

12/20/2005

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

RIGHT NUMBER: 2-2222

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: 6.030 CFS
1,373.000 AFY

PRIORITY DATE: 06/17/1963

POINT OF DIVERSION:

T05S R04E S22 SESWSW Lot 4 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

04/01 10/31

6.030 CFS
1,373.00 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

This right is limited to the irrigation of 305 acres within the place of use described above in a single irrigation season.

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

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

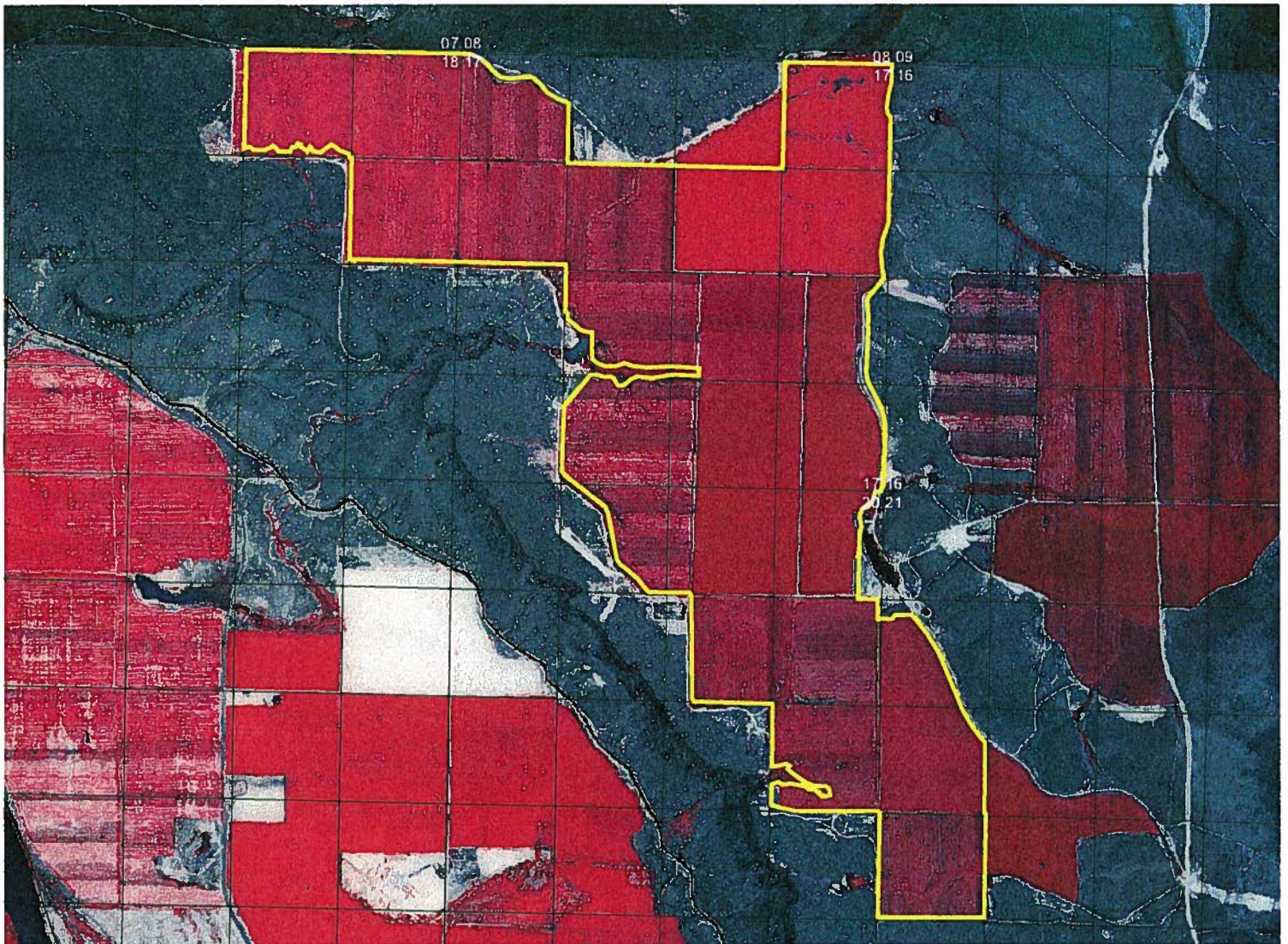
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

Right Nos. 2-2220, 2-2221, 2-2409 and 2-7040 are also diverted through point of diversion described above.

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



State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. SHAFF Date 9/02/83
Right No. 02-0096 Claimant SIMPLOR
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 8/26/83

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

Measurement 25.86 cfs. Amount recommended .34 cfs.
Type of measuring device: AA CURRENT METER Meter No. 090143
Condition Good, Oiled Date 8/26/83 Time Noon

