    | 40 |    |    |    |    |    |    |    |    |    |    |    |    | 118 |
| GIS   |     |     |     | 40 | 40 |    | 40 |    |    |    |    |    |    |    |    |    |    |    |    | 120 |
| Claim |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
| GIS   |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
| Claim |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
| GIS   |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |

Number of POD's 1

Total Claimed Acres: 305

Overlapping POU Claim #'s:

Total GIS Acres: 305

## COMMENTS:

POU per claim map & image interp.

POD per claim legal.

# Idaho Department of Water Resources

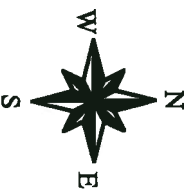
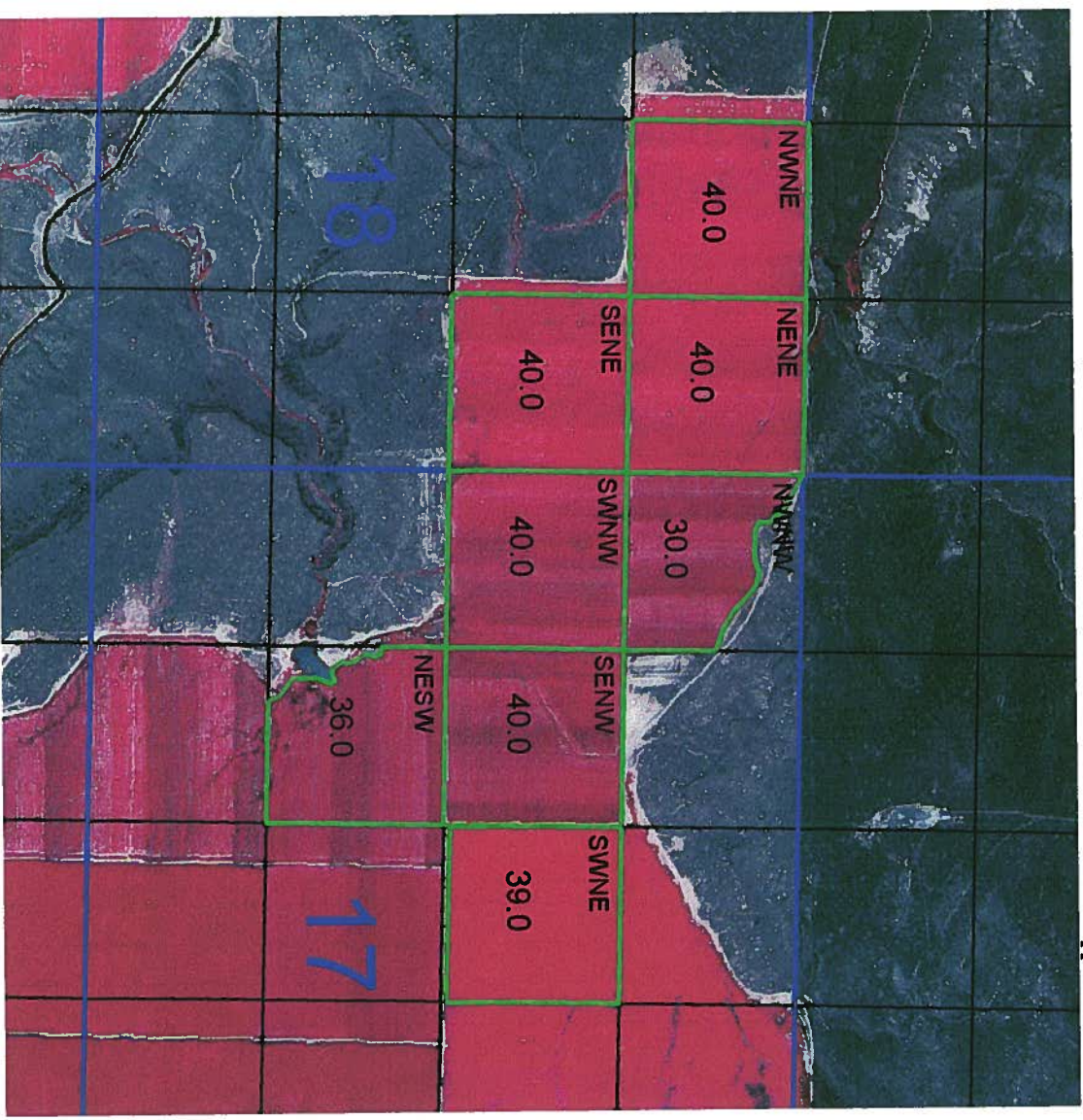
Claim Number: 02-02222

Legal: T05S, R04E, S17 & 18

Reviewed By:

- Point of Diversion  
(located outside view)
- Place of Use
- Section Lines
- Quarter Quarter Lines

