

Meeting V. Conrad
2-03-09
02/03/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 2-2308

NAME AND ADDRESS: J R SIMPLOT SELF DECLARATION REVOCABLE TRUST
PO BOX 27
BOISE ID 83707-0027

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 23.000 CFS
6,760.00 AFY

Good
OK

✓ Right Nos. 02-02308 and 02-10187 are limited to a total combined annual diversion volume of 8536 AF.

8527.2 AF

The rights listed below are limited to a total combined diversion rate of 41.41 cfs.

Combined Right Nos.: 02-02308, 02-10187, 57-00185, 57-00187A, 57-00187B, 57-02152, 57-11632, 57-11634, 57-11636, 57-11638, 57-11640, 57-11642, 57-11644, 57-11646, 57-11648, 57-11650, 57-11652, & 57-11654

1952-6760
608 AF
- 80 268A
OK 8527.2 AF

PRIORITY DATE: 05/20/1964

POINT OF DIVERSION:

T05S R04E S34 SWSESW Lot 9 Within OWYHEE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/30

23.000 CFS
6,760.00 AFY

PLACE OF USE:

IRRIGATION in OWYHEE County

T06S R03E S02	SENE	20.00	T06S R03E S10	SESE	40.00
T06S R03E S11	SWNE	35.00	T06S R03E S11	SENE	40.00
T06S R03E S11	NWNW	40.00	T06S R03E S11	SWNW	40.00
T06S R03E S11	NESW	36.00	T06S R03E S11	NWSW	38.00
T06S R03E S11	SWSW	40.00	T06S R03E S11	NWSE	35.00
T06S R03E S11	SWSE	15.00	T06S R03E S11	SESE	40.00
T06S R03E S12	NENW	40.00	T06S R03E S12	NWNW	40.00
T06S R03E S12	SWNW	40.00	T06S R03E S12	SENW	40.00
T06S R03E S12	NESW	30.00	T06S R03E S12	NWSW	40.00
T06S R03E S12	SWSW	40.00	T06S R03E S12	SESW	40.00
T06S R03E S12	SWSE	30.00	T06S R03E S12	SESE	35.00
T06S R03E S13	NENE	40.00	T06S R03E S13	NWNE	40.00
T06S R03E S13	SWNE	40.00	T06S R03E S13	SENE	35.00
T06S R03E S13	NENW	40.00	T06S R03E S13	NWNW	40.00
T06S R03E S13	SWNW	40.00	T06S R03E S13	SENW	40.00
T06S R03E S14	NENE	40.00	T06S R03E S14	NWNE	15.00
T06S R03E S14	SWNE	10.00	T06S R03E S14	SENE	30.00
T06S R03E S14	NWNW	38.00	T06S R03E S14	SWNW	10.00
T06S R03E S14	SENW	25.00	T06S R03E S15	NENE	40.00
T06S R03E S15	SENE	35.00			

1352 ACRES TOTAL

257206 Acres correct

The rights listed below are limited to the irrigation of a combined total of 2071 acres in a single irrigation season. Combined Right Nos.: 02-02308, 02-10187, 57-00185, 57-00187A, 57-00187B, 57-02152, 57-11632, 57-11634, 57-11636, 57-11638, 57-11640, 57-11642, 57-11644, 57-11646, 57-11648, 57-11650, 57-11652, & 57-11654.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The following rights are also diverted through point of diversion described above: 02-02153, 02-02154, 02-02308, 02-02423, 02-02424, 02-07206.

1352	2-2308
417 ⁵	Basin 57 GW Transfer
1769 ⁵	
608	2-10187
<80>	Overlap 02 Rights 2-2308, 2-10187
2297 ⁵	
Ac	

Idaho Department of Water Resources



0 1 2 3 4 5 Miles

Claim Number: 02-02308
Legal: T05S, R04E, S34 &
T06S, R03E, S2, S10, S11,
S12, S13, S14, & S15
Reviewed By: JLD 6/16/05

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



06/16/2005

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

RIGHT NUMBER: 2-2308

NAME AND ADDRESS: TRIANGLE DAIRY INC
PO BOX 7526
BOISE ID 83707

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 23.000 CFS
6,160.000 AFY

Right Nos. 02-02308 and 02-10187 are limited to a total combined annual diversion volume of 8536 AF.

The rights listed below are limited to a total combined diversion rate of 41.41 cfs.

Combined Right Nos.: 02-02308, 02-10187, 57-00185, 57-00187A, 57-00187B, 57-02152, 57-11632, 57-11634, 57-11636, 57-11638, 57-11640, 57-11642, 57-11644, 57-11646, 57-11648, 57-11650, 57-11652, & 57-11654.

PRIORITY DATE: 05/20/1964

POINT OF DIVERSION:

T05S R04E S34 SWSESW Lot 9 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/01 11/30

QUANTITY
23.000 CFS
6,160.00 AFY

PLACE OF USE: IRRIGATION Within OWYHEE County

T06S R03E S02	SENE	20.0	T06S R03E S10	SESE	40.0
T06S R03E S11	SWNE	35.0	T06S R03E S11	SENE	40.0
T06S R03E S11	NWNW	40.0	T06S R03E S11	SWNW	40.0
T06S R03E S11	NESW	36.0	T06S R03E S11	NWSW	38.0
T06S R03E S11	SWSW	40.0	T06S R03E S11	NWSE	35.0
T06S R03E S12	NENW	40.0	T06S R03E S12	NWNW	40.0
T06S R03E S12	SWNW	40.0	T06S R03E S12	SENE	40.0
T06S R03E S12	NESW	30.0	T06S R03E S12	NWSW	40.0
T06S R03E S12	SWSW	40.0	T06S R03E S12	SESW	40.0
T06S R03E S13	NENE	40.0	T06S R03E S13	NWNE	40.0
T06S R03E S13	SWNE	40.0	T06S R03E S13	SENE	35.0
T06S R03E S13	NENW	40.0	T06S R03E S13	NWNW	40.0
T06S R03E S13	SWNW	40.0	T06S R03E S13	SENE	40.0
T06S R03E S14	NENE	40.0	T06S R03E S14	NWNE	15.0
T06S R03E S14	SWNE	10.0	T06S R03E S14	SENE	30.0
T06S R03E S14	NWNW	38.0	T06S R03E S14	SWNW	10.0
T06S R03E S14	SENE	25.0	T06S R03E S15	NENE	40.0
T06S R03E S15	SENE	35.0			

1232 ACRES TOTAL

06/16/2005

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

The rights listed below are limited to the irrigation of a combined total of 2071 acres in a single irrigation season. Combined Right Nos.: 02-02308, 02-10187, 57-00185, 57-00187A, 57-00187B, 57-02152, 57-11632, 57-11634, 57-11636, 57-11638, 57-11640, 57-11642, 57-11644, 57-11646, 57-11648, 57-11650, 57-11652, & 57-11654.

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

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

EXPLANATORY MATERIAL: License

The following rights are also diverted through point of diversion described above: 02-02153, 02-02154, 02-02308, 02-02423, 02-02424, 02-07206.

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that **TRIANGLE DAIRY, INC.**

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from March 1 to Nov. 30	at 23.0 cfs and	6,760 acre feet or
			5.0 af per acre

Description and location of place of use:

[illegible]

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 29th day of
August 19 75

Director

LAND LIST ATTACHMENT

Description and location of place of use:

[illegible]

Total number of acres irrigated 1,352

WATER RIGHT NO. 57-11632
As Modified by Transfer No. 66126

In accordance with the approval of Transfer No. 66126, Water Right No. 57-11632 is now described as follows.