Adjudication Photo(s) Used: Name or No. GRANDVIEW, MOUTH OF BRUIER

Field Photographs Taken ☐ Yes ☒ No

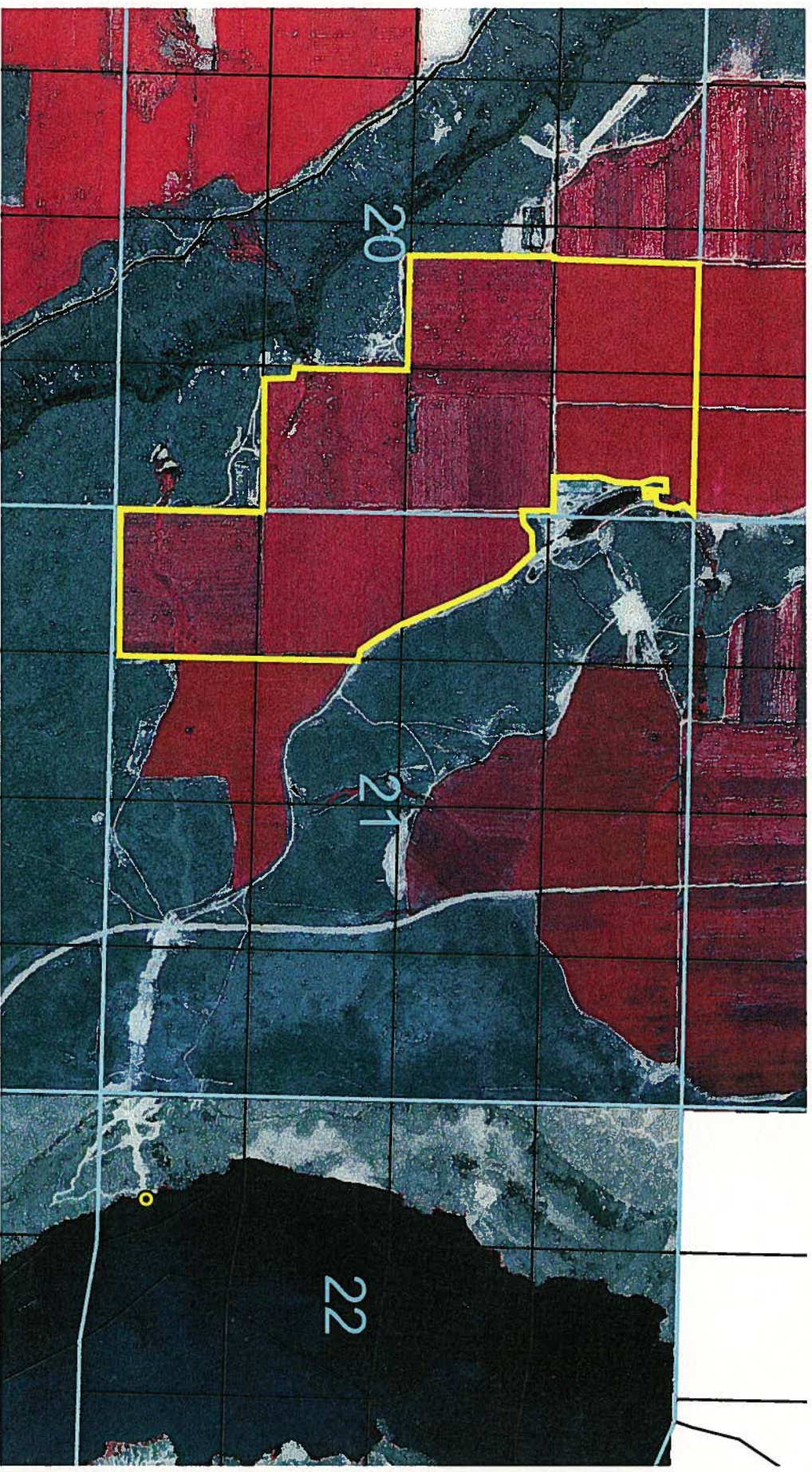
Memorandum in file ☐ Yes ☒ No

Remarks 10/24/75 MEASUREMENT 33.4 cfs - SAME MOTORS, DIFFERENT PUMPS
SAME DIVERSION WORKS AS 02-2220, 02-2221, 02-2222, 02-2409, 02-7040.

02-2409

filed w/2-2220
(Lanning)
4-29-3

Idaho Department of Water Resources



Claim Number: 02-022220

Legal: T05S, R04E, S20, 21, 22

Reviewed By: BTB 5/25/05

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



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-02220

Date: 6-11-02

	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	20	33	40	27	38									37				175
GIS				31	31	32	39									39				172
Claim			21							20				38	35					93
GIS										19				39	38					96
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 268

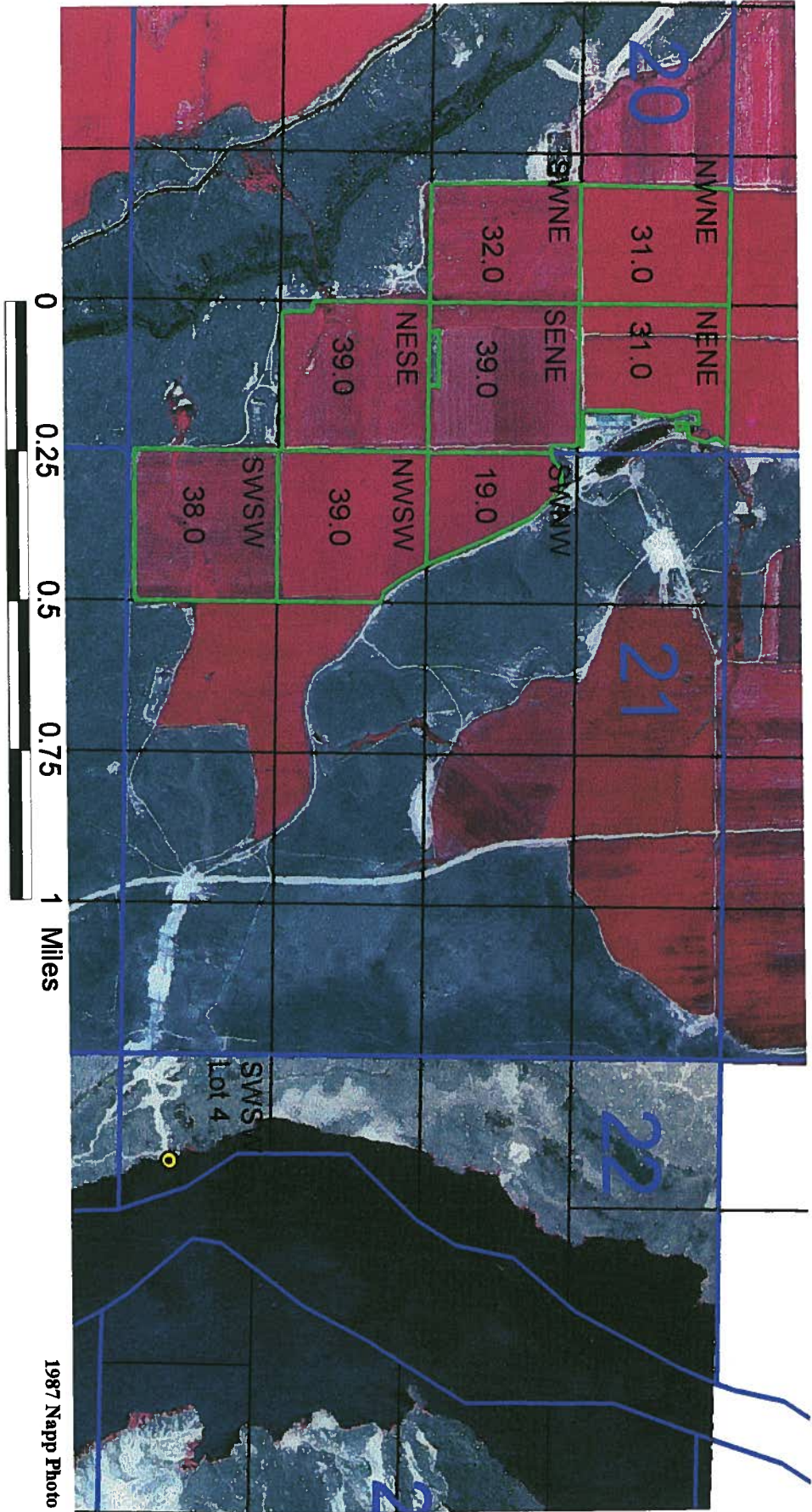
Overlapping FOU Claim #'s:

Total GIS Acres: 268

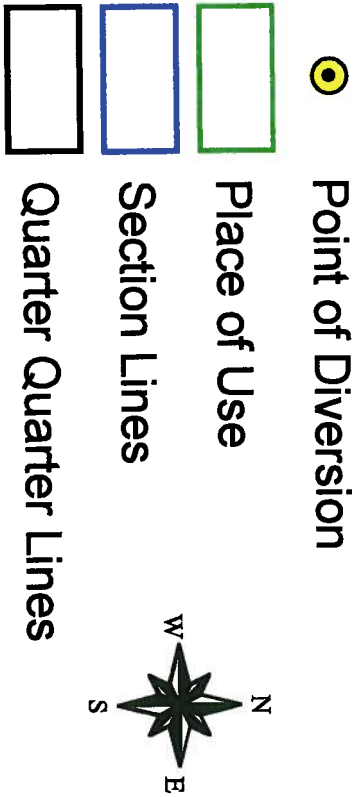
COMMENTS:

Per claim map, image interp, + claim legal.

