

Idaho Department of Water Resources

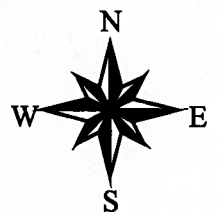
1987 NAPP Photo



0 1 2 3 Miles

Claim Number: 02-2241
Legal: T05S, R03E, S15, 22, 27,
28, and 34
Reviewed By: BTD 5/18/05

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



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-02241

Date: 6-6-02

	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	3E	22							21	20	40	40	40	40					201
GIS										24	30	40	40	40	40					214
Claim			27					40	40	40	40	40	40	40	40			40	40	400
GIS								41	41	41	41	41	41	41	41			41	41	410
Claim			28	40			40					40			40	40	40	40	40	320
GIS				41			41					41			41	41	41	41	41	328
Claim			34	40	40			40	40											160
GIS				41	41			41	41											164

Number of POD's 1

Total Claimed Acres: 1081

Overlapping FOU Claim #'s:

Total GIS Acres: 1116

COMMENTS:

per claim map

Idaho Department of Water Resources

Claim Number: 02-022241

Legal: T05S, R03E, S22, 27, 28, 34

Reviewed By:



Point of Diversion



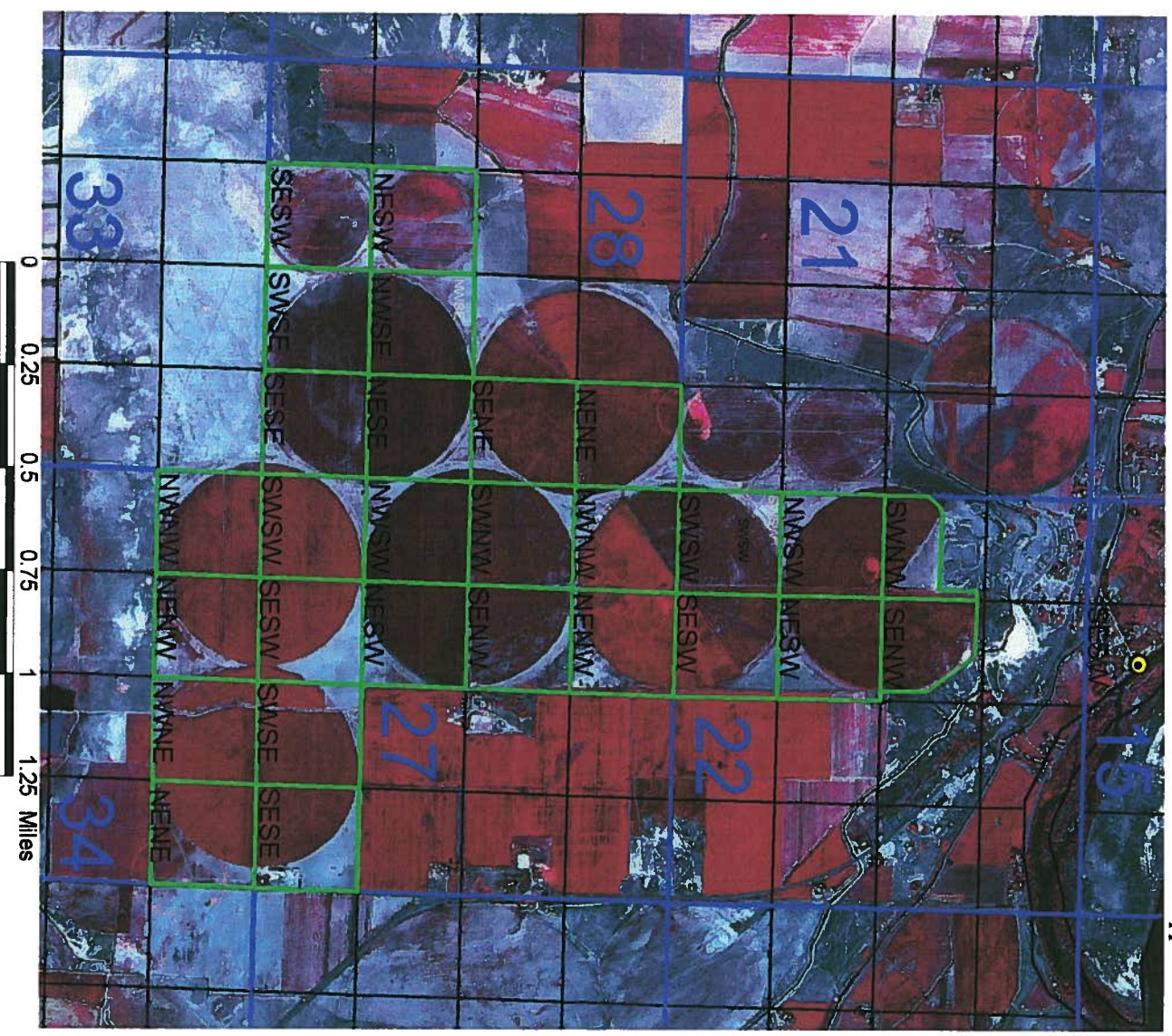
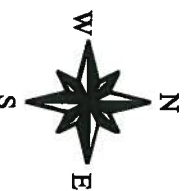
Place of Use



Section Lines



Quarter Quarter Lines



Idaho Department of Water Resources

Claim Number: 02-02241

Legal: T05S, R03E, S22, 27, 28, 34

Reviewed By:

● Point of Diversion

□ Place of Use

□ Section Lines

□ Quarter Quarter Lines

1987 Napp Photo



Change of ownership
form attached
here

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: A02-02241
Date Received: 12/15/1988
Receipt No: C003939
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

208-336-2110

83707

2. Date of Priority: NOV 06, 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	03E	15	SE	SW			OWYHEE

5. Description of diverting works:
4-300HP PUMPS IN RIVER W/24" PENSTOCK TO PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	11/30	16.120		5405.00

7. Total Quantity Appropriated is:
16.120 C.F.S. (and/or) 5405.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	03E	22	SW	NW		IRR	21.0
			SE	NW		IRR	20.0
			NE	SW		IRR	40.0

A02-02241

Page 1

Date: 10/12/89

MICROFILMED
AUG 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	03E	22	NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			Section Acres 201.0					
		27	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres 400.0					
		28	NE		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres 320.0					
		34	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			Section Acres 160.0					
			Total Acres 1081.0					

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
CLAIM NO. A02-07027.