Right Holder: J R SIMPLOT SELF DECLARATION REVOCABLE TRUST
 J R SIMPLOT AS TRUSTEE
 C/O RONALD N GRAVES
 PO BOX 27
 BOISE ID 83707-0027

Priority Date: April 01, 1922

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 11/15	1.23 CFS	276.8 AF
			1.23 CFS	276.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNW	Sec. 14 Twp 06S	Rge 03E	OWYHEE County
GROUND WATER	SENW	Sec. 14 Twp 06S	Rge 03E	OWYHEE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S 03E 10																	40.0
06S 03E 11			36.5	26.8					36.0	38.0	40.0		1.0	20.2	7.0		205.5
06S 03E 14			16.0	3.0	33.0	6.0	36.0	16.0									110.0
06S 03E 15	39.0			23.0													62.0

Total Acres: 417.5

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 57-11632
As Modified by Transfer No. 68126

CONDITIONS OF APPROVAL

4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. Prior to the 2006 irrigation season, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. Rights 57-11632, 57-11634, 57-11636, 57-11638, 57-11640, 57-11642, 57-11644, 57-11646, 57-11648, 57-11650, 57-11652 and 57-11654 are diverted through the points of diversion described above. All of these rights when combined shall not exceed a total diversion rate of 7.49 cfs, a total annual maximum diversion volume of 1878.8 af at the field headgate, and the irrigation of 417.5 acres.
8. This right is limited to the irrigation of 61.5 acres within the place of use described above in a single irrigation season.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 9th day of March, 20 05


Chief, Water Allocation Bureau

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-001878

1997 DEC 15 AM 10:48

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: TRIANGLE DAIRY INC
PO BOX 7526
BOISE ID 83707

SOURCE: GROUNDWATER

QUANTITY: 0.3 CFS
1507.5 AFY

PRIORITY DATE: 04/01/1922

POINT OF DIVERSION: T06S R03E S12 NWSE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.3 CFS 1507.5 AFY

PLACE OF USE:	IRRIGATION	Within Owyhee County		
	T06S R03E S01	NWSW 5.5	SWSW 40	SESW 24
	S02	NESE 33.5	SESE 32	
	S11	NENE 32	SENE 9	
	S12	NENW 39	NWNW 40	SENW 40
	335 ACRES TOTAL			

USE OF THIS RIGHT WITH RIGHT NO. 57-02152 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 335 ACRES IN A SINGLE
IRRIGATION SEASON.

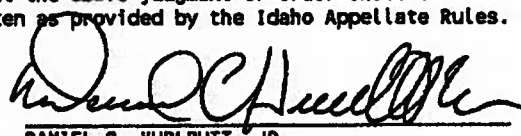
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 18.5 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE
SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE,
WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A
LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT
FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED
ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND
THE BASIN 02 RIGHTS.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-02152

1997 DEC 15 AM 10:53

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: TRIANGLE DAIRY INC
PO BOX 7526
BOISE ID 83707

SOURCE: UNNAMED STREAM TRIBUTARY: SHOOFLY CREEK

QUANTITY: 2.4 CFS

PRIORITY DATE: 04/13/1923

POINT OF DIVERSION: T06S R03E S12 SENENW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	2.4 CFS

PLACE OF USE:	IRRIGATION	Within Owyhee County			
	T06S R03E S01	NWSW 5.5	SWSW 40	SESW 24	
	S02	NESE 33.5	SESE 32		
	S11	NENE 32	SENE 9		
	S12	NENW 39	NWNW 40	SWNW 40	SENW 40
	335 ACRES TOTAL				

USE OF THIS RIGHT WITH RIGHT NO. 57-00187B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 335 ACRES IN A SINGLE
IRRIGATION SEASON.

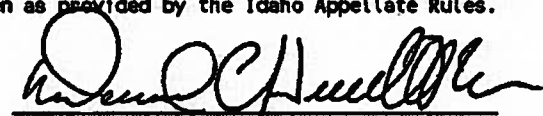
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE
SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE,
WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A
LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT
FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED
ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND
THE BASIN 02 RIGHTS.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-00187A

1997 DEC 15 AM 10:48

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: TRIANGLE DAIRY INC
PO BOX 7526
BOISE ID 83707

SOURCE: GROUNDWATER

QUANTITY: 0.96 CFS

USE OF THIS RIGHT WITH RIGHT NO. 57-00185 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2,299.5 AF.

PRIORITY DATE: 04/01/1922

POINT OF DIVERSION: T06S R03E S13 SENE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.96 CFS

PLACE OF USE:	IRRIGATION	Within Owyhee County
	T06S R03E S11	SESE 36
	S12	NESW 13
		SWSE 18
	S13	NENE 39
		NENW 40
	S14	NENE 40
	511 ACRES TOTAL	

	NWSW 37	SESW 15
	SESE 38	
	NWNE 38	SENE 35
	SWNE 39	SENW 40
	SWNW 6	

USE OF THIS RIGHT WITH RIGHT NO. 57-00185 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 511 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 48 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE
SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE,
WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A
LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT
FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED
ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND
THE BASIN 02 RIGHTS.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 57-00185

1997 DEC 15 AM 10:47

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: TRIANGLE DAIRY INC
PO BOX 7526
BOISE ID 83707

SOURCE: GROUNDWATER

QUANTITY: 0.2 CFS

USE OF THIS RIGHT WITH RIGHT NO. 57-00187A IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2,299.5 AF.

PRIORITY DATE: 01/18/1922

POINT OF DIVERSION: T06S R03E S13 SENE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.2 CFS

PLACE OF USE:	IRRIGATION	Within Owyhee County		
	T06S R03E S11	SESE 36		
	S12	NESW 13	NWSW 37	SESW 15
		SWSE 18	SESE 38	
	S13	NENE 39	NWNE 38	SENE 35
		NENW 40	NWNW 40	SENW 40
	S14	NENE 40		
	511 ACRES TOTAL			

USE OF THIS RIGHT WITH RIGHT NO. 57-00187A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 511 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 10 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE
SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE,
WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A
LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT
FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED
ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND
THE BASIN 02 RIGHTS.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

POU Overlap analysis 2-2308, 2-7206, 2-10187

		<u>2-2308</u>	<u>2-7206</u>	<u>2-10187</u>
T6S, R3E, S11	NWNW	40		40
	SW NW	40		40
	SE NW		38	38

2-2308

23 cfs → subject to condition max div rate shall not exceed 23 cfs
 6760 AFY when combined with all other prev. licenses using same POD
 5 AFY/acre
 Lot 9
 5/20/64
 → .017 cfs/acre
 1352 acres

2-2308 + 2-10187

$$1352 + 608 - 80 = 1880 \text{ acres}$$

$$.02(1880) = 37.6 \text{ cfs}$$

$$5(1352) + 3.35(528) = 8,528.8 \text{ AFY}$$

$$23 + 12.16 = 35.16$$

$$6760 + 2035.2$$

$$= 8795.2$$

2-7206

.76 cfs
 190 AFY/acre
 Lot 9
 10/30/75
 → .02 cfs/acre
 5 AFY/acre
 38 acres

2-7206 + 2-10187

$$38 + 608 - 38 = 608 \text{ acres}$$

$$.02(608) = 12.16 \text{ cfs}$$

$$5(38) + 3.35(570) = 2300 \text{ AFY}$$

10186

56.34 cfs
 14287.8 AFY
 6S 11E S9 NWSW
 2/25/63
 325.7 acres
 .017 cfs/acre
 4.39 AFY/acre