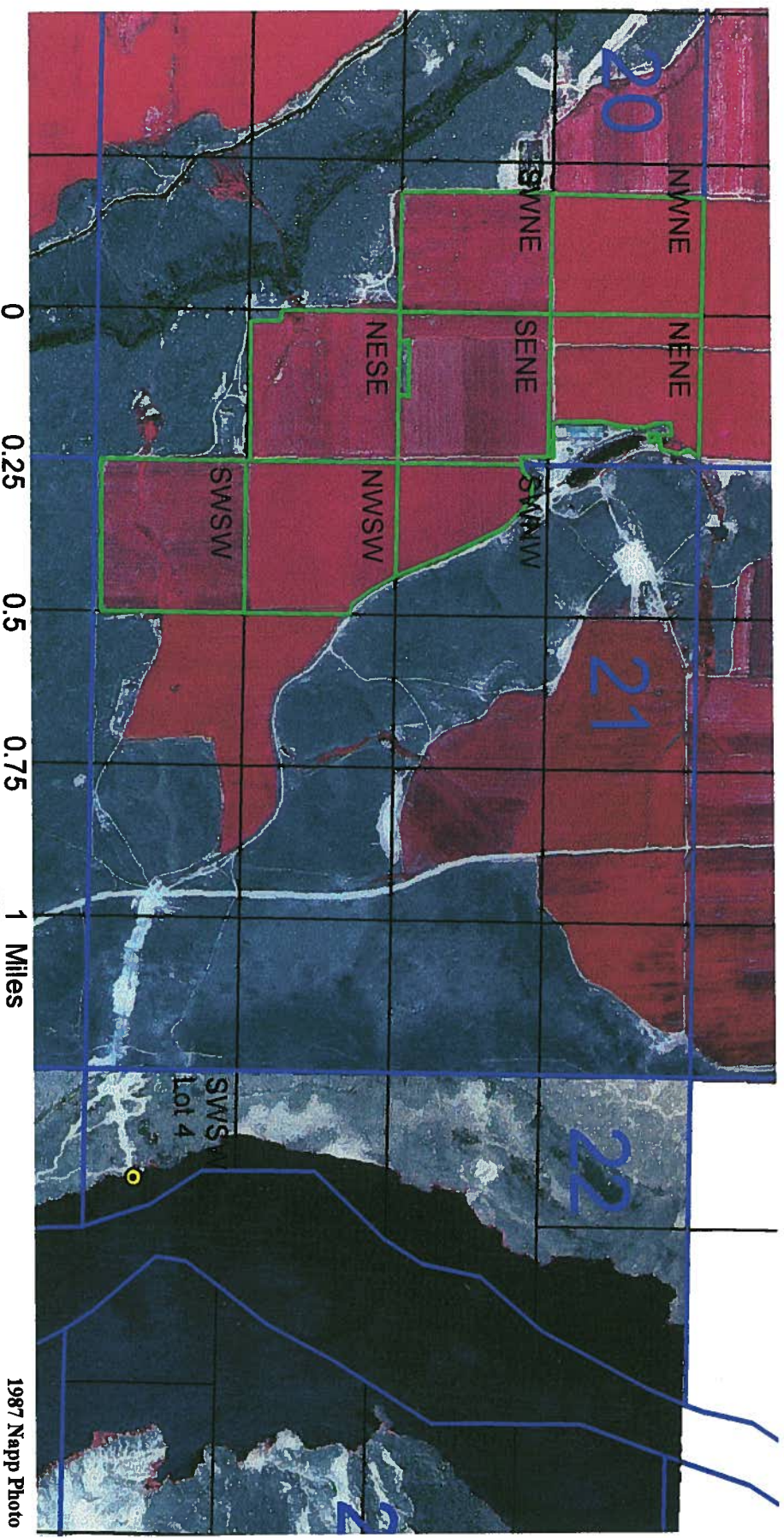
Idaho Department of Water Resources



Claim Number: 02-022220
Legal: T05S, R04E, S20 & 21
Reviewed By:



Idaho Department of Water Resources

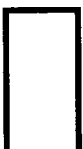


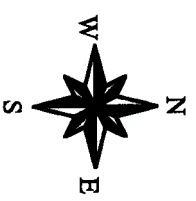
1987 Napp Photo

Claim Number: 02-022220

Legal: T05S, R04E, S20 & 21

Reviewed By:

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State of Idaho
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SAME DIVERSION WORKS AS 02-2220, 02-2221, 02-2222, 02-2409 & 02-7040.

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

EB 27 1985

Merging

A02-0096

WILLIAM H. HARRIS - 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 Subsidiary</u>	<u>Number of Shares Outstanding</u>	<u>Designation of Class</u>	<u>Number of Shares Owned by J. R. Simplot Company</u>
Simplot Industries, 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

AUG 10 1985

RECEIVED

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.

JUN 10 1984
MICROFILMED

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

APR 10 1985
MICROFILMED

STATE OF IDAHO)
) ss
County of Ada)

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

NOTARIAL
COMMISSION
JAN 10 1987

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 ~~XXXXXX~~
Oregon Border.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

<u>02-0096</u>	I.D. No.	Map No.
<u>\$45-</u>	Fee Paid	<u>28906</u> Receipt No.

Notice is hereby given that Simplot Industries, Inc.
(Name of Claimant)

P.O. Box 27, Boise, ID 83707
(Mailing Address)

336-2110
(Telephone No.)

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) May 1967 5/01/1967
- (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>.34</u>
(CFS, GPD, AF) | Use <u>Irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>4/01</u> To <u>10/31</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From <u>3/15</u> 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) .34 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SE (SW 1/4 SW) Sec. 22, Twp. 5S, Rge. 4E, B.M., Elmore County
Additional Points: SCI: 2720(1) 494.5
- 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.
Motor, pump, pipe, ditch, storage pond

- (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 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
<u>5S</u>	<u>4E</u>	<u>17</u>		<u>17</u>															<u>17</u>

Total no. of acres 17

- 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 Used in conjunction with License Nos. 02-2220, 02-2221, 02-2222.
\$ RAWLINAS PLACE (No proprietary interest found)
- (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. _____

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

(Date)

(Signature of Claimant)

State of Idaho

Organization

(Signature of Spouse)

County of Ada

Organization

SIMPLOT INDUSTRIES, INC.

Seal

Ronald J. Shaver - Secretary
(Signature of Authorized Agent)

On this 25th day of May, in the year 1983 before me
a notary public, personally appeared Ronald J. Shaver - Secretary

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

My commission expires Lifetime

Notary Public residing at Boise, Idaho

01 WATER RIGHT NUMBER - A02-0096

02 OLD (D) NUMBER -

LAST NAME
03001 - J. R. SIMPLOT CO.