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 31516

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: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____, and that the statements contained in the
_____ foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

CHANGE IN OWNERSHIP

[] Water Right Number(s): 02-07399, 02-07027, 02-02241

[] Name and Address of
Former Claimant: DR. EUGENE SCHUPAK

9440 E. MARIPOSA GRANDE

SCOTTSDALE, ARIZONA 85255

[] New Claimant(s): J.R. SIMPLOT COMPANY

[] New Mailing Address: P.O. BOX 27
BOISE, IDAHO 83707

New Telephone Number: (208) 336 - 2110

[] Does the change in ownership result in a splitting of the
water right claimed? yes X no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

[] Attach proof of ownership
Describe proof attached: Copy of Deed

[] Signature of New Claimant(s): J. R. SIMPLOT COMPANY

Date: 10-9-89

Ronald N. Graves, Secretary

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 10-12-89

By: Lat

Further Action Needed: none

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

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AUG 07 1992

WARRANTY DEED

For Value Received White Glove Farm, a Limited Partnership, organized under the laws of the State of Idaho

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto
J. R. Simplot Company, a Nevada corporation
whose address is: P. O. Box 27, Boise, ID 83707

Hereinafter called the grantee, the following described premises, in Owyhee County, Idaho,
to-wit:

See attached Exhibit "A"

200283
FILED-RECORDED
SEP 14 1 37 PM '89
BARBARA J. TO
OWYHEE COUNTY RECORDER
BY *[Signature]*
DEPUTY
REC'D BY *[Signature]*
INDEXED
MICROFILMED
FILED

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: 9/7/89 White Glove Farm,
an Idaho Limited Partnership

[Signature]
EUGENE SCHUPAK - Managing Partner

STATE OF ARIZONA, COUNTY OF

On this 7th day of September, 1989,
before me, a notary public in and for said State, personally appeared EUGENE SCHUPAK, Managing General Partner for White Glove Farm, an Idaho Limited Partnership

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in behalf of said Limited Partnership

[Signature]
Notary Public
Residing at Mariup
Comm. Expires 7/23/93

STATE OF IDAHO, COUNTY OF

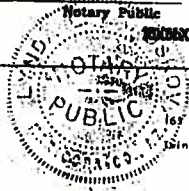
I hereby certify that this instrument was filed for record at the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____,
19 _____, in my office, and duly recorded in Book _____ of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.

Fees \$
Mail to:



Phone 715-5821
163 Fourth Avenue North
P. O. Box 486
Boise Falls, Idaho 83405

INSTRUMENT NO.

MICROFILMED
AUG 07 1992

PARCEL I:

IN TOWNSHIP 5 SOUTH, RANGE 3 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 21: E½SE¼

Section 22: SW¼, SE¼NW¼, S½SW¼NW¼, the North 30 feet
of NE¼SW¼NW¼

Section 27: W¼, S½SE¼

Section 28: E¼, E½SW¼

Section 34: N½NW¼

PARCEL II:

Easement for pipeline right of way purposes as created by Right of Way Deed dated January 26, 1967, recorded December 18, 1967, as Instrument No. 119650 in Book 60 of Deeds at page 533, and revised and restated by Right of Way Deed (Exchange) dated March 11, 1968, recorded March 12, 1968, as Instrument No. 120304 in Book 61 of Deeds at page 122; AND Right of Way Deed dated January 26, 1967, recorded December 18, 1967, as Instrument No. 119651 in Book 60 of Deeds at page 535 and revised and restated by Right of Way (Exchange) dated March 11, 1968, recorded March 12, 1968, as Instrument No. 120306 in Book 61 of Deeds a page 129; AND Right of Way Deed dated January 26, 1967, recorded December 18, 1967 as Instrument No. 119652 in Book 60 of Deeds at page 537, and revised and restated by Right of Way Deed (Exchange) dated March 11, 1968, recorded March 12, 1968, as Instrument No. 120305 in Book 61 of Deeds at page 125; AND Right of Way Deed dated January 26, 1967, recorded December 18, 1967 as Instrument No. 119653 in Book 60 of Deeds at page 539, and revised and restated by Right of Way Deed (Exchange) dated March 11, 1968, recorded March 12, 1968 as Instrument No. 120307 in Book 61 of Deeds page 132, all Owyhee County records, more particularly described as follows:

In Township 5 South, Range 3 East, B.M., Owyhee County, Idaho, in Sections 15 and 22:

A 20 foot strip of land, being 10 feet on either side of the centerline of said pipeline as now located, which center line is more particularly described as follows:

Beginning at the NW corner of Section 22, T5S, R3E, B.M.; thence S 83°43'15" E 1910.0 feet to a point of intersection of the center of the Grand View Irrigation District Canal and aforesaid mentioned pipeline, thence N 53°37' E 744.00 feet to a point on the left bank of the Snake River, the TRUE POINT OF BEGINNING; thence along said center line S 53°37' W. 48.8 feet to a fence; thence continuing S 53°37' W 695.2 feet to aforementioned point of intersection; thence continuing S 53°37' W 233.5 feet to an angle point; thence S 20°07'30"W 494.12 feet to an angle point; thence S 20°44'30" W 101.74 feet to an angle point; thence S 22°19'30" W 197.3 feet to a point of intersection of the center of the Grand View Mutual Canal Company canal and said pipeline; thence continuing S 22°19'30" W 172.65 feet to an angle point; thence S 16°07' W 80 feet, more or less, to the Southerly line of said N½NW¼ of said Section 22.

Basis of bearing for this description is the centerline of the Grand View-Bruneau Highway between stations 518+13.4 and 534+68.3, accepted as S 79°27' E.

Together with all water rights and licenses appurtenant thereto.

Subject to that certain mortgage held by Connecticut General Life Insurance Company, a Connecticut corporation, recorded as Instrument No. 141939, records of Owyhee County, State of Idaho.