2-2308 & All 57

$$14 \text{ Vol. 5 acres } \cdot 29.23 \text{ cfs}$$

2-2209D

12.16 cfs
 2035.2 AFY
 Lot 9
 2/25/63
 → .02 cfs/acre
 3.35 AFY/acre
 608 acres

10187

12.16 cfs
 2035.2 AFY
 Lot 9
 2/25/63
 → .02 cfs/acre
 3.35 AFY/acre
 608 acres

57-185, 57-187A, 57-187B, 57-2152,
 57-11632, 57-11654

2-2380, 2-10187, 2-10261

POU claimed less acres

Triangle Dairy POD

2-2153, 2-2154, 2-2424

Aug 27 1971

15.22 cfs

Motors

CAJ324179

100hp GE

ZYJ1216363

50hp GE

Pumps

D11818

Layne/Bowler Ultra-line

Johnston vertical pump

2-2308, 2-2423

July 17 1975

23.01 cfs

From Bybee Canal

Motors

D35033

150hp Holloshaft

CAJ124187

150hp GE

VYJ314154

75hp GE

Pumps

Vertiline

Vertiline

Johnson

2-7206

Oct 1984

38.84 cfs

Motors

HR1031539

100hp US

C2YJ1216363

50hp GE

CAJ324179

100hp GE

GKJ717141

100hp GE

Pumps

035276

Vertiline

Johnson

D11818

Vertiline

V76-70355

Vertiline

3-150hp : 1-75hp @ redirection

Other water rights w/ some pod 2-2308, 2-2152 (Temp), 2-2153, 2-2423

Water Right	Priority Date	Diversion Rate	Cumulative Rate	Capacity
02-02153	10/26/1959	1.55	1.55	
02-02154	10/26/1959	2.76	4.31	
02-02424	6/28/1960	4.16	8.47	15.22
02-02423	2/24/1964	1.86	10.33	
02-02308	5/20/1964	23	33.33	
02-07206	10/30/1975	0.76	34.09	38.84

Condition: The following rights are diverted through point of diversion described above:
2-2153, 2-2154, 2-2424, 2-2423, 2-2308, 2-7206

check overlap
acres

S14 NENW 6
S11 SWSE 7

one w/ no volume?
licensee/decree don't add to in/acre?

²³⁰⁸
Conditions: List of rights shall not exceed 2070 acres

List of rights shall not exceed 41.41 cfs
2308; 10187 shall not exceed 8536 APY
; 2-7206

10187
conditions: 2-10187; 2-2308 shall not exceed 1760 acres

3 rights shall not exceed 35.2 cfs : 8555 APY

2-10187, 2-2308, 2-7206

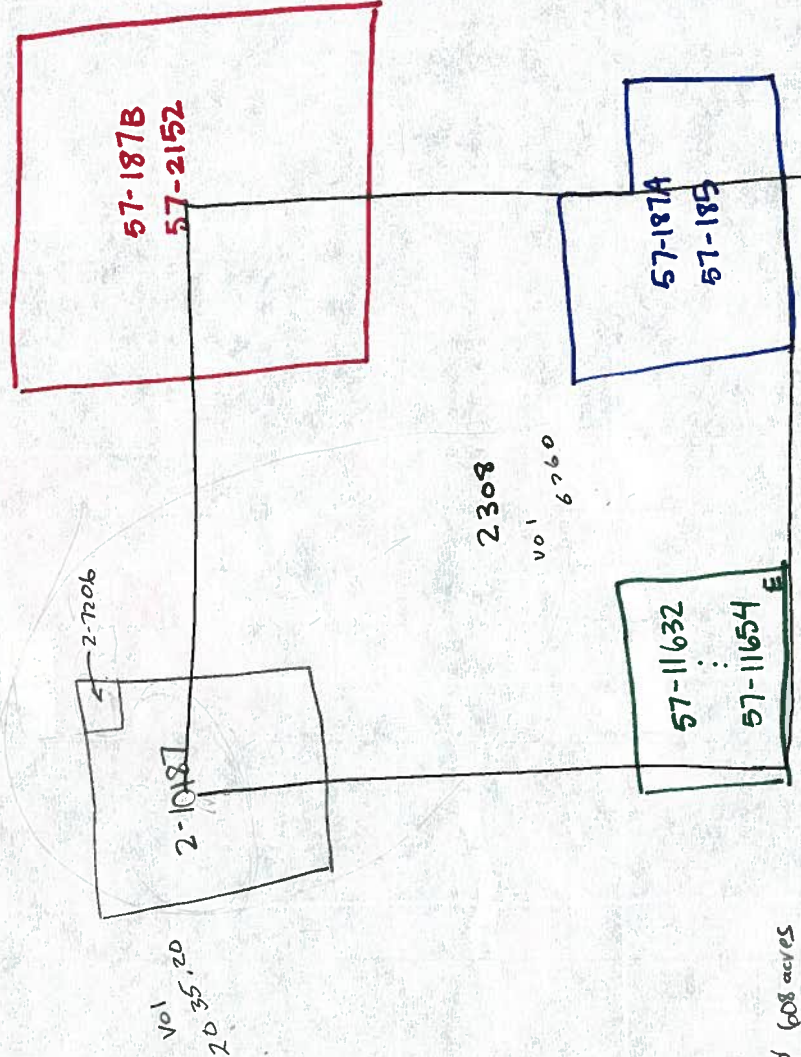
4.5 (2-10187 - Overlap) + 5(2308 + 27206)

4.5(608-118) + 5(232 + 38) = 8555 APY

(2-10187, 2-2308)

4.5(2-10187 - Overlap) + 5(2-2308)

4.5(608-80) + 5(1232) = 8536 APY



Conditions 7206:
Copy P6D from 2308
7206T 10187 not exceed 608 acres
12.16 cfs

$$4.5(608-38) + 5(38) = 2755 \text{ APY}$$

$$2635.2 + 190 = 2225.2 \text{ APY}$$

$$12.16 + .76 = 12.92 \text{ cfs}$$

10187 POV Overlap

$$\begin{array}{r} 10187 - 12.16 \text{ cfs} \\ 2308 - 23 \text{ cfs} \\ 7206 - .76 \text{ cfs} \\ \hline 35.92 \text{ cfs} \end{array}$$

$$\begin{array}{r} \text{Overlapping Acres} = 1760 \\ .02 \\ \times 1760 \\ \hline 35.2 \text{ cfs} \end{array}$$

$$\begin{array}{r} 10187 - 2035.2 \text{ AFY} \\ 2308 - 6760 \text{ AFY} \\ 7206 - 190 \text{ AFY} \\ \hline 8985.2 \text{ AFY} \end{array}$$

$$\begin{array}{r} 4.5 \\ \times 1760 \\ \hline 7920 \text{ AFY} \end{array}$$

$$\begin{aligned} & 4.5(2-10187 - \text{Overlap}) + 5(2-2308 + 2-7206) \\ & = 4.5(608-118) + 5(1232+38) \\ & = 8555 \text{ AFY} \end{aligned}$$