FIRST NAME
04001 -

ORIG. OWNER
05001 - C

06 ADD LINE 1 - P.C. BOX 27

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - BOISE

10 STATE - ID

11 ZIP - 83707

12 STAGE -

13 STATUS - I DISALLOWED

SOURCE

15001 -
TRIBUTARY OF

16 DIVERSION MEANS -

17 CCUNTY - 39 ELMORE

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .000

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

TRACT SEC TWN RNG DIVERSION POINTS RFLG STREAM INDEX FIELDS

22001 - 23001 - 24001 - 25001 - 26001 - 27001 - 28001 -

29 NON-IRRIGATION USE -

USE CODE / USE TWN RNG PLACE OF USE SEC TRACT ACRES LOT

30001 - 31001 - 32001 - 33001 - 34001 - 35001 - 36001 - TOTAL ACRES: 0

PERIOD FROM PERIOD TO USE CODE / USE WATER USE DIVERSION RATE DIVERSION VOLUME

37001 - 38001 - 39001 - 40001 - 41001 -

42 DECREE PLAINTIFF NAME - 43 DECREE DEFENDANT NAME -

REMARKS
44001 - NO PROPRIETARY INTEREST FOUND.

MICROFILMED

AUG 10 1994

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

47 PRIORITY D A T E S
48 PROOF DUE
49 PROOF MADE
50 APPROVE/DENIED
51 PROTESTED
52 HEARING
53 VERIFIED
55 LICENSE
56 APPL RECEIVED
57 FIELD EXAM MADE
58 DECREE
59 START WORK
60 ORDER SHOW CAUSE
61 DATE_1
63 TRANSFER/AMENDED
64 DLE/CAREY ACT
65 FLAG_1
66 FLAG_2
67 FLAG_3

7/23/86

State of Idaho
Department of Water Resources

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Review by D. Shaff

Date 12/05/84

Right No. 02-0096

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

Field Exam Made: ☐ Yes ☐ No Date _____

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Measurement _____ cfs. Amount recommended _____ cfs.
Type of measuring device: _____ Meter No. _____
Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. _____, _____, _____

Field Photographs Taken ☐ Yes ☐ No

Memorandum in file ☐ Yes ☒ No

Remarks Not notified of any arrangements with BLM
For using the land.

APR 10 1985
MICROFILMED

State of Idaho
Department of Water Resources

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Field Exam Made: ☒ Yes ☐ No Date 8/26/83

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

Measurement 25.86 cfs. Amount recommended .34 cfs.

Type of measuring device: AA CURRENT METER Meter No. 090143

Condition GOOD, OILED 8/26/83 Date _____ Time NOON

Adjudication Photo(s) Used: Name or No. GRAND VIEW, MOUTH of BRIDGES

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☐ Yes ☒ No

Remarks 10/24/75 MEASUREMENT 33.4 cfs - SAME MOTORS, DIFFERENT PUMPS
SAME DIVERSION WORKS AS 02-2220, 02-2221, 02-2222, 02-2409 & 02-7040.

ONE 10 1983
MICROFILMED

CORPORATE HEADQUARTERS

RECEIVED

MAY 13 1986

May 12, 1986

Department of Water Resources

Donald V. Shaff, Adjudication Unit Leader
Department of Water Resources
Statehouse
Boise, ID 83720

Re: 02-0006; 02-0096

Dear Don:

As we discussed by telephone today, it is my understanding that J. R. Simplot Company (successor to Simplot Industries) occupies most if not all of the BLM ground identified in your April 10, 1984, letter on this matter. Simplot's possession is pursuant to an oral arrangement originating in the early or mid 1970's. Evidently, the BLM wanted to install or improve an access road to the Black Sands Beach, but the road needed to cross Simplot property. Simplot agreed to the BLM's proposal for the access road to Black Sands; in exchange, the BLM agreed that we could continue to occupy and use certain BLM owned ground, including the identified areas of conflict.

As I indicated, this agreement is at least 10 years old, and maybe closer to 15. I have been unable to identify any BLM personnel involved in the negotiation, but I will certainly provide the names of such people if I learn their identities. I hope this sufficiently answers your concerns. Please advise me if you have any questions. Thank you for your help in this matter.

Sincerely,



BRUCE L. BELZER
Assistant General Counsel

BLB/dw

MICROFILMED

AUG 10 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

April 10, 1984

Martin "Joe" Zimmer
District Manager
U.S. Department of Interior
Bureau of Land Management
3948 Development Avenue
Boise, ID 83705

RE: 02-0006, 02-0096

Dear Mr. Zimmer:

The enclosed letter is brought to the attention of your agency's staff. The matter involves a water user claiming a water right for land this Department's staff has identified as land administered by your agency.

I hope this knowledge will help resolve the issue speedily so the State of Idaho can recognize the use of the water resource and the benefit derived from that use. Thank you for promptly attending to this matter.

Regards,

DONALD V. SHAFF
Adjudication Unit Leader

DVS:ns

Enclosure

MICROFILMED

AUG 10 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

April 10, 1984

Bruce Belzer
Assistant Corporate Counsel
J. R. Simplot Company
P. O. Box 27
Boise, ID 83707

RE: 02-0006, 02-0096

Dear Mr. Belzer:

This letter is to address the conflict of use of water on federal land. At the risk of being accused of back pedaling on the issue, this issue was brought to a head as the review of Snake River claims progressed.

As you know, a water right cannot be developed in trespass, particularly with respect to federal lands. Simplot Industries may have been led into the dilemma of claiming such water rights in the case of Farm 3 (02-0006) and the Rawlings Place (02-0096).

The staff for this agency has identified some minor overlap that may only be proven by field surveys of private use on BLM ground and some definite ingress for Farm 3. From Claim 02-0006 Simplot has claimed the place of use on BLM ground, according to our maps, as NENE (1 acre) NWNE (1), NENW (1), Lot 2 (SWNW) (19), SESE (7), Sec. 18, T 6S, R 5E, and NENE (1), Sec. 13, T 6S, R 4E.

The land (NWNE (17 acres), Sec. 17, T 5S, R 4E) for Claim 02-0096 filed by Simplot is identified by this agency's staff as being BLM ground.

This matter is brought back to your attention because this agency's staff is strictly recommending water rights in adjudication procedures. If you will supply this office with evidence of a proprietary interest through an entry or lease by Simplot for this specified land, this agency's staff will continue processing the water rights for it.

MICROFILMED

AUG 10 1994

Bruce Belzer
April 10, 1984
Page 2

BLM has been supplied a copy of this letter to speed processing of any agreements that might be initiated at this point, or to allow them to claim a water right for this land. If Simplot decides the disadvantages outweigh any advantages from maintaining these Claims 02-0006 and 02-0096, you may want to forward instructions to withdraw and/or amend them. If Claim 02-0096 is withdrawn the filing fee for it could be refunded. Claim 02-0006 involves other deeded land that would probably make an amendment at no extra filing fee more attractive. Without the requested proprietary evidence, this agency's staff will recommend the above water rights with the information they have on hand.