EXHIBIT A

MICROFILMED

AUG 07 1967

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: A02-02241
Date Received: 12/12/1988
Receipt No: C003939
Received By: DS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EUGENE SCHUPAK
Address: WHITE GLOVE FARM
9440 E. MARIPOSA GRANDE
SCOTTSDALE, AZ 85255
602-585-0756

2. Date of Priority: NOV 06, 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	03E	15	SE	SW			OWYHEE

5. Description of diverting works:
4-300HP PUMPS IN RIVER W/24" PENSTOCK TO PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	11/30	16.120		5405.00

7. Total Quantity Appropriated is:
16.120 C.F.S. (and/or) 5405.00 A.F.A.

8. Total consumptive use is 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	03E	22	SW	NW		IRR	21.0
			SE	NW		IRR	20.0

A02-02241

Page 1

Date: 06/09/89

MICROFILMED
AUG 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	03E	22	NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
							Section Acres	201.0
		27	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	400.0
		28	NE		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	320.0
		34	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
							Section Acres	160.0
							Total Acres	1081.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
CLAIM NO. A02-07027.

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 31516

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: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

402-02241

Date Received

12-12-88

Receipt Number

0003939

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Eugene Schupak (White Glove Farm) Phone (602) 5850756Mailing Address 9440 E Mariposa Grande Scottsdale Zip 852552. Date of Priority (Only one (1) per claim) 11-6-63 AZ3. Source of water supply (a) Snake Riverwhich is tributary to (b) Columbia River4. a. Location of existing point of diversion is: Township 5 S Range 3 E Section 151/4 of 1/4 of 1/4, Govt. Lot, B.M., County of

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of 1/4 of 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of 1/4 of 1/4 of

1/4, Govt. Lot B.M., County of5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. River pumping station + pipelineFour - 300 hp pumps and electric motors w/24" pen stock

MICROFILMED

AUG 07 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Mar 1 to Nov 30 amount 16.2 cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) 5.0 (acre feet)

8. Total consumptive use claimed is 5405 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See Instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
55	3E	22							21	20	40	40	40	40					201
		27					40	40	40	40	40	40	40	40			40	40	400
		28	40			40					40			40	40	40	40	40	320
		34	40	40			40	40											160

Total number of acres irrigated 1081

11. In which county (ies) are lands listed above as place of use located? Owyhee

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks:

MICROFILMED

AUG 07 1992

Last Name Schupak Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

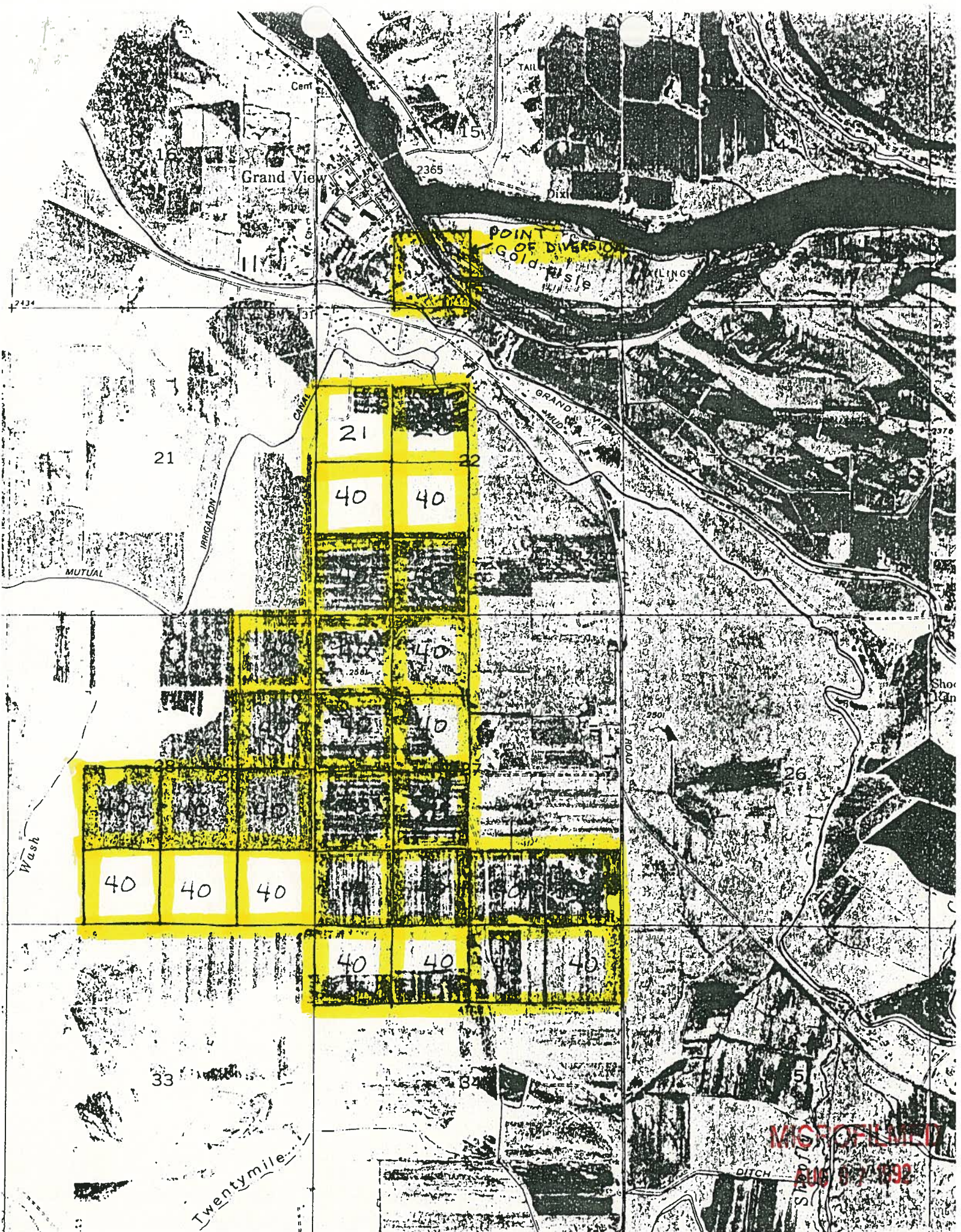
Please see attached map

A 16x16 grid of squares, each containing a crosshair pattern of dashed lines. The grid is composed of 16 columns and 16 rows of squares. Each square has a dashed vertical line and a dashed horizontal line intersecting at the center, forming a crosshair. The grid is used for handwriting practice, with the crosshairs providing a guide for letter placement and size. The grid is labeled with numbers 1 through 16 at the top and bottom, and letters A through P on the left and right sides. The grid is divided into four quadrants by a vertical line between columns 8 and 9, and a horizontal line between rows 8 and 9. The top-left quadrant is labeled with numbers 1-8 and letters A-H. The top-right quadrant is labeled with numbers 9-16 and letters A-H. The bottom-left quadrant is labeled with numbers 1-8 and letters I-P. The bottom-right quadrant is labeled with numbers 9-16 and letters I-P.