GIS

02-02153 - 75 acres

02-02154 - 148 acres

02-02423 - 86 acres

02-02153; 02-02423 - ^{159.5}~~161~~ acres of 161 acres

02-02154; 02-02423 - 194 acres of 234 acres

02-02153; 02-02154; 02-02423 - 266.5 acres of 309 acres

License

45

02-02153 - 77.8 acres .02 cfs

Volume Limit

02-02154⁵ - 138.8 acres .02 cfs

$$4.5 \times (77-3) + 5 \times (214) = 1403$$

02-02423⁵ - 93 acres .02 cfs

02-02153; 02-02423 - 3 acres overlap - 167.8 acres of 170.8

02-02154; 02-02423 - ¹⁷~~16~~ acres overlap - 214.8 acres of 231.8

02-02153; 02-02154; 02-02423 - ²⁰~~20~~ acres overlap - 288.8 acres of 308.8

Conditions

B

02-02153 + 02-02423 are limited to 167.8 acres and 3.34 cfs

02-02154 + 02-02423 are limited to 214.8 acres and 4.2 cfs

→ 02-02423 + 02-02153 + 02-02154 are limited to 288.8 acres; 5.7 cfs.
1403 AFY

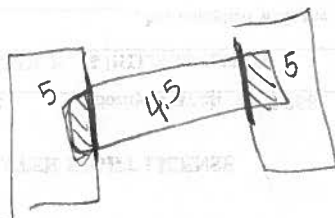


Rec Cond.

02-02423 + 02-02153 + 02-02154 +

57-00187B + 57-02152

441 acres



$$288 \times 5 = 1440$$

1403



LDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID:

02-02308 (Pg 1 of 2)

Date:

7-16-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	65	3E	2				20													20
GIS							37													37
Claim			10																40	40
GIS																			40	40
Claim			11			35	40	40	40			36	38	40		35				304
GIS						35	40	40	40			30	37	40		24				292
Claim			12					40	40	40	40	30	40	40	40					310
GIS								40	40	40	40	31	40	40	40					311

Number of POD's

1

Total Claimed Acres:

Overlapping EOU Claim #'s:

02-10187

Total GIS Acres:

COMMENTS:

County data indicates Simplot has ownership. Per claim map & image interpretation.

POD per claim least.

LDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: _____ Date: _____

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	65	3E	13	40	40	40	35	40	40	40	40									
GIS				40	40	40	38	40		40	40									
Claim			14		15	10	30		38	10	25									
GIS				40	14		32		38		17									
Claim			15	40			35													
GIS				4																
Claim																				
GIS																				

Number of POD's _____

Total Claimed Acres: _____

Overlapping FOU Claim #'s: _____

Total GIS Acres: _____ 2

COMMENTS:

1987 Napp Photo

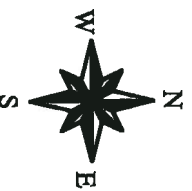
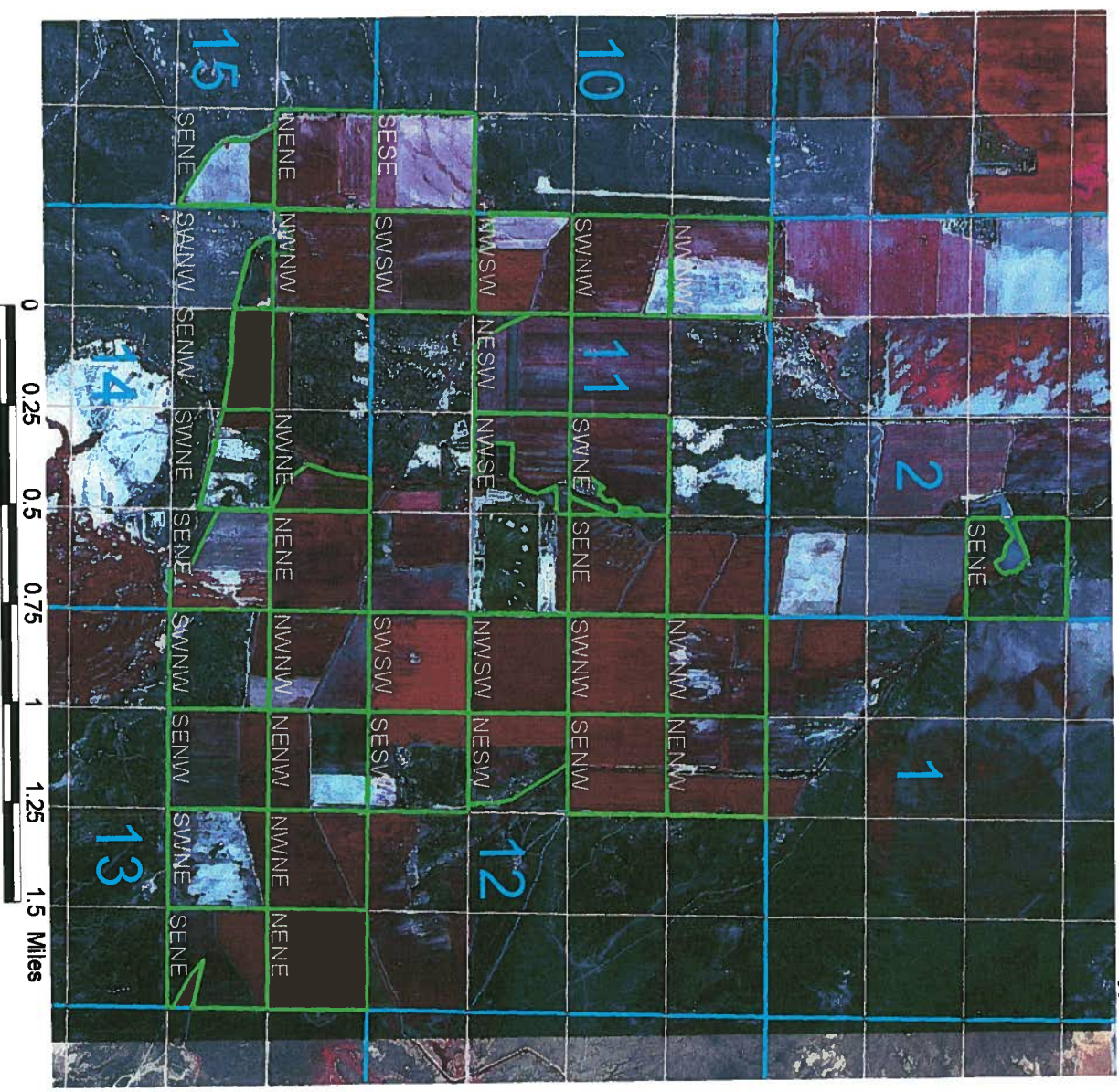
Legal: T06S, R03E, S02, 10, 11,
12, 13, 14, 15
Reviewed By:



1000

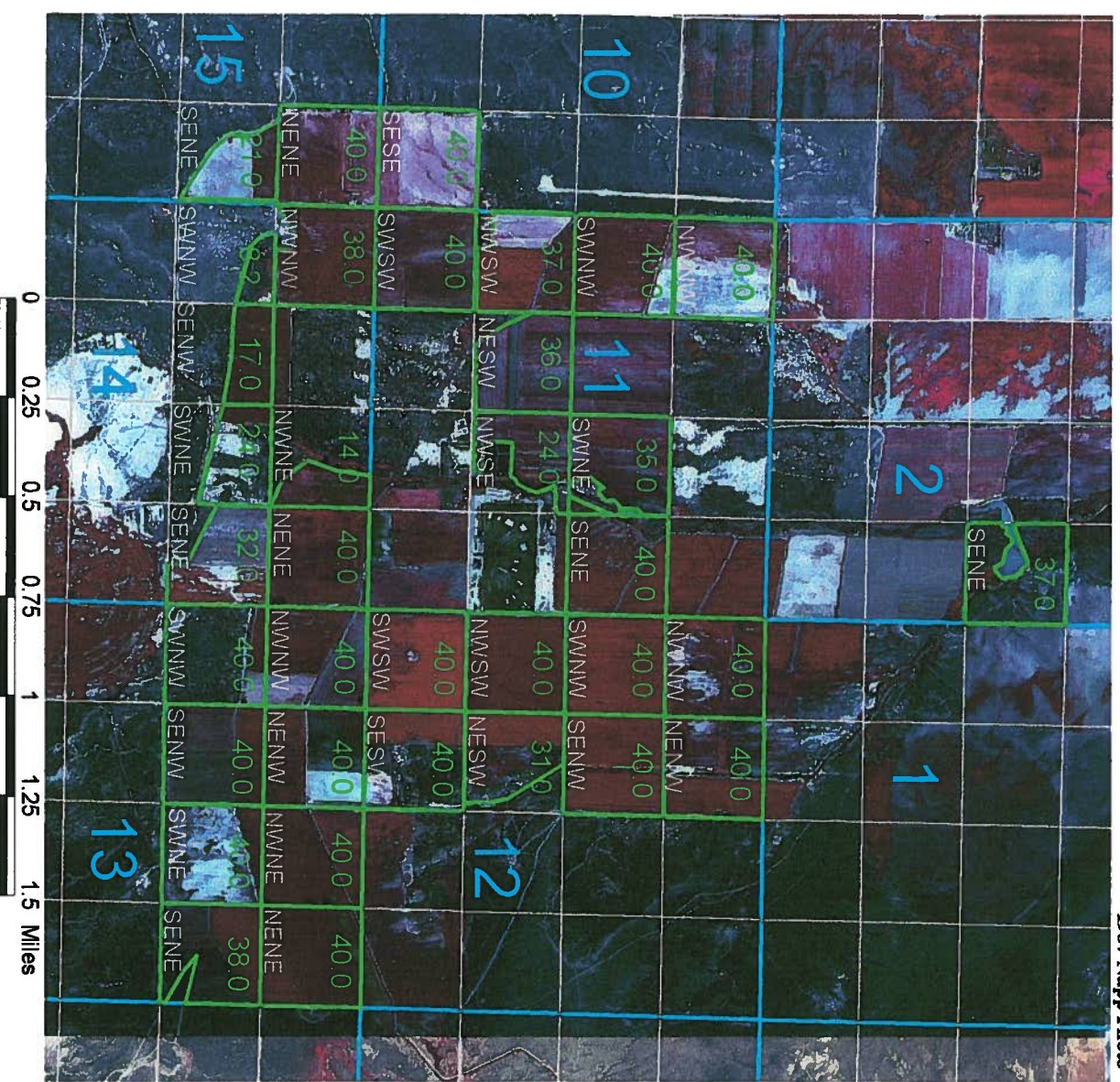
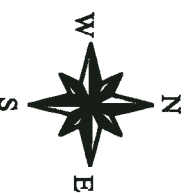
1048

1000



1987 Napp Photo

Reviewed By:



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 ~~BRANNOG BASIN~~
Border

**NOTICE OF CLAIM
TO A
WATER RIGHT**

<u>02-2308</u>	
I.D. No.	Map No.
\$ <u>10 -</u>	<u>19427</u>
Fee Paid	Receipt No.

Notice is hereby given that Triangle Dairy, Inc.
(Name of Claimant)

3310 Gekeler Lane, Boise, ID 83706

(Mailing Address)

(Zip Code)

Telephone No. 342-4603

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) 5-20-64

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River tributary to Columbia

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: 11/15

Quantity 23.0 cfs 23.0 Use irrigation Period of Use From 3/1 To 11/30
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity 22.80 Use irrigation Period of Use From 3/1 To 11/30
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity 22.80 Use irrigation Period of Use From 3/1 To 11/30
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity 22.80 Use irrigation Period of Use From 3/1 To 11/30
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 23.0 23.0 cfs 22.80 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source Lot 9 1/4 (SE 1/4 SW 1/4) 1/4
Sec. 34, Twp. 5S, Rge. 4E, B.M., Owyhee County

Additional Points: SEC 1: 272.0 (1) 492.5

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.
pumping plant, penstocks, canals, relift pump and ditches

(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	
			SEE ATTACHED LIST																
			See attached land list →																

Source outside basin

Total no. of acres 1,352

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.

Department of Water Resources
Western Regional Office

☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 02-2308

KEYPUNCHED
se 11/2/84

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.

June 12, 1981

(Date)

State of Idaho

Organization

County of Ada

ss.

Seal

Individual

TRIANGLE DAIRY, INC.

(Signature of Claimant)

BY: William D. Tate

President

(Signature of Spouse)

Organization

(Signature of Authorized Agent)

On this 12th day of June, in the year 1981, before me
a notary public, personally appeared William D. Tate, President, Triangle Dairy, Inc.

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 8-12-82

Notary Public residing at

Boise, Idaho

and list 02. 2308

[illegible]

MICROFILMED

AUG 16 1994

LAND LIST ATTACHMENT

Description and location of place of use:

Total number of acres irrigated 1,352

1,352

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by 984

Date 10/31/84

Right No. 02-2308

Claimant Triangle Dairy Inc

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. 1977 attached
- ☐ 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 11/10/82

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

Measurement 39 cfs. Amount recommended 22.7 23° cfs.

Type of measuring device: analog Meter No. 091457

Condition good Date 11/18/82 Time _____

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

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☐ Yes ☒ No

Remarks _____

DEC 1 2 1984
MICROFILMED

Triangle Dairy

[illegible]

Triangle Dairy (cont.)

Town-ship	Range	Sec	NE 1/4			NW 1/4			SE 1/4			SW 1/4			NE 1/4			SW 1/4			SE 1/4			TOTALS
			NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	
(02-2308)					5/20/64	22.68	0.55																	
		2			0																			0
		10																						40
		11			35	35																		333
		12																						333
		13																						298
		14																						285
		15																						279
																								144
																								62
																								1134
																								1156
02-7206																								
65 SE 11																								38

MICROFILMED

AUG 16 1994

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 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

02-2308	
I.D. No.	Map No.
\$ 10-	19427
Fee Paid	Receipt No.

Notice is hereby given that Triangle Dairy, Inc.
(Name of Claimant)
3310 Gekeler Lane, Boise, ID 83706 Telephone No. 342-4603
(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) 5-20-64

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River tributary to Columbia

(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 23.0 cfs Use irrigation Period of Use From 3/1 To 11/30
(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) 23.0 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source Lot 9 $\frac{1}{4}$ (SE $\frac{1}{4}$ SW $\frac{1}{4}$) $\frac{1}{4}$
Sec. 34, Twp. 5S, Rge. 4E, B.M., Owyhee County
Additional Points: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. pumping plant, penstocks, canals, relief pump and ditches

(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 $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			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 $\frac{1}{4}$	
			SEE ATTACHED LIST																

Total no. of acres 1,352

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. Department of Water Resources
Western Regional Office
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho
Department of Water Resources. Give No. 02-2308

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

June 12, 1981
(Date)

State of Idaho Organization
County of Ada ss. Seal

(Signature of Claimant)

(Signature of Spouse)

Organization

(Signature of Authorized Agent)

On this 12th day of June, in the year 1981 before me
a notary public, personally appeared William D. Tate, President, Triangle Dairy, Inc.