1987 Napp Photo



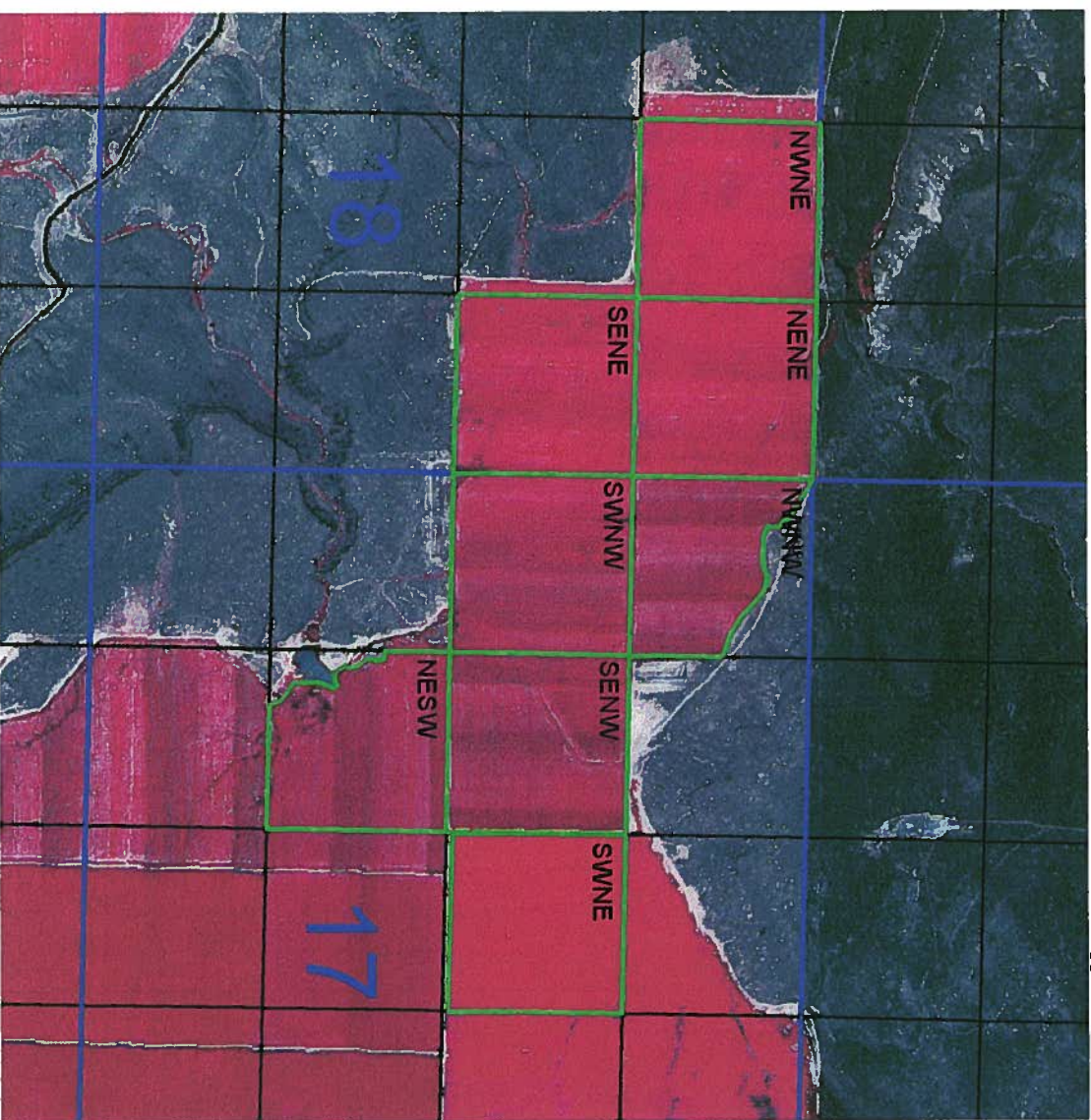
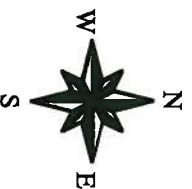
# Idaho Department of Water Resources

Claim Number: 02-02222

Legal: T05S, R04E, S17 & 18

Reviewed By:

- Point of Diversion  
(located outside view)
- 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 02-2222  
Date Received: 12/6/89  
Receipt No: C013324  
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

J R SIMPLOT CO  
PO BOX 27  
BOISE ID USA 83707

Phone:

2. Date of Priority: 06/17/1963

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 | Type |
|----------|-------|---------|-----------------------|--------|------|
| 05S      | 04E   | 22      | SE SW SW 4            | ELMORE |      |

5. Description of diverting works:

PUMP & PIPELINE.

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| IRRIGATION | 3/15 | 11/15 | 6.03   |            |

7. Total Quantity Appropriated is:  
6.03 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township      | Range | Section | 1/4 of 1/4 | Lot | Use        | Acres |
|---------------|-------|---------|------------|-----|------------|-------|
| 05S           | 04E   | 17      | SW         | NE  | IRRIGATION | 40    |
|               |       |         | NW         | NW  | IRRIGATION | 31    |
|               |       |         | SW         | NW  | IRRIGATION | 40    |
|               |       |         | SE         | NW  | IRRIGATION | 40    |
|               |       |         | NE         | SW  | IRRIGATION | 36    |
| Section Acres |       |         |            |     |            | 187   |
| 05S           | 04E   | 18      | NE         | NE  | IRRIGATION | 38    |
|               |       |         | NW         | NE  | IRRIGATION | 40    |
|               |       |         | SE         | NE  | IRRIGATION | 40    |
| Section Acres |       |         |            |     |            | 118   |
| Total Acres   |       |         |            |     |            | 305   |

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

RAWLINGS PLACE

This claim has been split. See nos. 02-10175 and 02-10176. DB 3/12/2001.