AUG 07 1992

Ident No. _____

Copies: White-State, Yellow-Claimant



MICROFILMED
AUG 9 7 1992

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 02-2241

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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 4

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) [Signature]

Date 11/23/88

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of ~~Idaho~~/or Arizona)

County of Maricopa) SS.

Subscribed and sworn (or affirmed) before me this 23rd day of November 19 88

SEAL

Notary Public [Signature]

Residing at 15602 N. 16th St, Scottsdale AZ 85254

My Commission Expires 12-1-91

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

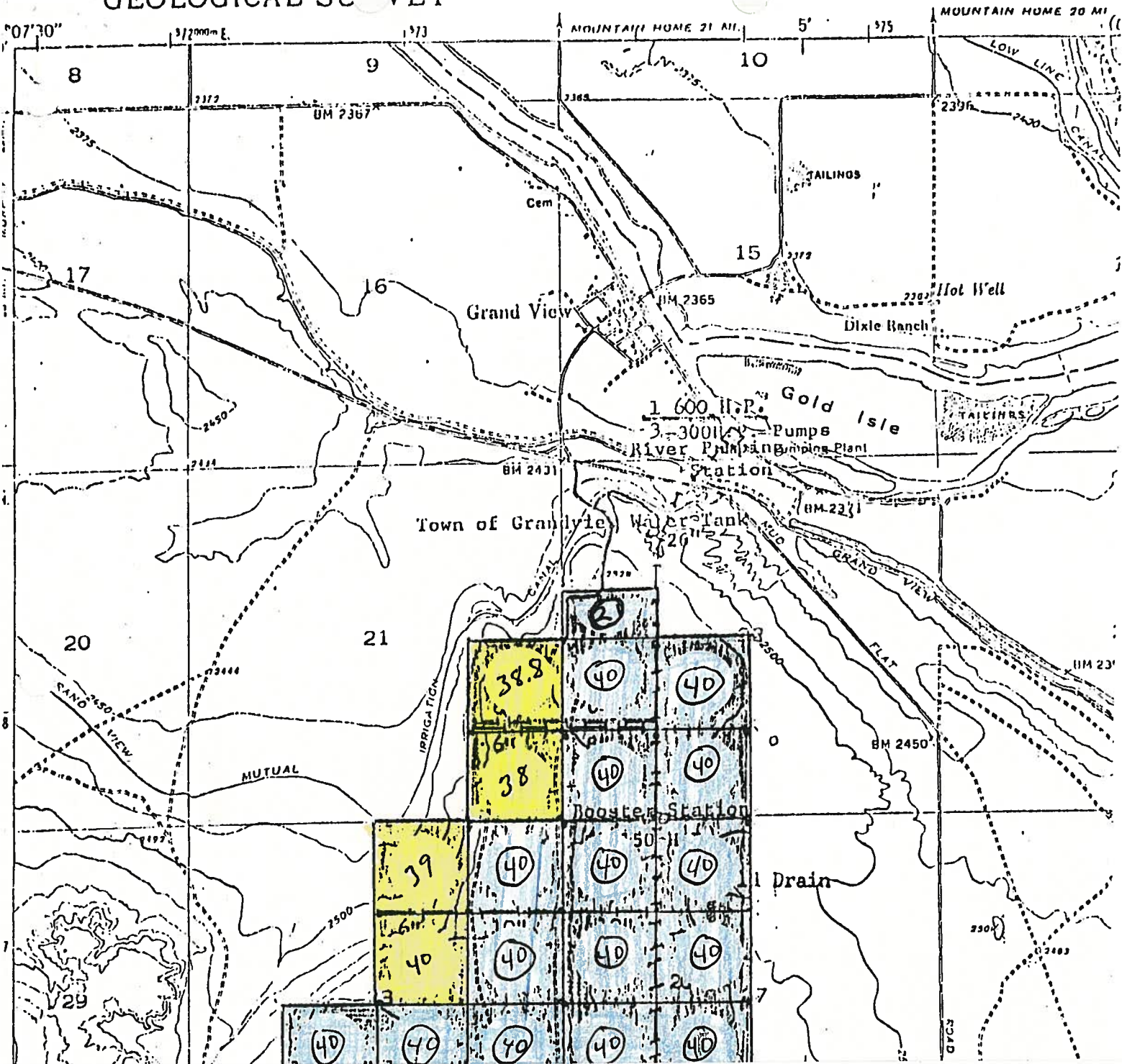
Last Name Schupak Ident. Number _____

MICROFILMED

AUG 07 1992

Copies White-State, Yellow-Claimant

DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY





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

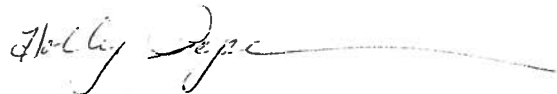
Dear Mr. Shaff:

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

1994 APR - 2 PM 2:52
DISTRICT COURT - SRBA
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

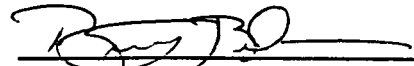
21 _____)
22 The United States; the State of)
23 Idaho; and all claimants to the)
use of water from the Snake)
River Basin Water System,)

24 Defendants.)
25 _____)

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 _____
10 Bruce L. Belzer
11 Assistant General Counsel for
12 J. R. Simplot Company
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MICROFILMED
AUG 16 1994

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

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

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OKAI, HORTON & FLINDERS
P.O. Box 1565
Nyssa, Oregon 97913

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

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Idaho Falls, Idaho 83405

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

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

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

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

MICROFILMED

AUG 16 1994

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3 CUMMINGS
4 960 Broadway, Suite 400
5 P.O. Box 955
6 Boise, Idaho 83701