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 8-12-82 Notary Public residing at Boise, Idaho

POOR ORIGINAL

STATE OF IDAHO DEPARTMENT OF RECLAMATION

Date 7 1975 DISCHARGE MEASUREMENT NOTES

Δ D. D. D. D. River at 75th St. at Pocatello

Angle coefficient	Dist. from initial point	Width	Depth	Observation depth	Revolutions	Time in seconds	VELOCITY		Adjusted for hor. angle or	Area	Discharge
							At point	Mean in vertical			
	1.8	0.2									
	2.2	0.4	0.75		20	51	1.72			0.3	0.264
	2.6	0.4	1.0		40	56	1.61			0.4	0.284
	3.0	0.4	1.2		30	42	1.64			0.42	0.797
	3.4	0.4	1.35		40	52	1.73			0.54	0.934
	3.8	0.4	1.5		40	46	1.95			0.6	1.170
	4.2	0.4	1.6		40	40	2.24			0.64	1.434
	4.6	0.4	1.7		50	46	2.43			0.68	1.452
	5.0	0.4	1.8		50	46	2.43			0.72	1.750
	5.4	0.4	1.75		50	46	2.43			0.7	1.701
	5.8	0.4	1.7		50	45	2.49			0.68	1.693
	6.2	0.4	1.7		50	46	2.49			0.68	1.693
	6.6	0.4	1.65		50	45	2.49			0.66	1.643
	7.0	0.4	1.6		50	45	2.49			0.64	1.580
	7.4	0.4	1.5		50	46	2.43			0.6	1.457
	7.8	0.4	1.4		40	47	2.24			0.56	1.254
	8.2	0.4	1.3		40	42	2.13			0.52	1.108
	8.6	0.4	1.15		40	45	1.92			0.46	0.915
	9.0	0.4	1.1		30	40	1.62			0.44	0.702
	9.4	0.4	1.0		30	34	1.51			0.4	0.612
	9.8	0.4	0.95		25	33	1.32				
	10.2	0.2								23.01	23.01

MICROFILMED

No. _____ of _____ Sheets. Comp. by W. C. C.

Aug. 16 1994

Measured by: JKN

Date: _____

Owner: TRIANGLE DAIRYPermit #: 02-7206402-7135
C.J. STRIKE RESV.
PUMP SITEDescription of well &/or measuring site (give distance to restrictions upstream and downstream): APP. 100' OF 30" STEEL PENSTOCK FROM C.J. STRIKE RESV. TO BYBEECANAL W/APP 50' LIFT SUPPLIED BY 4 ELECT. MOTORS W/PUMPS #1-100 H.P. U.S.MOTORS # HR1031539 W/VERTILINE PUMP # 035267, #2-50 H.P. GE MOTOR # C2YJ1216363
W/JOHNSON PUMP No/# #3-100 H.P. GE MOTOR # CAJ324177 W/VERTILINE PUMP
D11818, #4-100 H.P. GE MOTOR # GKJ717141 W/VERTILINE PUMP # V76-70355.
Measured inside diameter of pipe in inches 28.750"

Size of Annubar used in test

29.250"

State ID# of Annubar used

#091457

Size Eagle Eye Meter used

10-80"

State ID# of Meter used

#091477

Date of Last Calibration of Meter

3/26/82

Observed inches of H2O read on Meter

30.0

Adjusted inches of H2O from Last Calibration

30.0

FCF = 1.0

CALCULATION:

$$A^2 = 826.5625$$

$$\sqrt{B} = 5.477$$

$$(3.85) \times (A)^2 \times \sqrt{B}$$

$$= 38.835$$

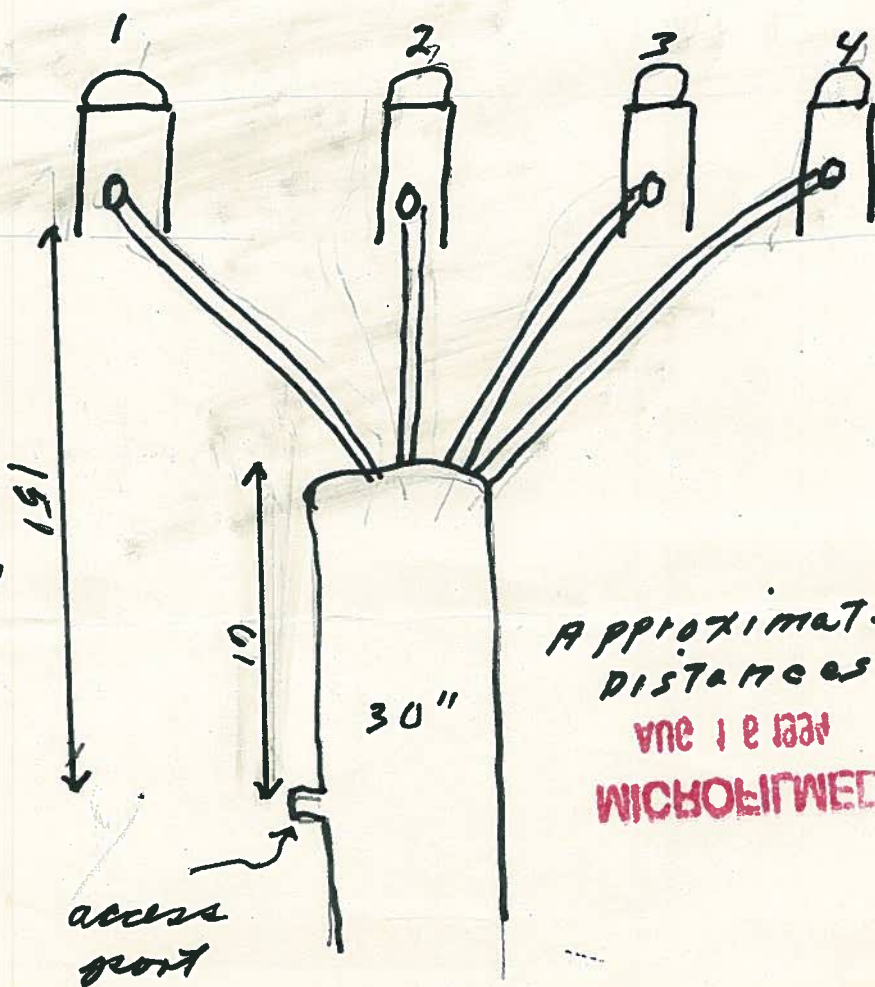
cfs measured

$$\frac{448.8}{3.85 \times 826.5625 \times 5.477}$$

$$\frac{448.8}{448.8} = 38.835$$

Where A and B are measured in inches
and 3.85 is a constant for the model
75 Annubar

SKETCH:

Several other
pumps enter
30" pipelinePump from
Reservoir into
Bybee canalAPPROXIMATE
DISTANCESJAN 1 1983
MICHOIIMED

Measured by: JKN

Date: _____

Owner: TRIANGLE DAIRY

Permit #: 02-7206 & 7135

Description of well &/or measuring site (give distance to restrictions upstream and downstream): Pump #1: 75 H.P. Motor GE Model 5KG267XC13B, Pump; JOHNSON No. 1
Pump #2: 150 H.P. Motor GE Model 5KG277XC79A, Pump; VERTILINE #14FHH. Pump #3:
150 H.P. Motor Hollow Shaft, No M/N ORS/N, Pump; VERTILINE #14THH. Pump #4: 150 H.P.
Motor GE Model 5KG277XH1A, Pump; VERTILINE #V714F.