I see from our correspondence, Bruce, you foresaw the potential for this problem earlier. Thank you for wrestling with the ownership problem again.

Regards,

DONALD V. SHAFF
Adjudication Unit Leader

DVS:ns

cc: BLM

MICROFILMED

AUG 10 1994

September 7, 1983

Tom Basabe
Simplot Livestock
Grand View, ID 83624

RE: Rawlings Water Rights

Dear Tom,

Having measured the water from the referenced pumps, I thought you might want to know the results. Using a current meter I found 28.65 cfs (1432.5 miners inches) was being directed on August 26, 1983. With different pumps on the same motors, the system was delivering 33.4 cfs (1670 miners inches) on September 11, 1975. This earlier measurement was made with a Rate-a-Flow inline meter.

Any two measurements can vary by two to five per cent. From 1975 to 1983 the decline in delivery would be over 14 per cent. You may want to investigate this matter further. Either diversion rate is sufficient to fulfill the Rawlings water rights.

Regards,

Donald V. Shaff
Adjudication Unit Leader

DVS:kb

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AUG 10 1994

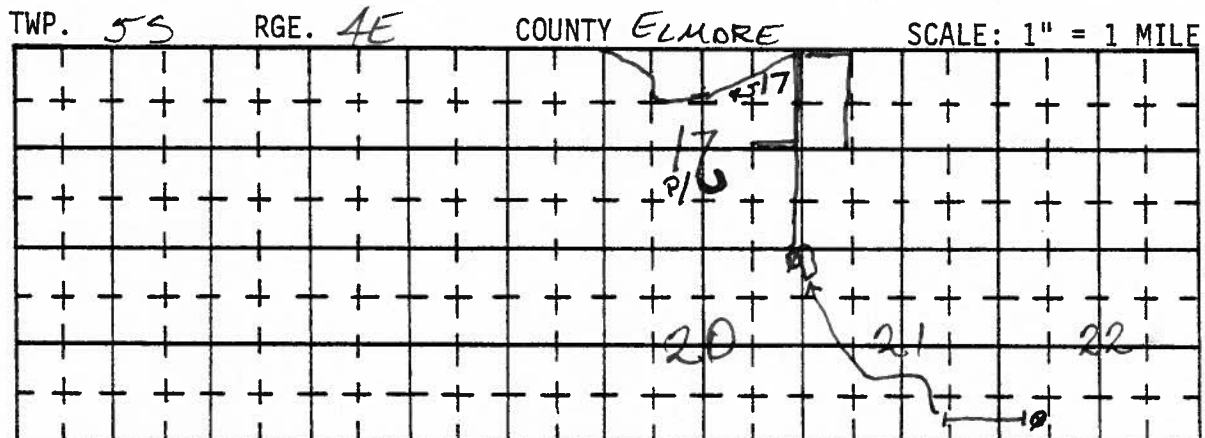
State of Idaho
Department of Water Resources

ADJUDICATION CLAIM
REPORT OF EXAMINERS

Claim No. 02-0096

1. Name of Applicant SIMPLLOT
2. Priority _____
3. Source of Water SNAKE RIVER (C.V. STRIKE RES.)
4. (Quantity) (Domestic, Irri., Stock Water, etc.) (Period of Use)
.34 cfs Use IRRIGATION From _____ to _____
 _____ cfs Use _____ From _____ to _____
 _____ cfs Use _____ From _____ to _____
5. Location of Point of Diversion: L.4 (SWSW) of Section 22
 Twp. 5S, Rge. 4E, County of ELMORE
6. Describe Diversion Works: 3-400 & 1-200 HP MOTORS & PUMPS, 24" PENSTOCK
TO CONCRETE DITCH, POND, RELIFT PUMP. MOTOR & PUMP
DETAILS ON ATTACHED SHEET.
7. Describe Location of Use:

TWP	RGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SE $\frac{1}{4}$				SW $\frac{1}{4}$				TOTALS
			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>17</u>															<u>17</u>



8. Purpose other than irrigation: N/A
9. Remarks: EXPANSION ASSOCIATED WITH 02-2221 & 02-2222
WATER MEAS. ON ATTACHED SHEETS.

This examination was made on the 26 day of AUGUST, 19 83.

(Signed)

[Signature]
Examiner

AA CURRENT METER #090143, Qued Today

LJ-200
1-63

CLEAR, LIGHT WIND, WARM
75°F

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Date 8/26, 1983 DISCHARGE MEASUREMENT NOTES
SAMPLING (RAWLINGS) DITCH at Fork Snake River MEAS. ENDED 12:15 PM

ACTUAL POINT AT 2' x 1' LANDSTONE ON EAST SIDE SLIGHTLY $> \frac{1}{2}$ WAY FROM DISCHARGE TO RELIFT PUMP

Angle coef- ficient	Dist. from initial point	Width	Depth	Obser- vation depth	Revo- lutions	Time in sec- onds	VELOCITY		Adjust- ed for hor. angle or	Area	Discharge
							At point	Mean in ver- tical			
	10	ELW									
	20		08		50	42		266			
	30		14		80	51		350			
	35		12		90	47		426			
	40		20		80	44		406			
	45		20		80	47		380			
	50		20		80	47		380			
	55		20		80	43		415			
	60		18		60	46		292			
	65		08		50	56		200			
	70	ELW									

2865

POOR ORIGINAL

POOR ORIGINAL

MICROFILMED

AUG 10 1984

No. 1 of 1 Sheets, Comp. by J. SHAEFF Chk by OBSERVED BY FELIX, SIMPLOT IRRIGATOR

MEASUREMENT FOR SIMPLOT, RAHLINGS D.

MEASUREMENT LOCATION CONCRETE DITCH
MEASURED BY D. SHARP

DN 8/26/83

LEGAL DESCRIPTION SWS SEC 21 TWP 55 RNG 4E

V = 2.218N + .022 FOR N <= 1
V = 2.224N + .016 FOR N > 1

DISTANCE FROM INITIAL POINT	DEPTH	AREA	REVOLUTIONS	TIME	VELOCITY	DISCHARGE
FEET	FEET	SQ. FT.		SEC.	FT/SEC.	CFS
1.800	.000	.000	0	.000	.000	.000
2.500	.800	.760	50	42.000	2.664	2.025
3.000	1.400	.700	80	51.000	3.505	2.454
3.500	1.900	.950	90	47.000	4.275	4.061
4.000	2.000	1.000	80	44.000	4.060	4.060
4.500	2.000	1.000	80	47.000	3.802	3.802
5.000	2.000	1.000	80	47.000	3.802	3.802
5.500	2.000	1.000	80	43.000	4.154	4.154
6.000	1.400	.700	60	46.000	2.917	2.042
6.500	.900	1.125	50	56.000	2.002	2.252
7.500	.000	.000	0	.000	.000	.000
TOTALS		8.235				28.652

MICROFILMED

AUG 10 1994

SIMPLOT INDUSTRIES, INC. / ONE CAPITAL CENTER / 999 MAIN STREET / SUITE 1300
P.O. BOX 27 / BOISE, IDAHO 83707 / (208) 336-2110 / TELEX 368432

May 25, 1983

Donald V. Shaff
Adjudications Unit Leader
Department of Water Resources
Statehouse
Boise, Idaho 83720

Re: Rawlings Place Water Rights

Dear Don:

I have enclosed an executed Claim to Water Right as well as the necessary \$45.00 filing fee. Hopefully, this will do it. Thanks again.