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

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

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

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

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

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

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

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

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

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

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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

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

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

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

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

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

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

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

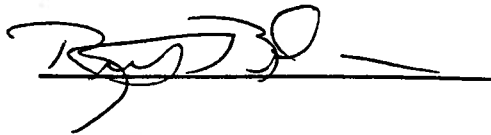
John A. Rosholt
James C. Tucker
ROSHOLT, ROBERTSON & TUCKER
142 Third Avenue North
P.O. Box 1906
Twin Falls, Idaho 83303-1906

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

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

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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AUG 07 1992

02-7027 filed 2/28/89

02-2241 (H) filed 12/15/88

02-2241 not included in filing.

cant Broken Arrow Farms, Inc. Idaho	Acreage 1220 Acres County Owyhee	Appraiser's Initials L. L. Date 17 Feb 1975 2 February, 1974 Scale 2 5/8" = 1 mi.
---	---	---

2-25-75

LEGEND

1. River, Stream, etc. (Blue)

2. Canal (Red)

3. Pipeline (Green)

4. Irrigation Wells

5. Concrete Irrigation Canals

6. Pipeline Ditches

7. Underground Irrigation Pipes

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

**NOTICE OF CLAIM
TO A
WATER RIGHT**

02-2241
I.D. No. Map No.
\$10⁰⁰ 18857
Fee Paid Receipt No.

Dam to Oregon **DRAINAGE BASIN.**
border.

* Notice is hereby given that Dr. Eugene Schupak

(Name of Claimant)

9440 EAST MARIPOSA GRANDE
~~P.O. Box 6381~~ Scottsdale, AZ

85255

Telephone No. 602-585-0756

(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) November 6, 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 16.12 cfs Use Irrigation A Period of Use From 3/1 To 11/30
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

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) $\frac{16.12 \text{ cfs}}{(\text{CFS, GPD, AF})}$ TOTAL QUANTITY CLAIMED. 607 7 (SE SE SW)

(5) A) Point of Diversion: Give location of point where water is diverted from its source 33 % 34 %
Sec. 15 , Twp. 5S , Rge. 3E , B.M., DWYHEE 7.3 County

Additional Points: SCI : 2720(1) 485.2

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. River pumping station and pipeline. Four - 300 hp pumps and electric motors w/24" pen stock.

(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.

[illegible]

Total no. of acres 1081

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

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.

☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 02-2241 3/5/6

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

Individual _____

4-15-81
(D)

(Date)

State of ARIZONA

Organization

County of Maricopa

Seal

(Signature of Authorized Agent)

On this 15th day of April, in the year 1981 before me

a notary public, personally appeared EUGENE & LENORE SCHUPAK
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 Association) executed the same.

My commission expires _____

My Commission expires May 18, 1962

Notary Public residing at 3935 W San Miguel, Phoenix 85019

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. SHAFF

Date 11/03/82

Right No. 02-2241

Claimant SCHUPAK

Recommendation differs from claim:
(Document any differences)

☒ Yes

☐ No

☐ Disallow

SLIGHTLY

Claim Details Verified Against:

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

0

☒ 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
& THIS FILE.

Measurement _____ cfs. Amount recommended _____ cfs.

Type of measuring device: _____ Meter No. _____

Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. 1974 09 GRAND VIEW, _____

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☐ Yes ☒ No

Remarks PLACE OF USE VARIES SLIGHTLY.

NOV 12 1982
MICROFILMED

To: 02-2241

12/20/82

From: D. SHAFF

Re: NEW ADDRESS

VIA TELEPHONE 602/585-0755, CLAIMANT'S
NEW ADDRESS IS:

9440 EAST MARIPOSA GRANDE
SCOTTSDALE, AZ
85255

MICROFILMED
AUG 16 1994

December 10, 1982

Dr. Eugene Schupak
~~P. O. Box 6381~~ 9440 EAST MARIPOSA GRANDE
Scottsdale, AZ 85255

Re: No. 02-2241

Dear Dr. Schupak,

A review of the water right you submitted in the Snake River Adjudication revealed you may be irrigating slightly more acres than you have licensed. The expansion occurs in the very northerly end of the property at Grand View and involves ten acres. The field was not squared off when the field exam was made in 1971.

The enclosed application could be used to file on this additional land. A \$30.00 filing fee would be necessary to process the application.

A recent Supreme Court ruling may influence your actions. A filing at this time will be held at the application stage pending the outcome of further court proceedings. Once those proceedings are completed the new applications such as yours would be processed.

At this point you do not have a water right on this 10 acres. The only way you can gain a water right for it is to file an application. But in filing the application you may not gain the right unless the application is approved later. The thing you would gain by filing now is preserving a priority date over some one who would file after you. If you have any questions about this matter, please feel free to contact me.

Regards,

DONALD V. SHAFF
Adjudication Unit Leader

DSS:jp

MICROFILMED
AUG 16 1994

APPLICATION FOR PERMIT - ROUGH DRAFT

1. Name of Applicant DR. EUGENE SCHUPAK
 Address P.O. Box 6381, SCOTTSDALE, AZ 85255 Phone: 602/585-0756
2. Source of water supply SNAKE RIVER tributary of COLUMBIA RIVER
3. a. Location of point of diversion is ^{Lot 7} SE 1/4 of SW 1/4, Sec. 15 T. 5S
 R. 3E B.M., OWYHEE County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into _____
 at a point in _____ 1/4 of _____ 1/4 of Sec. _____ T. _____ R. _____, B.M.
4. Amount .20 for IRRIGATION purposes from 3/15 to 11/15
 Amount _____ for _____ purposes from _____ to _____
 Amount _____ for _____ purposes from _____ to _____
5. Total quantity to be appropriated: .20 c.f.s. and/or _____, acre ft.
6. Proposed diverting works: a. EXISTING PUMPING STATION & PIPELINE
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet:
 total reservoir capacity _____ acre feet, materials used in dam: _____
 Period of year during which storage will occur _____
- c. Proposed well dia. is _____ inches, proposed depth of well is _____ ft.
7. a. Time required for the completion of works and application of the water to the proposed beneficial use is 1 years. b. Estimated cost is \$ _____.
8. a. If water is NOT for irrigation:
 (1) Place of use: _____ 1/4 of _____ 1/4, Sec. _____ T. _____ R. _____ B.M.
 (2) Amount of power to be generated: _____ hp under _____ feet of head.
 (3) Number of each kind of livestock to be watered: _____
 (4) Name of municipality to be served _____, or
 no. of families to be supplied with domestic water _____
 (5) If water is to be used for other purposes, describe: _____
- b. If water is for irrigation, indicate acreage in each subdivision below:

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	
5S	3E	22								10									10

TOTAL NO. OF ACRES 10

- c. Describe any other water rights used for the same purposes _____

NONE

9. a. Who owns the property at the point of diversion A
- b. Who owns the land to be irrigated or place of use APPLICANT
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing
EXISTING AGREEMENT FOR WATER RIGHTS 702-0241 02-7027

10. Remarks: _____

POOR ORIGINAL

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 31516/02-2241 Priority Nov. 6, 1963 Amount 16.12 cfs

THIS IS TO CERTIFY, that Gerald J., Gertrude L., Gary, and Jerry R. Cunningham
of Grandview, Idaho, have ~~xxx~~ complied with the terms and conditions of Permit
No. 31516/02-2241 issued pursuant to Application for Permit dated November 6, 1963
and has submitted proof to the Department of Water Administration on January 15, 1968
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 21.05 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from the Snake River

tributary of the Columbia River, is hereby confirmed in the following amounts:

Amount 16.12 cfs for irrigation from March 1 to Nov. 30 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 16.12 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 15, Twp. 5 S, Rge. 3 E, B.M.

in the county of Owyhee; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 5,405 acre feet per year or _____

5.0 acre feet per acre.

Description and location of place of use:

Description and location of place of issue.																			
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5 S	3 E	22						21	20	40	40	40	40					201	
		27				40	40	40	40	40	40	40	40			40	40	400	
		28	40		40					40			40	40	40	40	40	320	
		34	40	40		40	40											160	

Total number of acres irrigated 1,081

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 12 day of
December, 19 71.

[Signature]
Director

2 3 11
700 1 2 100P
WICHOLITWED

POOR ORIGINAL

Form 28
2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 31516/02-2241

REPORT ON PROOF OF Completion of Works and Beneficial Use

2 2:41

APR 4 2 1934
MICHOEIMED

POOR ORIGINAL

Form 29
12-4-66

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

75-80 line
33 riser

Permit No. 31516/02-2241

This proof is for Completion of Works and Beneficial Use In Water District No.

- Name of applicant Jerry R. Gerald J., Gertrude L., and Gary Cunningham
- Source of water supply: Snake River
- Location of point of diversion: Is in the SE 1/4 SW 1/4 of Section 15
T. 5 S R. 3 E County of Owyhee County
- Describe works as they exist, giving dimensions and capacities of same:

- Water is used for: irrigation
- State whether or not water has been turned into works of diversion:

- 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):

S 1/4 NW 1/4, SW 1/4, sec. 22; W 1/4, S 1/4 SE 1/4, sec. 27; E 1/4 NE 1/4, E 1/4 SW 1/4, SE 1/4, sec. 28; N 1/4 NE 1/4, N 1/4 NW 1/4, sec. 34, T. 5 S, R. 3 E, B.M.

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

- What large stream would the water here appropriated finally reach?

Remarks: MEASUREMENT CALCULATION

7/4" NOZZLES - 165 HEADS - 80 PSI - 5.18 gpm/head
(165 x 5.18) ÷ 450 = 1.9 cfs

3/4" NOZZLES - 1452 HEADS - 30 PSI - 3.16 gpm/head
(1452 x 3.16) ÷ 450 = 10.20

1/2" NOZZLES - 429 HEADS - 55 PSI - 4.22 gpm
(429 x 4.22) ÷ 450 = 4.02

Total
16.12 cfs

This examination was made on the 8 day of Sept 1971
(Signed) R. J. Chapman

Total capacity of system is 21.05 cfs. See 02-2027 for the additional capacity of system.