NOTE: 02-10175 HAS BEEN RENUMBERED BACK TO THIS ORIGINAL NUMBER. 02-10176 HAS BEEN WITHDRAWN. DB 6/7/2001

15. Basis of Claim: License

~~SPLIT CLAIM~~

Active AS of  
6-7-01  
PK

03/12/2001

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Claim Report

See remarks

WATER RIGHT NO. 02-02222

Owner Type      Name and Address  
Attorney      GRAY YOUNG OR TERRY UHLING  
                 ENV AND REGULATORY AFFAIRS  
                 J R SIMPLOT COMPANY  
                 PO BOX 27  
                 BOISE, ID 837070027  
                 (208)389-7318

Also Known As      SIMPLOT  
                 BOISE, ID 83707

Original Owner      J R SIMPLOT COMPANY  
                 PO BOX 27  
                 BOISE, ID 83707

Priority Date:      06/17/1963  
Basis:      License  
Status:      Parent

Source      Tributary to  
SNAKE RIVER      COLUMBIA RIVER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 3/15        | 11/15     | 6.03 CFS              |               |                    |
| Total Diversion       |             |           | 6.03 CFS              |               |                    |

Location of Point(s) of Diversion:

SNAKE RIVER      SESWSW Lt 4      Sec. 22      Township 05S      Range 04E      ELMORE County

IRRIGATION Use:  
Acre Limit: 305

Place(s) of use:

Place of Use Legal Description: IRRIGATION      ELMORE County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 05S             | 04E          | 17             |            | SWNE         | 40           |            |              |              |            |              |              |
|                 |              |                |            | NWNW         | 31           |            | SWNW         | 40           |            | SENW         | 40           |
|                 |              |                |            | NESW         | 36           |            |              |              |            |              |              |
|                 |              | 18             |            | NENE         | 38           |            | NWNE         | 40           |            | SENE         | 40           |

Total Acres: 305

Remarks:

1. RAWLINGS PLACE.  
This claim has been split. See nos. 02-10175 and 02-10176. DB 3/12/2001.

Dates:

Licensed Date: 02/13/1979  
 Claim Received Date:  
 Decreed Date:  
 Enlargement Use Priority Date:  
 Enlargement Statute Priority Date:

Other Information:

Receipt Number(s): C013324  
 State or Federal: S  
 Owner Name Connector:  
 Water District Number:  
 Generic Max Rate per Acre:  
 Generic Max Volume per Acre:  
 Civil Case Number:  
 Old Case Number:  
 Decree Plaintiff:  
 Decree Defendant:  
 Swan Falls Trust or Nontrust:  
 Swan Falls Dismissed:  
 DLE Act Number:  
 Cary Act Number:  
 Mitigation Plan: False  
 Child Right(s): 2-10175 ChangeOfOwnership  
 2-10176 ChangeOfOwnership

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: A02-02222  
Date Received: 12/6/89  
Receipt No: 2013324  
Received By: 9

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: J. R. SIMPLOT COMPANY  
Address: P.O. BOX 27  
BOISE, ID

83707

2. Date of Priority: JUN 17, 1963

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 |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 05S      | 04E   | 22      | SE     | SW     | SW  | 4   | ELMORE |

5. Description of diverting works:  
PUMP & PIPELINE.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 6.030 |      |        |

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

8. Total consumptive use is 1067.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 05S      | 04E   | 17      | SW     | NE  |     | IRR | 40.0  |
|          |       |         | NW     | NW  |     | IRR | 31.0  |
|          |       |         | SW     | NW  |     | IRR | 40.0  |

A02-02222

Page 1

Date: 12/06/89

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AUG 07 1992

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot           | Use | Acres |
|----------|-------|---------|--------|-----|---------------|-----|-------|
| 05S      | 04E   | 17      | SE     | NW  |               | IRR | 40.0  |
|          |       |         | NE     | SW  |               | IRR | 36.0  |
|          |       |         |        |     | Section Acres |     | 187.0 |
|          |       | 18      | NE     | NE  |               | IRR | 38.0  |
|          |       |         | NW     | NE  |               | IRR | 40.0  |
|          |       |         | SE     | NE  |               | IRR | 40.0  |
|          |       |         |        |     | Section Acres |     | 118.0 |
|          |       |         |        |     | Total Acres   |     | 305.0 |

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:  
NONE

14. Remarks:  
RAWLINGS PLACE.

15. Basis of Claim: LICENSE  
Water Right Number: 31208

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: One Map

**For Organizations:**

I do solemnly swear or affirm that I am Secretary of \_\_\_\_\_ Title

J. R. Simplot Company, that I have signed the foregoing Organization document in the space below as Secretary of \_\_\_\_\_ Title

J. R. Simplot Company and that the statements contained in the Organization foregoing document are true and correct.

*[Signature]*  
Signature of Authorized Agent

Secretary, J. R. Simplot Company  
Title and Organization

12-06-89

Date

State of Idaho )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 6th day of December 19 89