Measured inside diameter of pipe in inches 29.0" A

Size of Annubar used in test 29.250"

State ID# of Annubar used #091457

Size Eagle Eye Meter used 10-80

State ID# of Meter used #091476

Date of Last Calibration of Meter 3/26/82

Observed inches of H2O read on Meter 20.0"

Adjusted inches of H2O from Last Calibration

$DB \text{ "H}_2\text{O} \times FCF = \text{Adj. "H}_2\text{O}$ $20.0" \times 1.025 =$
 $FCF = 1.025$

20.5" B

CALCULATION:

$$\frac{(3.85) \times (A)^2 \times \sqrt{B}}{448.8} = 32.68 \text{ cfs measured}$$

$A^2 = (29)^2 = 841.0$
 $\sqrt{B} = \sqrt{20.5} = 4.53$

Where A and B are measured in inches
and 3.85 is a constant for the model
75 Annubar

SKETCH:

Δ Dairy - Reservoir site 11/18/82 JKN

30 inch Steel Penstock

Annubar 091457 29.25

meter 0-80 091477 Reading 30

Pumps: Starting at west side

Motor

#1 100 HP U.S. Motors HR1031539

Pump Vertiline 035267

#2 GE 50 HP C2YJ1216363

Johnson Pump no serial #

#3 GE 100 HP CAJ324177

Vertiline D11818

#4 GE 100 HP GKT717141

Vertiline V76-70355

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~~Triangle Dairy~~
Bumps out of Bybee Canal

POOR ORIGINAL

11/18/82

Triangle Dairy 02-7206 02-7135

- #1 75 HP Model 5KGZ 67XC 13B GE
Bump Johnson no serial #
- #2 150 HP GE 5K6277XC 79F
Vertline pump - 14FHH
- #3 150 Holloschaft no serial #
Vertline pump - 14THH
- #4 150 HP 5K6277XHIF G.E.
Vertline V714F

30" Steel pipeline - Reading 20
meter 091476 10-80
a number 091457 29.250

1530 ft - 30" Benstock 100.5 ft lift

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AUG 16 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 31901/02-2308 Priority May 20, 1964 Amount 23.0 cfs

THIS IS TO CERTIFY, that TRIANGLE DAIRY, INC.
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 31901/02-2308 issued pursuant to Application for Permit dated May 20, 1964,
and has submitted proof to the Department of Water Resources on May 12, 1975,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 23.0 cfs of water from the Snake River,
tributary to the Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u> from <u>March 1</u> to <u>Nov. 30</u> at <u>23.0</u> cfs and			<u>6,760 acre feet or</u>
			<u>5.0 af per acre</u>

(both dates inclusive)

Subject, however, to the condition that no more than * 23.0 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
6,760 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 9) of Sec. 34,
Twp. 5 S, Rge. 4 E, B. M. in the County of Owyhee

Description and location of place of use:

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 $\frac{1}{4}$	
See	Land	List	Attachment																

Total number of acres irrigated _____

* Subject to the condition that the maximum rate of diversion shall not exceed
23.0 cfs when combined with all previous licenses using this same point of
diversion.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 August 29, 1975 day of
August, 19 75.

Director

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: A02-02308
Date Received: 1/11/1989
Receipt No: W002037
Received By: DE JOL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TRIANGLE DAIRY INC. 208-345-3130
Address: P.O. BOX 7526
BOISE, ID 83707
2. Date of Priority: MAY 20, 1964
3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 05S | 04E | 34 | SW | SE | SW | 9 | OWYHEE |
5. Description of diverting works:
3 100 HP PUMPS, 1 50 HP PUMP, 1 250 HP PUMP, CANAL & DITCHES.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|---------|
| IRRIGATION | 03/15 | 11/15 | 23.000 | | 6760.00 |
7. Total Quantity Appropriated is:
23.000 C.F.S. (and/or) 6760.00 A.F.A.
8. Total consumptive use is 4312.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	03E	2	SE	NE		IRR	20.0
						Section Acres	20.0
		10	SE	SE		IRR	40.0
						Section Acres	40.0

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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06S	03E	11	SW		NE		IRR	35.0
			SE		NE		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			NE		SW		IRR	36.0
			NW		SW		IRR	38.0
			SW		SW		IRR	40.0
			NW		SE		IRR	35.0
			Section Acres 304.0					
		12	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	30.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			Section Acres 310.0					
		13	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	35.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			Section Acres 315.0					
		14	NE		NE		IRR	40.0
			NW		NE		IRR	15.0
			SW		NE		IRR	10.0
			SE		NE		IRR	30.0
			NW		NW		IRR	38.0
			SW		NW		IRR	10.0
			SE		NW		IRR	25.0
			Section Acres 168.0					
		15	NE		NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	03E	15	SE	NE		IRR	35.0

Section Acres 75.0

Total Acres 1232.0

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:

57-2225A, 57-2138, 57-3149, 57-2135, 57-0185, 57-0191.

14. Remarks:

WATER IS DIVERTED FROM THE SNAKE RIVER AND TRANSPORTED BY CANAL TO THE TRIANGLE DAIRIES PROPERTY. IT IS FURTHER DISTRIBUTED BY RELIFT PUMPS AND/OR LATERAL DITCHES, DEVELOPED DRAIN DITCHES AND THE NATURAL CHANNEL OF SHOOFLY CREEK.

15. Basis of Claim: LICENSE

Water Right Number: 31901

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

02-02308

Date Received

1-11-89

Receipt Number

12002037 & 12002478

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JAN 11 1989

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Triangle Dairy, Inc. Phone (208) 345-3130Mailing Address P. O. Box 7526
897-Park-Bldg., Boise, Idaho Zip 837072. Date of Priority (Only one (1) per claim) 5/20/643. Source of water supply (a) Snake River
which is tributary to (b) Columbia River4. a. Location of existing point of diversion is: Township 6S Range 4E Section 34,
SW 1/4 of SE 1/4 of SW 1/4, Govt. Lot, B.M., County of OwyheeAdditional points of diversion if any: Noneb. If instream flow, beginning point of claimed instream flow is: N/ATownship 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, Govt. Lot B.M., County of 5. 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.Three 100 HP pumps, one 50 HP pump, one 250 HP pump, canal and lateral ditches.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 23.0 or 6760

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 23.0 (cfs) and/or (b) 6760 (acre feet)

8. Total consumptive use claimed is 4312 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

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	
6S	3E	2				20													20
6S	3E	10															40		40
6S	3E	11			35	40		40	40		36	38	40			35			304
6S	3E	12					40	40	40	40	30	40	40	40					310
6S	3E	13	40	40	40	35	40	40	40	40									315
6S	3E	14	40	15	10	30		38	10	25									168
6S	3E	15	40			35													75

Total number of acres irrigated 1232

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.

57-2225A; 57-2138; 57-3149; 57-2142; 57-2135; 57-0185-0191 or None ()

14. Remarks:

Water is diverted from the Snake River and transported by canal to the Triangle
Dairies property. It is further distributed by relift pumps and/or lateral
ditches, developed drain ditches and the natural channel of Shoofly Creek.