NOTED
MICHOI MED

POOR ORIGINAL



APR 3 1 00A
MICROFILMED

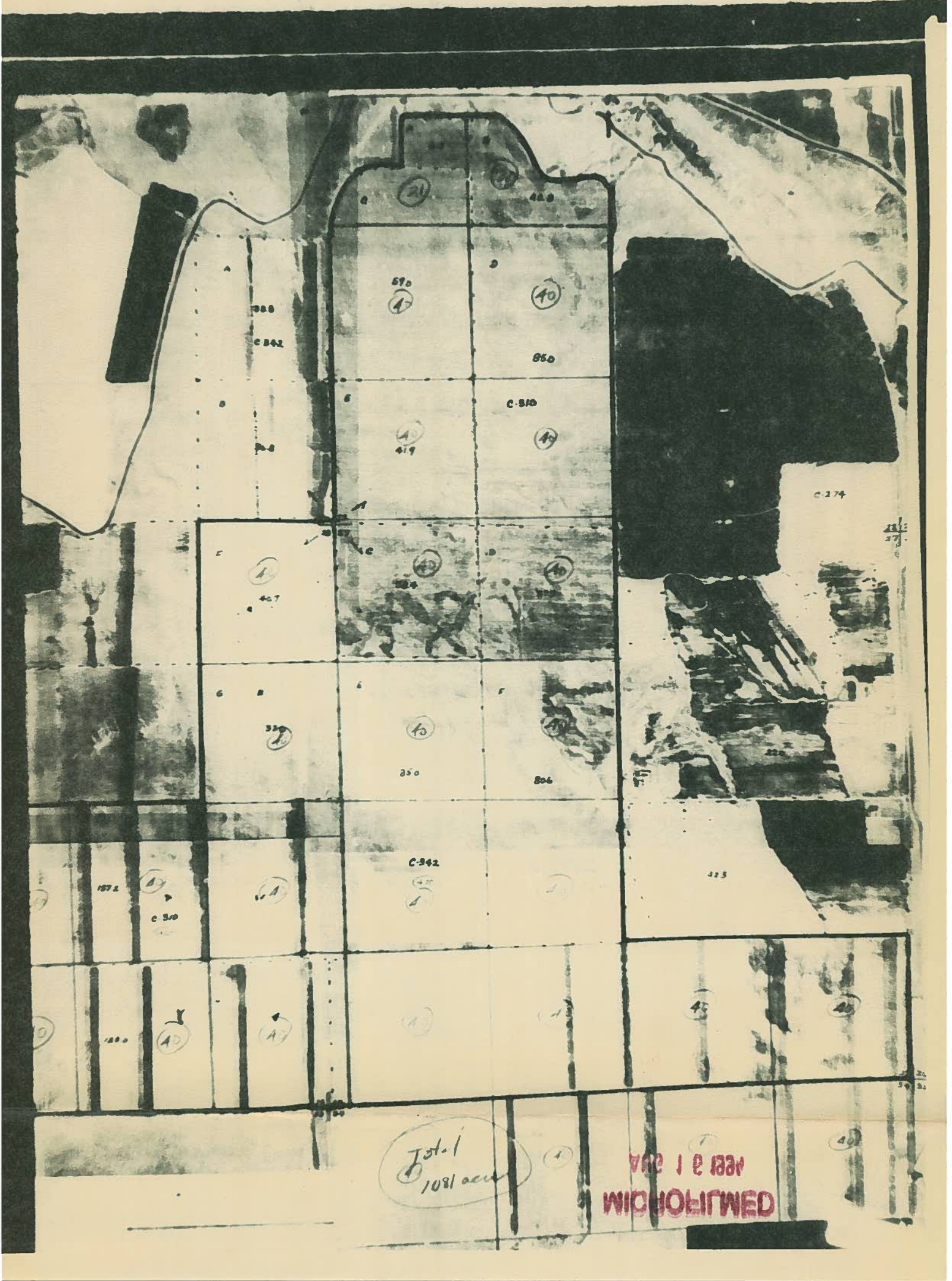
POOR ORIGINAL



UNE 1 E 122

WICHOLITWED

POOR ORIGINAL



Total
1081 acres

APR 21 1934
WICHITA

POOR ORIGINAL

POOR ORIGINAL

21-834779 *for* *Prior* *Dec 31.*
Jerry R., Gerald J., Gertrude L., and Gary Cunningham - 824 7287
Grand View, Idaho
4-300 hp motors and 2 150 hp boost-
ers pump with pipe line to place of
use. private pipe line 27CPS
Permit No. 31516/02-2241 *57*
Examination for Completion of Works and Beneficial Use
2242 - 9/64 - 554

NOT ON 6-71-69 *DEC*
System off 9-30-69 0/2
call in spring of '70

Contact 6/14/71
Source Rome
Call before making exam

0-2241

County Owyhee
Sec. 15 T. 5S R. 3E

Quantity: 22.2 c.f.s.

Source: Snake River

P.D.: SE 1/4 SW 1/4, sec. 15, T. 5 S, R. 3E, B.M.

Use: Irrigation

Extension:

Protest:

Completion of Works:

Other Rights: none

Filed: November 6, 1963

Due: November 12, 1968

Made: January 15, 1968

Priority: November 6, 1963

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

MICROFILMED
AUG 1 2 1964

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

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

NOTICE OF CLAIM
TO A
WATER RIGHT

I.D. No.
\$
Fees Paid

Map No.
12967
Receipt No.

Snake River from base of Milner Dam to Oregon border.

DRAINAGE BASIN. xxxxxxxxxxxxxx

or Notice is hereby given that Dr. Eugene Schupak (Name of Claimant)

P.O. Box 6381 (Mailing Address), AZ 85255 Telephone No. 602-385-0736 (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) November 6, 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 16.12 cfs Use (CFS, GPD, AF) Period of Use From 3/1 To (Mo., Day) (Both dates inclusive)
Quantity Use Period of Use From To (Mo., Day) (Both dates inclusive)
Quantity Use Period of Use From To (Mo., Day) (Both dates inclusive)
Quantity Use Period of Use From To (Mo., Day) (Both dates inclusive)

(4) 16.12 cfs TOTAL QUANTITY CLAIMED. (CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source Sec. 15, Twp. 53, Rge. 3E, B.M., 5E County 5W
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.

pumping station and pipeline. Four - 300 hp pumps and electric motors w/24 pen stock.

(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	
38	3E	22							21	20	40	40	40	40					201
		27					40	40	40	40	40	40	40	40			40	40	400
		30	40			40					40			40	40	40	40	40	400
		34	40	40			40	40						40	40	40	40	40	160

Total no. of acres 1001

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

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 02-2241

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)

(Signature of Spouse)

State of ss. Organization

County of Seal (Signature of Authorized Agent)

On this day of , in the year before me

a notary public, personally appeared

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,) executed the same.

Notary Public residing at



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 12, 1989

Mr. Vic Conrad
J. R. Simplot Company
P.O. Box 27
Boise, Idaho 83707

RE: Change of Ownership
Notices of Claim A02-07027, A02-02241
Application for Permit 02-07399

Dear Mr. Conrad:

Enclosed are copies of Notices of Claim A02-07027 and A02-02241 which now show J. R. Simplot Company as Claimant. These claims have been updated in the adjudication files as shown. Please retain these copies for your files.

The Change in ownership form which you submitted also identified Water Right Number 02-07399. That number identifies an application for permit. Because an application does not constitute a water right, we are unable to accept a claim which uses an application for permit as the basis of claim; a Notice of Claim for this number has not been filed in the Snake River Basin Adjudication. Therefore, no action has been taken in regard to changes in adjudication files.

In order to change the name in the files on the application for permit, an Assignment form will need to be submitted. I have enclosed a form for your possible use.

If you have any questions or need assistance, please do not hesitate to contact this office.

Sincerely,

Helen Harrington-Thornton
Water Rights Agent

HHT

Notice of Claim A02-07027
A02-02241

Assignment form

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AUG 07 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

July 11, 1989

Mr. Robert M. Tippet
Tippet Land & Mortgage Company
8100 Emerald Street, Suite 130
Boise, Idaho 83704

Owyhee Co

Re: Snake River Basin Adjudication SRBA
Chester Tindall
Silver Sage Ranch
Gingerich Brothers Farming
White Glove Farms

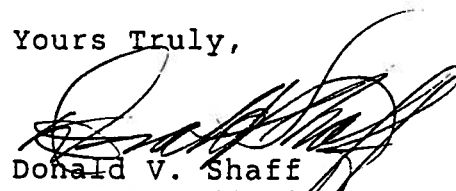
Dear Mr. Tippet:

Each of the water right numbers listed in your letters of June 16, 1989, referring to the above individuals or companies should now appear in the computer data base viewed via your account. I believe you should find everything in order.