*[Signature]*  
Notary Public

Seal

Residing at Meridian, Idaho

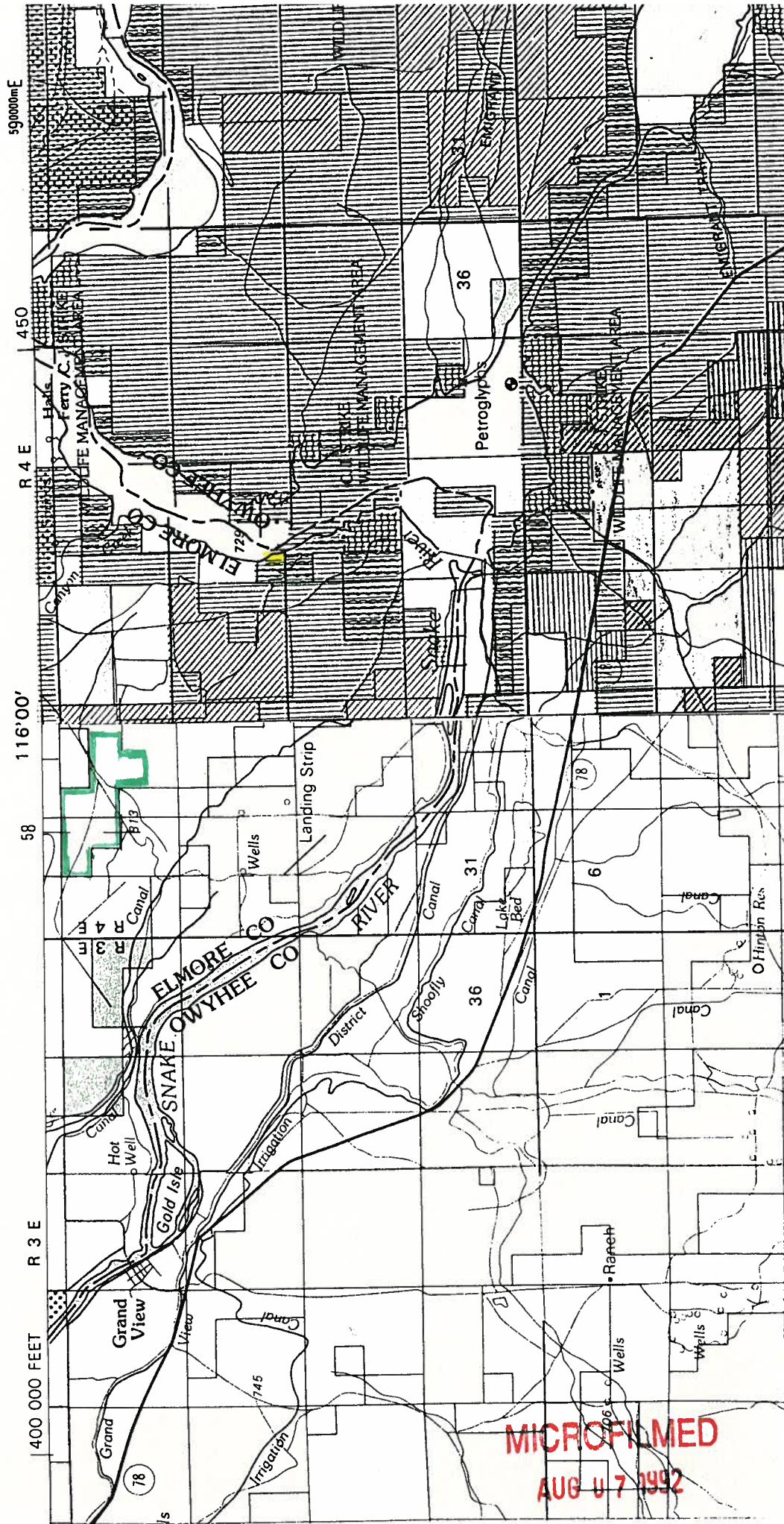
My Commission Expires 11-06-91

Yellow bar = point of Diversion

Green bar = place of Use

VR # A01-02222

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
IDAHO  
TRIANGLE QUADRANGLE  
1:100 000-SCALE SERIES (PLANIMETRIC)





# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Lower Snake River District  
Boise Field Office

3948 Development Avenue  
Boise, Idaho 83705-5389

<http://www.id.blm.gov>

02-2222  
**RECEIVED**

**JUN 18 2001**

WATER RESOURCES  
WESTERN REGION

In Reply Refer To:

IDI-29253

IDI-33594

2920

June 15, 2001

Vic Conrad  
J. R.. Simplot,  
P.O. Box 27  
Boise, ID. 83707

Dear Vic:

This is followup to our telephone conversation of last week where we discussed the subject agricultural trespass on public lands adjacent to your Grand View Farms crop land. This site is about 1.5 miles north of the Snake River and about 3 miles west of C.J. Strike Dam, within the Snake River Birds of Prey National Conservation Area.

Our recent field review and more detailed office evaluation has revealed that only one 3-acre parcel is actually under cultivation and being farmed to alfalfa at this time. This public land parcel has been farmed for many years and Candi Miracle of this office has been working with Chuck Jones, in your Grand View office, resolving this trespass issue. Because we originally thought that more land was involved justifying our decision to issuance of a land use permit to provide for your continued farming use this no longer is our desire. Also, since farming of public lands is involved this required a transfer of a portion of your water rights to be assigned to these public lands when the permit was granted. This too has changed.

Since only a narrow strip of land (105' north end & 100' south end x 1320') is actually being farmed it is in the public's best interest to not grant such a permit to Grand View Farms at this time. Because no farming will occur your water rights will not be effected either. The existing fence must be moved over the 100' and relocated on the true boundary line as depicting shown on the attached 7.5' Quad. map and aerial photo. The access road, that was part of the original authorization we were granting, will be allowed and sent out for acceptance (case file IDI-33594) once we get it prepared for only access use.

No rehabilitation of the farmed public lands will be required. Because the alfalfa now present is not in that great of shape, without water, will simply wither away while providing some wildlife habitat and soils stability in the interim. Please move the fence within the next 60 days, at which time another field check will be made to take a look at the site again.

I want to thank you for your cooperation in this matter and for your timely compliance with our management goals for this area. If you have any further questions about this please give me a call at (208) 384-3339.