Sincerely,



BRUCE L. BELZER
Assistant Corporate Counsel

BLB/rm
Encs.

RECEIVED
MAY 27 1983

Department of Water Resources
Western Regional Office

MICROFILMED

AUG 10 1994

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: A02-02220
Date Received: 12/6/89
Receipt No: C013324
Received By:

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	5.300		

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

8. Total consumptive use is 938.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	04E	20	NE	NE		IRR	33.0
			NW	NE		IRR	40.0
			SW	NE		IRR	27.0

A02-02220

Page 1

Date: 12/06/89

MICROFILMED

AUG 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	04E	20	SE	NE		IRR	38.0
			NE	SE		IRR	37.0
					Section Acres		175.0
		21	SW	NW		IRR	20.0
			NW	SW		IRR	38.0
			SW	SW		IRR	35.0
					Section Acres		93.0
					Total Acres		268.0

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: 31203

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 ☒ 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

- = place of Use
- = point of Diversion

[illegible]

MICROFILMED
AUG 07 1992

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,

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
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 2:52
DISTRICT COURT - SR2A
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

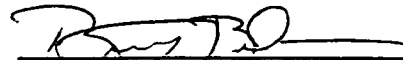
24 The United States; the State of)
25 Idaho; and all claimants to the)
26 use of water from the Snake)
27 River Basin Water System,)

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

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

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

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

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

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

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

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

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

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

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

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

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
14 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
18 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
22 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
27 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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7 5500v
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28

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

02-2220

I.D. No.

Map No.

\$10

Fee Paid

19463

Receipt No.

Notice is hereby given that SIMPLOT INDUSTRIES, Inc.

(Name of Claimant)

P. O. Box 27 Boise, ID 83707

(Mailing Address)

Telephone No. Tom Blessinger
342-8194

(Zip Code)

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

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 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 5.30 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) 5.30 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
 Sec. 22, Twp. 5S, Rge. 4E, B.M., Elmore County
 Additional Points: SCI: 2720(1) 494.5
- 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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	4E	20	33	40	20	20									33				175 178
		21				5			20			35	35						93 90

Total no. of acres 268

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.

☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 31203/02-2220

Old No.

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

April 27, 1981

(Date)

(Signature of Claimant)

State of Idaho

Organization

Organization

SIMPLOT INDUSTRIES, INC.

County of Ada

ss.

Seal

By: Ronald W. Graves

(Signature of Authorized Agent)

Secretary

On this 27th day of April, in the year 1981 before me

a notary public, personally appeared Ronald W. 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

BRACEMAN - SECRETARY OF STATE

SIMPLOT INDUSTRIES, INC.

402-2220

[Signature]
876-55

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 Subsidiary</u>	<u>Number of Shares Outstanding</u>	<u>Designation of Class</u>	<u>Number of Shares Owned by J. R. Simplot Company</u>
Simplot Industries, 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

NOTARIZED

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.

VID 1 P 001

UNCLASSIFIED

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.

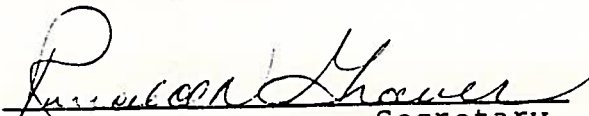
SIXTH: The mailing of Notice of said Plan and Agreement of Merger was waived by the shareholders of SIMPLOT INDUSTRIES, INC. on February 15, 1985.

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

FILED
JAN 18 1985
MICROFILMED

STATE OF IDAHO)
) ss
County of Ada)

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

APR 1 1987
MICROFILMED

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. SHAFF

Date 10/14/82

Right No. 02-2220

Claimant SIMPLOT

Recommendation differs from claim:
(Document any differences)

☐ Yes

☒ No
ESSENTIALLY

☐ 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 16⁹⁷ cfs. Amount recommended 5³⁰ cfs.

Type of measuring device: _____ Meter No. _____

Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. 1974 OG 1974 OG 1980 U-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.

SIMPLLOT INDUSTRIES, INC. RAWLINGS PLACE

LAND LIST ATTACHMENT

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	
5S	4E	16									40	16	13	35	8	38	38	35	223
		17	38	17	40	39		31	40	40	36			38	33	40	40	38	470
		18	38	40		40													118
		20	33	40	27	38	19							37					194
		21	18	39	19		33		20	12	16	38	40	24			5		264
																			1269
							02-2220												
5S	4E	20	33	40	27	38								37					175
		21						20			38	35							93
																			268
							02-2221												
5S	4E	17	38			39								38	33	40	40	38	266
		20					19												19
																			285
							02-2222												
5S	4E	17			40			31	40	40	36								187
		18	38	40		40													118
																			305
							02-2409												
5S	4E	16									40	16	13	35	3	38	38	25	208
							02-7040												
5S	4E	21	18	39	10		33			12	16			24			5		157
							ADDITIONAL												
5S	4E	16													5		10		15
		17				BLK 17													17
		21				9						5							14
																			46

Total number of acres irrigated _____



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

Bruce L. Belzer
Assistant Corporate Counsel
Simplot Industries, Incorporated
P.O. Box 27
Boise, Idaho 83707

Re: Rawlings Place Water Rights

Dear Bruce,

Apparently I misled you slightly on claiming the constitutional water right for the Rawlings Place. I have transferred the water right information from the Section 42-243 form to the enclosed adjudication form which would be more appropriate to file in the Snake River action.

The 243 claim is returned with your company's check in the amount of \$30 (No. 56595). The filing fee in the adjudication for .34 cfs is \$45.

If you will attend to this technicality of gaining Mr. Graves' signature on this form and returning it with the \$45 fee, I believe we will have solved the puzzle of water rights on this farm. Thank you for your persistence.

Regards,

Donald V. Shaff
Adjudication Unit Leader

Enclosures: Claim to a Water Right - Form 243
\$30 check (No. 56595)
Notice of Claim to a Water Right - Form 42-1409

MICROFILMED
AUG 16 1994

SIMPLOT INDUSTRIES, INC. / ONE CAPITAL CENTER / 999 MAIN STREET / SUITE 1300
P.O. BOX 27 / BOISE, IDAHO 83707 / (208) 336-2110 / TELEX 368432

May 23, 1983

Donald V. Shaff
Adjudications Unit Leader
Department of Water Resources
Statehouse
Boise, Idaho 83720

Re: Rawlings Place Water Rights

Dear Don:

As a follow up to our recent correspondence, I have submitted a Claim to Water Right for the 17 acres which appears to be BLM ground. If the same looks satisfactory, I presume we may have concluded the problems associated with this farm. You have been a tremendous help. Thanks again for your assistance.