Although these records were data entered and visible through the Agency's computer queries, a programming problem prevented their file transfer in such a way that allowed viewing by the data base access subscribers. I apologize for this delay.

Should you have questions about these claims or need assistance with the data base access, please feel free to contact me.

Yours Truly,


Donald V. Shaff
Manager, Adjudication Section

DVS:mcc:state

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AUG 07 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

*Also see Tippetts
Land*

A02-02241

*1-4-91
Dianne Smith*

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 29, 1989

Mr. Robert M. Tippetts
8100 Emerald Street, Suite 130
Boise, Idaho 83704

Re: Snake River Basin Adjudication SRBA
Claim #A02-02241 - Owyhee County
White Glove Farms

Dear Mr. Tippetts:

In reply to your letter of June 20, 1989, I presume you are speaking of the data within this Agency's computer viewed via your data base access account. As of June 27, 1989, I found the above-referenced water right displayed for Township 5S, Range 3E, Section 34, NE $\frac{1}{4}$, NE $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$, NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$, among other sections and tracks. To my knowledge the data had not been manipulated since the June 15, 1989, date showing on the claim form you were supplied. If you do not duplicate my findings through your menu selection AJQ4, please inform me.

Should you have other questions about the data base access please feel free to call me.

Yours Truly,

Donald V. Shaff
Manager, Adjudication Section

DVS:mcc:state
Enclosures:

MICROFILMED

AUG 07 1992

TIPPETT LAND & MORTGAGE COMPANY

8100 EMERALD ST., SUITE 130
BOISE, IDAHO 83704
(208) 377-0510

June 20, 1989

RECEIVED
JUN 23 1989

Department of Water Resources

Department of Water Resources
1301 N. Orchard
Boise, ID 83705

RE: Connecticut General Life Insurance Company Loan #J0055-
White Glove Farms

RE: Ident. Number A02-02241

To Whom It May Concern:

Thank you for sending us the executed Notice of Claim to a Water Right on subject property.

In checking with the computer it does not show Township 5S, Range 3E, Section 34, NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$. Would you please look into why the computer does not show this Section? Let us know in writing when the computer error is corrected.

Thank you.

Sincerely,

TIPPETT LAND & MORTGAGE COMPANY

Robert M. Tippet

RT/mm
dwrwhit
enclosure
cc: Rusty Russwurm

MICROFILMED
AUG 07 1992

FILE IN
A02-02241



RECEIVED
JUN 19 1989

June 16, 1989

Department of Water Resources

Department of Water Resources
1301 N. Orchard
Boise, ID 83705

RE: Connecticut General Life Insurance Company Loan #J0055-
White Glove Farms

To Whom It May Concern:

Please find enclosed the following:

1. Letter dated May 24, 1989 from Robert Tippet to White Glove Farms.
2. Letter dated June 1, 1989 from Eugene Schupak, M.D.
3. Adjudication Map

We checked the computer to see if this correction was made as stated in Dr. Schupak's letter. In doing so we still find a discrepancy in Section 34, and those tracts did not show up as being adjudicated. Please look into this as soon as possible. Please send us written documentation that this additional correction has been made.

Sincerely,

TIPPETT LAND & MORTGAGE COMPANY

Robert M. Tippet

Robert M. Tippet

RT/mm
dwrwgf
enclosure
cc: Rusty Russwurm

*Similar subject
6/20/89 letter
to which a response
was written.
RJ 6/27/89*

A02-02241
x

A02-07027

BOTH IN AJ

MICROFILMED
AUG 07 1994

EUGENE SCHUPAK, M.D.
9440 E. MARIPOSA GRANDE
SCOTTSDALE, ARIZONA 85255

JUN 6 1989

June 1, 1989

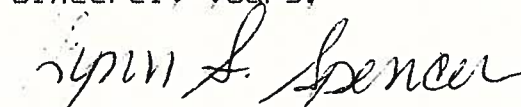
Mr. Robert M. Tippet
Tippet Land & Mortgage Company
8100 Emerald Street, Suite 130
Boise, Idaho 83704

Dear Mr. Tippet:

Upon receipt of your letter dated May 24th I contacted Donald Shaff at the Idaho Department of Water Resources. He informed me that the appropriate water claims were filed in January, however, the two claims were stapled together and only one was entered into the computer system. This has been corrected as of today, and he will be sending you papers showing the claims have been accepted.

Should you have any further questions please feel free to contact me.

Sincerely yours,



Lynn S. Spencer
Secretary to Eugene Schupak, M.D.

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AUG 07 1992

TIPPETT LAND & MORTGAGE COMPANY

8100 EMERALD ST., SUITE 130
BOISE, IDAHO 83704
(208) 377-0510

May 24, 1989

WHITE GLOVE FARMS, INC.
C/O Eugene Schupak, M.D.
9440 East Mariposa Grande
Scottsdale, AZ 85255

RE: Connecticut General Life Insurance Company Loan #J0055-
White Glove Farms, Inc.

Dear Dr. Schupak:

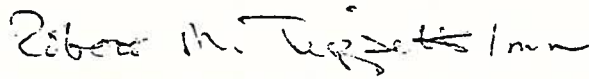
Enclosed please find the following:

1. Water Adjudication Worksheet
2. Water Right License Map

In checking with the Department of Water Resources we have found an error in the filing of your water adjudication. The area shaded in blue has not been adjudicated. This area is covered under Water Right License # 02-2241. Please contact the Department of Water Resources and file the Adjudication by June 15 as the deadline for your filing was 1/19/89. They will allow you to file your adjudication, but you must do it by June 15, 1989. Thank you for your prompt attention to this matter.

Sincerely,

TIPPETT LAND & MORTGAGE COMPANY


Robert M. Tippett

RT/mm

enclosure

cc: Rusty Russwurm (w/enclo)

MICROFILMED

AUG 07 1989