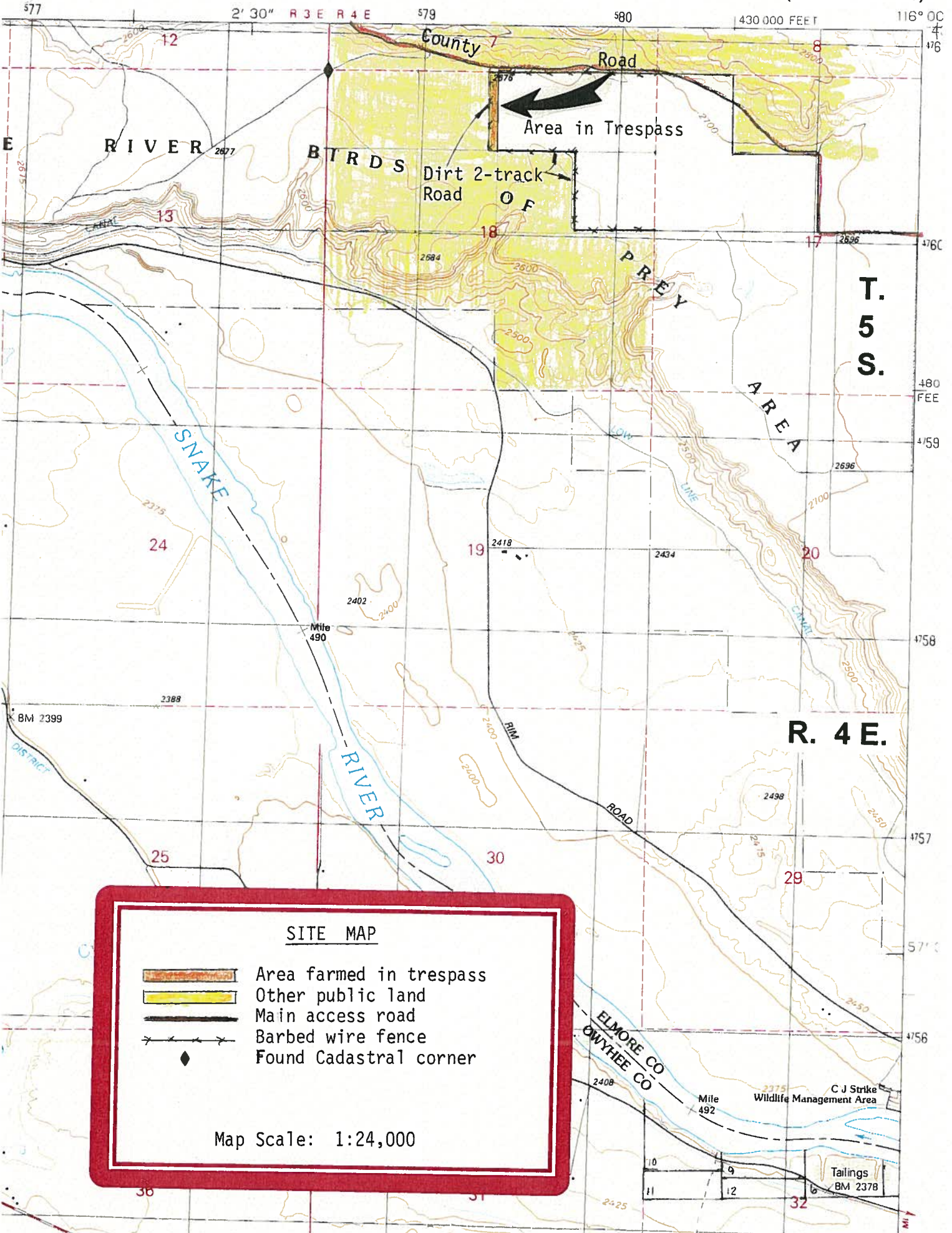
Sincerely,

A handwritten signature in black ink that reads "Michael Austin". The signature is written in a cursive, flowing style.

Michael Austin  
Realty Specialist

cc: Chuck Jones, Grand View Farms  
Ron Howerton, Senior Water Right Agent, IDWR

GRAND VIEW QUADRANGLE  
IDAHO  
7.5 MINUTE SERIES (TOPOGRAPHIC)



SITE MAP

-  Area farmed in trespass
-  Other public land
-  Main access road
-  Barbed wire fence
-  Found Cadastral corner