Sincerely,



BRUCE L. BELZER
Assistant Corporate Counsel

BLB/rm
Enc.

RECEIVED
MAY 24 1983

Department of Water Resources
Western Regional Office

MICROFILMED
AUG 16 1994

May 10, 1983

Bruce L. Belzer
Assistant Corporate Counsel
J. R. Simplot Company
Box 27
Boise, ID 83708

RE: Rawlings Place Water Rights: 02-2220, etc.

Dear Mr. Belzer:

The Application for Permit you submitted under the cover of your letter dated May 3, 1983 has been acknowledged under a separate notice. The enclosed copy of page 1 of the Application for Permit will show the minor changes made upon initial review. I hope the changes are not objectionable.

Your understanding of the State's position on BLM land and water rights is correct. Any water right your company might claim for use on a federal agency's land would be appurtenant to that land. Only the agency could transfer or change the use of the water right for that land. In this case, BLM would have 17 acres worth of water right that could only be moved or changed with the agency's consent. To avoid untold complexities, this Department accepts a claim under these circumstances from the appropriator of the water.

Your diligence to the task of the Snake River Adjudication is appreciated. Let me know if I should attend to any details.

Regards,

DONALD V. SHAFF
Adjudications Unit Leader

DVS:sc

MICROFILMED
AUG 15 1994

May 3, 1983

CORPORATE HEADQUARTERS

Donald V. Shaff
Adjudication Unit Leader
State of Idaho
Department of Water Resources
Western Region
Statehouse
Boise, Idaho 83720

RECEIVED
MAY 5 1983

Department of Water Resources
Western Regional Office

RE: Rawlings Place Water Rights

Dear Mr. Shaff:

OK This letter will acknowledge receipt of your letter dated October 15, 1982, concerning the above-referenced rights. I have enclosed an Application for Permit for the 29 additional irrigated acres owned by Simplot, as well as the necessary fee of \$45.00.

1/24 Additionally, it is my understanding that the 17 acres which appear to be BLM ground in Section 17 was irrigated before the 1971 deadline, therefore, I suspect it would be best to file a Claim. The water is used in conjunction with License Numbers 02-2220, 02-2221 and 02-2222. Am I correct in understanding that the State now advises filing a Claim for use on BLM land, even without proper arrangements for lease or entry to the land?

Your assistance thus far has been a tremendous help. I'd appreciate your comments on this issue also. Thanks.

Sincerely,



BRUCE L. BELZER
Assistant Corporate Counsel

BLB/ljw
Enclosures

MICROFILMED
AUG 16 1994

CORPORATE HEADQUARTERS

February 11, 1983

Mr. Donald Shaff
Department of Water Resources
Statehouse
Boise, Idaho 83720

RE: Grandview Farm 3, Water Right 02-0015
Grandview -- Rawlings Place

Dear Don:

This letter is in response to your September 17, 1982, letter regarding Farm 3 and your October 15, 1982, letter regarding the Rawlings place. Please accept my apologies for the delay.

As regards Farm 3, the time span has muddled my understanding somewhat, so I want to set forth my understanding before sending in the application. I agree with your analysis that 661 acres are under irrigation. Of this, apparently 30 acres are BLM ground. Assuming a maximum legal diversion/acre, the total diversion we are entitled to, excluding the 30 acres BLM, should be 12.62 cfs. We are presently licensed in the amount of 7.01 cfs. Therefore, our claim should be in the amount of 5.61 cfs. Does your computation confirm these figures? If so, what is our necessary filing fee?

As regards the Rawlings place, you were correct in your assumption that I would have to look elsewhere. I'll be in touch as soon as I've come up with an answer. In the meantime, thanks for your continuing assistance.

Sincerely,


BRUCE L. BELZER
Assistant Corporate Counsel

BLB/geh

cc: Tom Blessinger

MICROFILMED

AUG 16 1994

Department of Water Resources
Western Regional Office

October 15, 1982

Bruce L. Belzer
Assistant Corporate Counsel
J. R. Simplot Company
P. O. Box 27
Boise, ID 83707

02-2220

Dear Mr. Belzer:

A review of the water rights for the Rawlings Place at Grand View has brought some questions that must be addressed. I'll direct the inquiry to you initially, but someone else may have to tackle the problem.

Nearly all of the irrigated land was covered by the water licenses issued and claimed already. The enclosed Land List illustrates this matter. Sorting out the field examinations for each of the licenses reveals an additional 46 acres is now irrigated. Most of it may have come into production after 1973. This would be the 15 acres in Section 16 and the 14 acres in Section 21. The 17 acres in Section 17 that is apparently BLM ground may have been irrigated in 1963. The land on its three sides was irrigated at the time of the 1963 examination.

If your research also indicates the 29 acres of Simplot land was not irrigated until after 1971, you would want to file an Application for Permit to make additional water apurtenant to the added ground. The same problem confronts us on the BLM ground as in the Farm 3 situation.

A map has been enclosed that may prove helpful. Let me know if I can assist you.

Regards,

DONALD V. SHAFF
Adjudication Unit Leader

DVS:alw
Encls.

MICROFILMED

AUG 16 1994

10/14/82

TO: 02-2220, ETC. FOR RAWLINGS PLACE

FROM: D. SHAFF

SUBJ: CHRONOLOGY OF DIVERTING WORKS IN RESERVOIR

UP TO 1967, 2 400-HP G.E. MOTORS w/ PUMPS

BETWEEN 1967 & 1973, ADDED 1 200-HP GE MOTOR w PUMP.

1967 FILING STATES 2,400 H-P MOTORS.

1973 WAS YEAR OF EXAM FOR 02-2409.

By 9/18/74, 1-400 HP U.S. MOTOR & PUMP WAS ADDED.

MICROFILMED

AUG 16 1994

POOR ORIGINAL

Form 23

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

Permit No. 31203

This proof is for Completion of Works & Beneficial Use in Water District No. _____

1. Name of applicant Wahlberg & Holman
2. Source of water supply: Anahe River
3. Location of point of diversion: Is in the SW 1/4 of Section 22
T. 5 N. R. 5 E., N. County of Blaine

4. Describe works as they exist, giving dimensions and capacities of same:
See Detail #1. 12" CE main CAT 31007, 12" B. Valve
Pump # 29073, 3000 gpm, 345', #2 - 12" CE main
CAT 31006, 12" B. Valve, Pump # 29075, 3000 gpm
345', Gate #1, #2, 25' discharge, 12" CE
VALVES - 12" Line, 12" 1/2" x 24" - 25' dia. steel pipe - up 12"
12" concrete pipes - 12" pipe, 12" dia. 12" dia. 12" dia.
5. Water used for: Irrigation

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

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
SEC. 20, T. 5 N., R. 5 E., N. County of Blaine, Sec. 21, T. 5 N., R. 5 E., N. County of Blaine.