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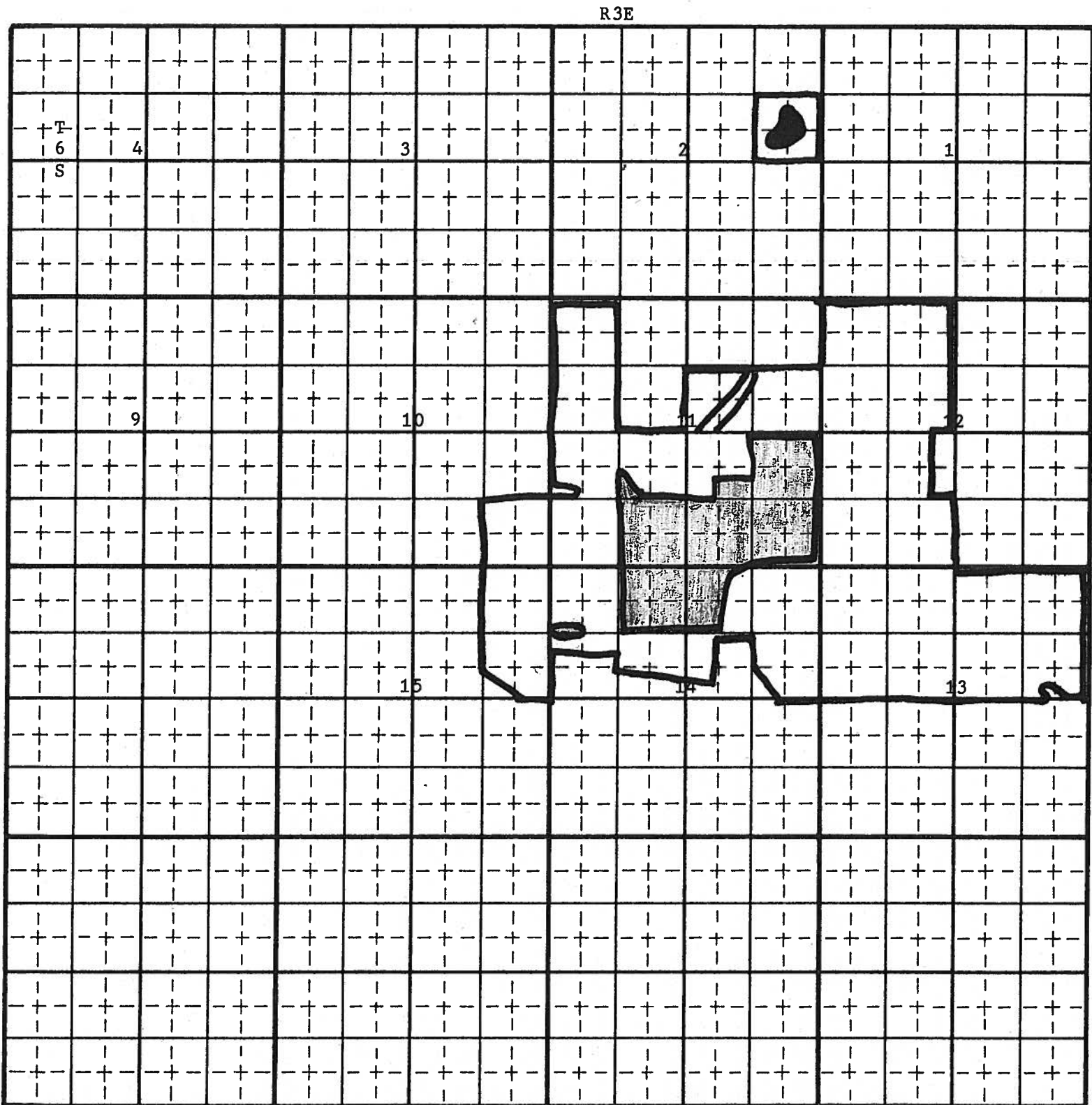
AUG 07 1992

Last Name Triangle Dairy, Inc. Ident No. _____

Copies: White State, Yellow Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



NOTE: PD is shown on Attachment "A"



Shaded area not irrigated under this right

Last Name Triangle Dairy, Inc. Ident No. _____

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AUG 07 1992
Copies: White-Spot Yellow-Clamshell

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 02-2308
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 1

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

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

For Organizations: I do solemnly swear or affirm that I am President Title _____
of Triangle Dairy, Inc. Organization _____, that I have signed the foregoing
document in the space below as President Title _____ of Triangle Dairy, Inc. Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent *William D. Tate*
Title and Organization President, Triangle Dairy, Inc. Date 1/6/89

State of Idaho/or _____)
County of Ada) SS.

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

Notary Public *Sherl L. Chapman*

Residing at 457 W. Willowbrook Mandan, ND

My Commission Expires 6/14/94

Please Print Name Sherl Chapman



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 Triangle Dairy, Inc. Ident. Number _____

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AUG 07 1992

Copies White-State, Yellow-Claimant

1/23/1988

SRBA CLAIMS RECEIVING CHECK F #2

CLAIMANT'S NAME

Triangle Dairy

CLAIM IDENT. NO.

02-2308

DATE RECEIVED

1-11-89

CK #

AMOUNT \$

1. Is the name and address complete with zip code?

YES

NO

Require Info

2. Is a priority date entered?

YES

NO

*

Is the priority date acceptable in view of mandatory filing dates?

YES

NO

*

See Adjudication Memos #1 and #4 to determine if a Permit is required.

YES

NO

*

3. (a) Is a source entered?

YES

NO

*

(b) Is a tributary to entered? (if required)

N/A

YES

NO

*

4. Is the legal description of the p.d. sufficient?

YES

NO

*

5. Is there a description of the diverting works?

YES

NO

*

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.

YES

NO

*

Is the period of use included?

YES

NO

*

Is a quantity claimed for each use?

YES

NO

*

7. Is a total quantity claimed entered?

YES

NO

*

8. If required is a consumptive use entered?

N/A

YES

NO

*

Is the consumptive use correct?

N/A

YES

NO

*

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.

N/A

YES

NO

*

10. Is (are) the place(s) of use and purpose(s) indicated?

YES

NO

*

11. Is (are) the county(ies) entered?

YES

NO

*

12. Is the ownership of p.u. checked?

YES

NO

*

13. Are other water rights listed or "none" indicated?

YES

NO

*

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)

N/A

YES

NO

*

15. Is the basis of the claim indicated?

YES

NO

*

16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)

N/A

YES

NO

*

17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.

YES

NO

*

18. Has the claim been signed, sealed, and dated by a notary?

YES

NO

*

19. Was this claim filed on time, or was an extension granted?

YES

NO

*

20. Is the fee enclosed correct?

Exempt

YES

NO

*

21. If this claim is based on an existing water right, has the identification number been entered?

N/A

YES

NO

*

22. Should this claim be receipted and data entered?

YES

NO

*

Claim checked by:

LW

Date:

3-22-89

Claim must be returned to claimant:

YES

NO

Claimant must be sent a copy of amended claim for approval:

YES

NO

Receipt Prepared by:

Date:

Claim data entered by:

Date:

Sent to claimant by:

Date:

Checked by:

Date:

Comments:

Wrong T on POP

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AUG 07 1992

Idaho Department of Water Resources



Claim Number: 02-02308

Legal: T05S, R04E, S34 &
T06S, R03E, S2, S10, S11,
S12, S13, S14, & S15
Reviewed By: JLD 6/16/05

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