Map Scale: 1:24,000

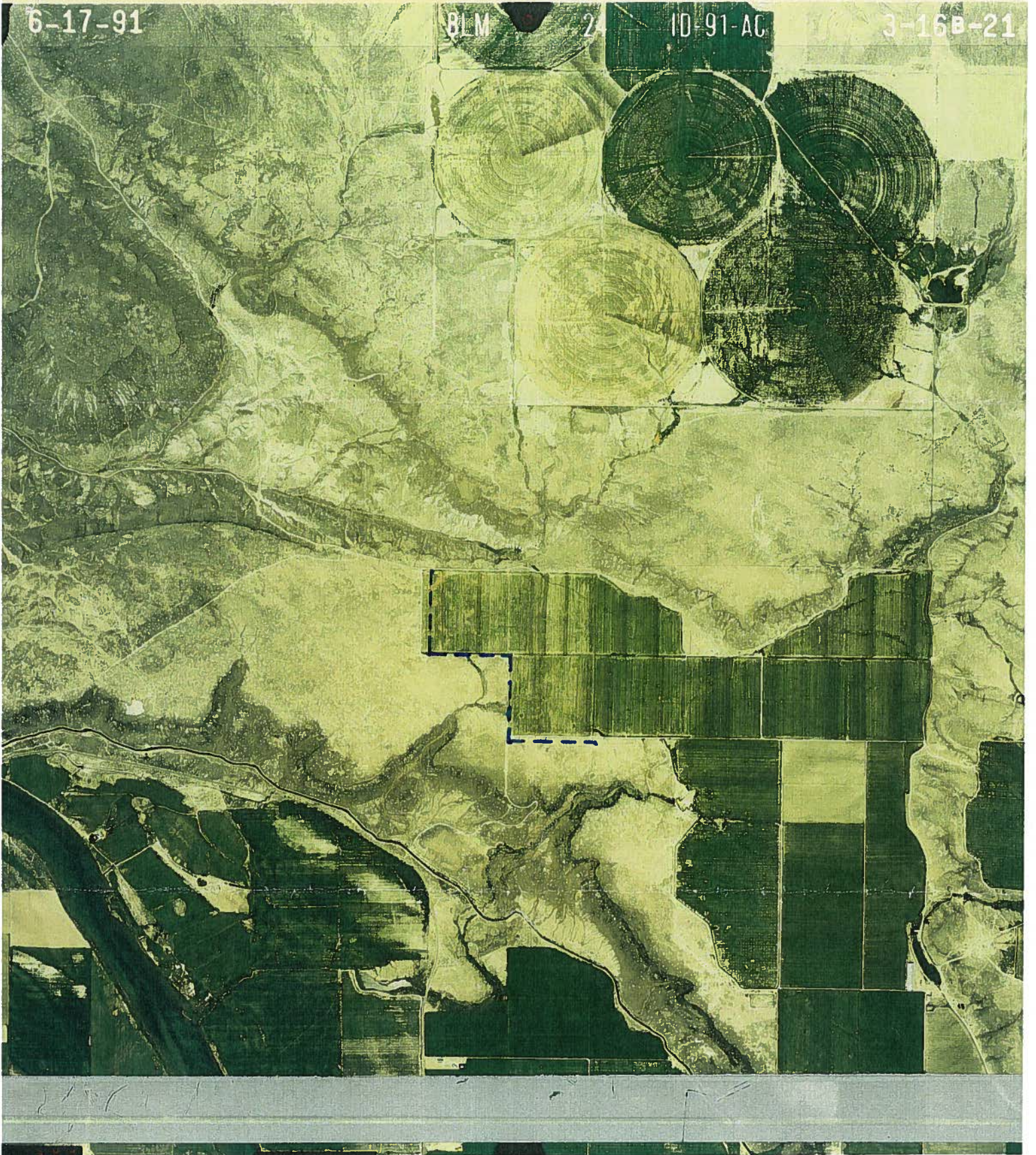
6-17-91

BLM

24

ID-91-AC

3-16B-21





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 16 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

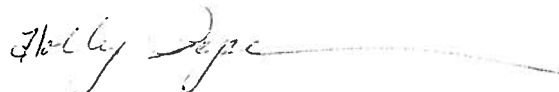
Dear Mr. Shaff:

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 16 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 16 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  
Boise, Idaho 83707  
Telephone: (208) 389-7318  
Fax: (208) 389-7515

7 Attorneys for J. R. Simplot Company

1991 APR - 5 PM 2:52  
DISTRICT COURT - SRCA  
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

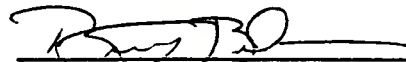
21 \_\_\_\_\_ )  
22 The United States; the State of )  
23 Idaho; and all claimants to the )  
use of water from the Snake )  
24 River Basin Water System, )

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 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  
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1742 Overland Avenue  
Burley, Idaho 83318

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Rexburg, Idaho 83440

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Nyssa, Oregon 97913

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14 HOBDEY & HOBDEY  
15 Attorneys at Law  
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P.O. Box 158  
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24 HOLLIFIELD AND TOLMAN  
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Key Financial Center, 10th Floor  
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6 P.O. Box 910  
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10 P.O. Box 2773  
11 Boise, Idaho 83701-2773

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12 120 East Avenue  
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15 WHIPPLE'S LAW OFFICE, CHTD.  
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Candy L. Jackson  
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18 Craig R. Zaiss  
19 CRAIG R. ZAISS, P.A.  
20 Attorney at Law  
21 305 Grover Street  
22 P.O. Box 628  
23 Parma, Idaho 83660

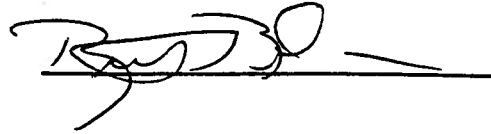
24 **Addresses Under A.O.1., Section 7.d(2)**

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

MICROFILMED

AUG 16 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 DISTRICTOF 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 ~~ORANGE BANK~~  
Border.

# NOTICE OF CLAIM TO A WATER RIGHT

|              |              |
|--------------|--------------|
| 02-2222      |              |
| I.D. No.     | Map No.      |
| \$ <u>10</u> | <u>19463</u> |
| Fee Paid     | Receipt No.  |

Notice is hereby given that SIMPLOT INDUSTRIES, Inc.

(Name of Claimant)

Tom Blessinger

P. O. Box 27 Boise, ID 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) 6/17/1963(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 6.03 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) 6.03 cfs TOTAL QUANTITY CLAIMED.  
(CFS, GPD, AF)(5) A) Point of Diversion: Give location of point where water is diverted from its source Lot 4 (Se Sw Sw) 8W 1/4 8W 1/4  
Sec. 22, Twp. 5S, Rge. 4E, B.M., Elmore County  
Additional Points: SCI: 2720(1) 494.5B) 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 and pipeline

(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% |         |
| 5S | 4E | 17   |     |     | 40  |     |     | 30  | 40  | 40  |     | 35  |     |     |     |     |     |     | 185/187 |
|    |    | 18   | 40  | 40  |     | 40  |     |     |     |     |     |     |     |     |     |     |     |     | 120/118 |
|    |    |      | 38  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |         |

Total no. of acres 305

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 (Rawlings Place)(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.  
DVS ☐ 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. 31208/02-2222

Doc No.

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

April 27, 1981

(Date)

(Signature of Claimant)

(Signature of Spouse)

State of Idaho

Organization

Organization  
SIMPLOT INDUSTRIES, INC.County of Ada

ss.