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

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

Remarks:
GATE VALVE #2 BATHY CLOSED - DESIGN
CAPACITY FOR DIVERSION WORKS = 7620 gpm
345' at 17.02 c.f.s. at 12" dia.
Check out 12" line used 2 = 15.81 c.f.s.
12" 12" / sec. for 12" dia. 12" dia.
12" 12" / sec. for 12" dia. 12" dia.
12" 12" / sec. for 12" dia. 12" dia.
12" 12" / sec. for 12" dia. 12" dia.

02-2220

POOR ORIGINAL

DATE OF EXAM Aug 2, 1973

ACREAGE
Found 208.0
Recommended 208.0

Irrigation Requirement 4.5 A: PEAK

USE
Irrigation Q = 4.16 cfs V = 936.0 A/H Ann from 3/15 to 11/15
Domestic Q = cfs V = A/H Ann from to
Livestock Q = cfs V = A/H Ann from to

Is water co-mingled? yes no

Name source N/S. Rge E/W. B.M. Sec Sub Co City

Exchange? yes no

Name source exchanged with N/S. Rge E/W. B.M. Sec Sub Co City

Point of injection N/S. Rge E/W. B.M. Sec Sub Co City

Point of exchange N/S. Rge E/W. B.M. Sec Sub Co City

Total Q measured 4.93 cfs Method of measurement gauge

Total Q recommended 4.16 cfs Meter No. Type Condition

Total V recommended 936.0 A/H Ann

Recommended Amendments.

P.D.
Place of Use Sw & Sec 4, Sec 16 (13 Acres instead of 10 Acres)
Other Sw & Sec 16, Sec 16 (30.6 Acres instead of 30 Acres)
None

MEASUREMENT CALCULATION

$V = (208 \times 4.5) = 936.0$ A/H Ann
 $576 \text{ RB } \times 60 \text{ lines } @ 75 \text{ ft. } \text{Average} = (576)(320) = 184,320 \text{ sq ft}$
 $241,59 / 491 = 4.92 \text{ cfs}$

SYSTEM DESCRIPTION

(from C.W. Strickland) 2 Vert-Line 5800 GPM @ 1770 RPM pumps w/ 2-400 HP 6/5 Motor (Mod. 5K6326 x 0161A Ser. CAD x 000 210)
1775 RPM, 2300 Volt, 3 ph
One Pacula pump w/ 200 HP 6/5 Motor (Mod. 5K6278 x H2A, Ser. 5K6278 x H2A)
1770 RPM, 44 discharge into 30" pressure 16 ft
AWJ 119100 1770 RPM, 44 discharge into 30" pressure 16 ft
Watts, 130 350 feet to approx 1 mile concrete ditch to holding pond.
REMARKS: (135 psi @ bottom of livestock)
2300 GPM Vert-Line pump w/ 400 HP 6/5 motor pressure
from pond 20 2000 pressure 16 ft
system 18 lines at 576 lines (960)

Examiner's Signature W. Clayton Brown Date 8/2/1973

Checked by Date

Approved by Date

APR 18 1974
MICROFILMED
02-2409

157

POOR ORIGINAL

DATE OF EXAM 9/11/75

ACREAGE

Found 157
Recommended 157

Irrigation Requirement 5.0 Ac Ft/Ac

USE

Injection Q = 3.14 c.f.s. V = 785 AF/Ann. from 3/15 to 11/10
Domestic Q = c.f.s. V = AF/Ann. from to
Livestock Q = c.f.s. V = AF/Ann. from to

Is water co-mingled? yes no L

Name source:
Twp. N/S, Rge E/W, B.M., Sec , Sub 1/4 1/4 County

Exchange? yes no L

Name source exchanged with:
Twp. N/S, Rge E/W, B.M., Sec , Sub 1/4 1/4 County

Point of injection:
Twp. N/S, Rge E/W, B.M., Sec , Sub 1/4 1/4 County

Point of exchange:
Twp. N/S, Rge E/W, B.M., Sec , Sub 1/4 1/4 County

Total Q measured 15,000 cfs = 34,203 cfs Method of measurement in line meter

Total Q recommended 3.14 Meter No. 744771 Type Note-a-flow Condition operational

Total V recommended 785

Recommended Amendments:

P.D.
Place of Use
Other
None None Simplex Industries Now owns Property

MEASUREMENT CALCULATION:

in line flow meter Note-a-flow # 744771 at 15,000 gpm
= 34,203

15,000 gpm = 33.4 cfs
fg

SYSTEM DESCRIPTION:

- ① 1/2 HP 400 HP 104 JS20410, Flange pump Size 18 Series # 23-8498-1
- ② 66 Motor 400 HP Model 5K6326X61614 Series # CAT 310007, Vertiline pump Model # 16KHN5 Series # 09073
- ③ 66 Motor 400 HP Model # 5K6326X61614 Series # CAT 310006, Vertiline pump Model # 16KHN5
- ④ 66 Motor 400 HP Model # 5K6326X61614 Series # CAT 310006, Vertiline pump Model # 16KHN5

MICROFILMED

AUG 16 1994

POOR ORIGINAL

State of Idaho

WATER LICENSE

Water License No. 31203 Priority June 17, 1963 Amount 5.30 c.f.s.

THIS IS TO CERTIFY that Ruth 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 31203 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 pump, motor,
steel pipe, concrete ditches 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 1206
acre feet per season, with a maximum rate of diversion of 5.30 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 4 SW 4 Sec. 22 T. 5 S R. 4 E B.M., and
other additional points _____ in the County of
Elnore; 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 1206 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	
<u>5 S</u>	<u>4 E</u>	<u>20</u>	<u>33</u>	<u>40</u>	<u>30</u>	<u>40</u>									<u>35</u>				<u>178</u>
		<u>21</u>							<u>20</u>				<u>35</u>	<u>35</u>					<u>90</u>

Total number of acres irrigated 268

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

[Signature]
State Reclamation Engineer

31203

21220

NOT RECORDED

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

02-2220	I.D. No.	Map No.
\$ <u>10</u>	Fee Paid	<u>1946.3</u> Receipt No.

Notice is hereby given that SIMPLET INDUSTRIES, Inc.
(Name of Claimant) Tom Blessinger
P. O. Box 27 Boise, ID 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:
(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 5.30 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) 5.30 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 1/4 SW 22 Sec. 58, 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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>58</u>	<u>4E</u>	<u>20</u>	<u>33</u>	<u>40</u>	<u>30</u>	<u>40</u>									<u>35</u>				<u>178</u>
		<u>21</u>							<u>20</u>			<u>35</u>	<u>35</u>						<u>90</u>

Total no. of acres 268

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 Rawlins Place.

(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. 31203/02-2220

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

April 27, 1981
(Date)

(Signature of Claimant)

State of Idaho Organization
County of Ada ss. Seal

(Signature of Spouse)
Organization SIMPLET INDUSTRIES, INC.
By: [Signature] Secretary
(Signature of Authorized Agent)

On this 27th day of April, in the year 1981 before me
a notary public, personally appeared Charles W. [Signature]
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 2/28/83 Notary Public residing at _____