Seal

Ronald N. Graves  
(Signature of Authorized Agent) SecretaryOn 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 4/27/83Notary Public residing at Boise, Idaho

**FILED**  
IN THE OFFICE OF THE  
SECRETARY OF STATE OF  
STATE OF NEVADA

CERTIFICATE OF OWNERSHIP AND MERGER  
INCLUDING ARTICLES OF MERGER

**RECEIVED**

AUG 1 1985

Department of Water Resources

FEB 27 1985

Merging

A02-2222

BRACEMAN - SECRETARY OF STATE

SIMPLOT INDUSTRIES, INC.

into

J. R. SIMPLOT COMPANY

(Pursuant to Section 78.486 of the Nevada Revised Statutes  
and 16-10-70 of the Utah Business Corporation Act.)

J. R. SIMPLOT COMPANY, a corporation organized and  
existing under the laws of Nevada, the parent corporation, does  
hereby certify:

FIRST: That this corporation was incorporated on the  
28th day of June, 1955, pursuant to the laws of the State of  
Nevada.

SECOND: The number of outstanding shares of each  
class of SIMPLOT INDUSTRIES, INC., a Utah corporation, and the  
number of shares of each class owned by J. R. SIMPLOT COMPANY  
are as follows:

| <u>Names of<br/>Subsidiary</u> | <u>Number of<br/>Shares<br/>Outstanding</u> | <u>Designation<br/>of Class</u> | <u>Number of<br/>Shares Owned by<br/>J. R. Simplot Company</u> |
|--------------------------------|---------------------------------------------|---------------------------------|----------------------------------------------------------------|
| Simplot<br>Industries,<br>Inc. | 10                                          | Common                          | 10                                                             |

THIRD: That this corporation, by resolution of its  
board of directors, duly adopted the following Plan of Merger,  
at a meeting held on the 15th day of February, 1985, and deter-  
mined to merge into itself said SIMPLOT INDUSTRIES, INC. at the  
Effective Time which resolution is in the following words  
to-wit:

NOW, THEREFORE, be it resolved that J. R. SIMPLOT COMPANY  
merge, and it hereby does merge into itself said SIMPLOT  
INDUSTRIES, INC. and assumes all of its obligations, at the  
Effective Time; under the following terms and conditions:

A. BE IT RESOLVED that effective as of the close of busi-  
ness on the 28th day of February, 1985, (the Effective  
Time), SIMPLOT INDUSTRIES, INC. shall be and it is hereby  
merged into J. R. SIMPLOT COMPANY, with the effect and  
result that the existence of SIMPLOT INDUSTRIES, INC. shall

NOTED  
MICROFILMED

cease and J. R. SIMPLOT COMPANY shall continue in existence as the surviving corporation.

B. BE IT RESOLVED that all of the provisions contained in the Articles of Incorporation, as amended, and the By-Laws of J. R. SIMPLOT COMPANY shall remain in force and effect and shall not be deemed altered or amended hereby, and that the laws of the State of Nevada shall continue to govern the surviving corporation.

C. BE IT RESOLVED that the present members of the Board of Directors of J. R. SIMPLOT COMPANY shall continue to hold office during the remainder of the term to which they are elected and until their successors are elected and duly qualified.

D. BE IT RESOLVED that at the Effective Time, all of the property, real, personal or mixed, and all of the assets of SIMPLOT INDUSTRIES, INC. wherever located, shall be deemed automatically transferred to and become vested in J. R. SIMPLOT COMPANY as the surviving corporation, without any further act or deed or instrument of transfer of conveyance for the accomplishment thereof; and whereupon, further, J. R. SIMPLOT COMPANY shall assume and become liable for payment of all of the existing indebtedness and obligations of SIMPLOT INDUSTRIES, INC., including the obligations to perform existing agreements without any special act or assumption of liability for those obligations.

E. BE IT RESOLVED that in as much as SIMPLOT INDUSTRIES, INC. is a wholly-owned subsidiary of J. R. SIMPLOT COMPANY and is being merged into its parent corporation, no additional capital stock of J. R. SIMPLOT COMPANY will be issued upon or as a part of said merger; and after the Effective Time each certificate or certificates theretofore representing issued and outstanding shares of the Capital Stock of SIMPLOT INDUSTRIES, INC. shall be deemed cancelled.

F. BE IT RESOLVED that notwithstanding any action taken with respect to the merger by the Directors of J. R. SIMPLOT COMPANY or SIMPLOT INDUSTRIES, INC. or both, and notwithstanding anything herein or elsewhere to the contrary, the merger may be abandoned at any time prior to the filing thereof by the adoption of a resolution providing for such abandonment by the Board of Directors of J. R. SIMPLOT COMPANY.

G. BE IT RESOLVED that the Executive Vice President and Secretary of this corporation be and they hereby are directed to make and execute, under the corporate seal of this corporation, a certificate of ownership and merger setting forth a copy of the resolution to merge said SIMPLOT INDUSTRIES, INC. and assume its liabilities and obligations, and to file the same in the office of the Secretary of State of Nevada and the Secretary of State of Utah; and

H. BE IT FURTHER RESOLVED that the officers of this corporation be and they hereby are authorized and directed to do all acts and things whatsoever, whether within or without the States of Nevada and Utah which may be necessary or proper to effect said merger.

APR 1 1967  
RECORDED

FOURTH: That this corporation survive the merger and may be served with process in the States of Nevada and Utah in any proceeding for enforcement of any obligation of SIMPLOT INDUSTRIES, INC. as well as for enforcement of any obligation of the surviving corporation arising from the merger.

FIFTH: The undersigned corporation hereby (a) agrees that it may be served with process in the State of Utah in any proceeding for the enforcement of the rights of a dissenting shareholder of the above-mentioned subsidiary corporation against the surviving corporation; (b) irrevocably appoints the Secretary of State of Utah as its agent to accept service of process in any such proceeding; and (c) agrees that it will promptly pay to the dissenting shareholders of such domestic corporation the amount, if any, to which they shall be entitled under the provisions of the Utah Business Corporation Act with respect to the rights of dissenting shareholders.

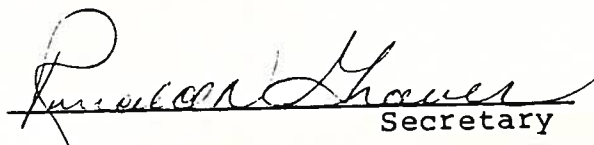
SIXTH: The mailing of Notice of said Plan and Agreement of Merger was waived by the shareholders of SIMPLOT INDUSTRIES, INC. on February 15, 1985.

IN WITNESS WHEREOF, said J. R. SIMPLOT COMPANY has caused its corporate seal to be affixed and this certificate to be signed by Scott R. Simplot, its Executive Vice President and Ronald N. Graves, its Secretary this 15th day of February, 1985.

J. R. SIMPLOT COMPANY

By    
 Its Executive Vice President

ATTEST:

   
 Secretary

MAILED  
FEB 16 1985  
FBI - DENVER

STATE OF IDAHO       )  
                              )  
County of Ada        )   ss

I, Laurel J. Walker, a notary public, do hereby certify that on this 15th day of February, 1985, personally appeared before me Scott R. Simplot, who, being by me first duly sworn, declared that he is the Executive Vice President of J. R. SIMPLOT COMPANY, that he signed the foregoing document as Executive Vice President of the Corporation, and that the statements therein contained are true.

Laurel J. Walker  
Notary Public for Idaho  
Residing at Boise, Idaho  
My Commission Expires: 5/30/87

Aug 1 8 1985  
MICROFILMED

State of Idaho  
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. SHAFF

Date 10/14/82

Right No. 02-2222

Claimant SIMPLON

Recommendation differs from claim:  
(Document any differences)

☒ Yes  
BARELY

☐ No

☐ Disallow

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 16<sup>97</sup> cfs. Amount recommended 6<sup>03</sup> cfs.

Type of measuring device: \_\_\_\_\_ Meter No. \_\_\_\_\_

Condition \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

Adjudication Photo(s) Used: Name or No. 1974 OQ 1974 OQ 1980 0-2  
GRAND VIEW C.J. STRIKE 3450-80-152

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☐ Yes ☒ No

Remarks RECOMMENDATION VARIES FROM CLAIM ONLY AS TO LOCATION  
OF TOTAL ACREAGE.

## WATER LICENSE

Water License No. 31208 Priority June 17, 1963 Amount 6.03 c.f.s.

THIS IS TO CERTIFY, that Nellis S. Holland - Assignee - FRANK N. RAWLINGS  
 of Nampa, Idaho, made application for a permit to appropriate the public waters of  
 the State of Idaho, dated June 17, 1963; that Permit 31208 was issued pursuant  
 to said application; that the proposed works were completed on or about 1965  
 with a storage/or carrying capacity of 16.97 c.f.s., said works consisting of motor, pump,  
 pipe, concrete ditch and storage reservoir; and that on June 15, 1966  
 proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1373  
 acre feet per season, with a maximum rate of diversion of 6.03 cubic feet per second of the waters  
 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 SW 1/4 SW 1/4, Sec. 22, T. 5 S, R. 4 E, B.M., and  
 other additional points, in the County of  
 Elmore; 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 1373 acre feet per year.

Description and location of place of use:

| TWP. | RANGE | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|------|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |       |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| S    | 4 E   | 17   |        |        | 40     |        |        | 30     | 40     | 40     | 35     |        |        |        |        |        |        |        | 185    |
|      |       | 18   | 40     | 40     |        | 40     |        |        |        |        |        |        |        |        |        |        |        |        | 120    |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres irrigated 305

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

3rd day of January, 1969.

*L. Kirk Higgins*  
 State Reclamation Engineer

31208

2 3622

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 ~~XXXXXXXXXX~~  
Border. DRAINAGE BASIN.

NOTICE OF CLAIM  
TO A  
WATER RIGHT

|              |              |
|--------------|--------------|
| 02-2222      |              |
| I.D. No.     | Map No.      |
| \$ <u>10</u> | <u>19463</u> |
| Fee Paid     | Receipt No.  |

Notice is hereby given that SIMPLOT INDUSTRIES, Inc.  
(Name of Claimant)  
P. O. Box 27 Boise, ID 83707 Tom Blessinger  
(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) 6/17/1963

(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 6.03 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) 6.03 cfs TOTAL QUANTITY CLAIMED.  
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SW Lot 4 SW 1/4  
Sec. 22, Twp. 5S, Rge. 4E, B.M., Elmore 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 and pipeline

(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% |            |
| <u>5S</u> | <u>4E</u> | <u>17</u> |           |           | <u>40</u> |           |     | <u>30</u> | <u>40</u> | <u>40</u> | <u>35</u> |     |     |     |     |     |     |     | <u>185</u> |
|           |           | <u>18</u> | <u>40</u> | <u>40</u> |           | <u>40</u> |     |           |           |           |           |     |     |     |     |     |     |     | <u>120</u> |
|           |           |           |           |           |           |           |     |           |           |           |           |     |     |     |     |     |     |     |            |
|           |           |           |           |           |           |           |     |           |           |           |           |     |     |     |     |     |     |     |            |
|           |           |           |           |           |           |           |     |           |           |           |           |     |     |     |     |     |     |     |            |

Total no. of acres 305

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 Rawlings Place

(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. 31208702-2222

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.

April 27, 1981 (Date)  
State of Idaho Organization SIMPLOT INDUSTRIES, INC.  
County of Ada ss. Seal  
On this 27th day of April, in the year 1981 before me  
a notary public, personally appeared Ronald T. Draper  
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 \_\_\_\_\_

