

Meeting with K. Conrad
2-03-09
02/03/2009

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

RIGHT NUMBER: 2-2423

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

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.860 CFS
465.00 AFY

The rights listed below are limited to a total combined diversion rate of 5.76 cfs and to a total combined annual diversion volume of 1403 AF. Combined Right Nos.: 02-02153, 02-02154, & 02-02423.

PRIORITY DATE: 02/24/1964

POINT OF
DIVERSION:

T05S R04E S34 SWSESW Lot 9 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/30	1.860 CFS 465.00 AFY

PLACE OF USE: IRRIGATION in OWYHEE County

T06S R03E S01	NWSW	3.00	T06S R03E S02	NWNE	40.00
T06S R03E S02	SWNE	34.00	T06S R03E S02	NESE	10.00
T06S R03E S02	SESE	5.00	T06S R03E S11	NENE	1.00

93 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 441 acres in a single irrigation season. Combined Right Nos.: 02-02153, 02-02154, 02-02423, 57-00187B, & 57-02152.

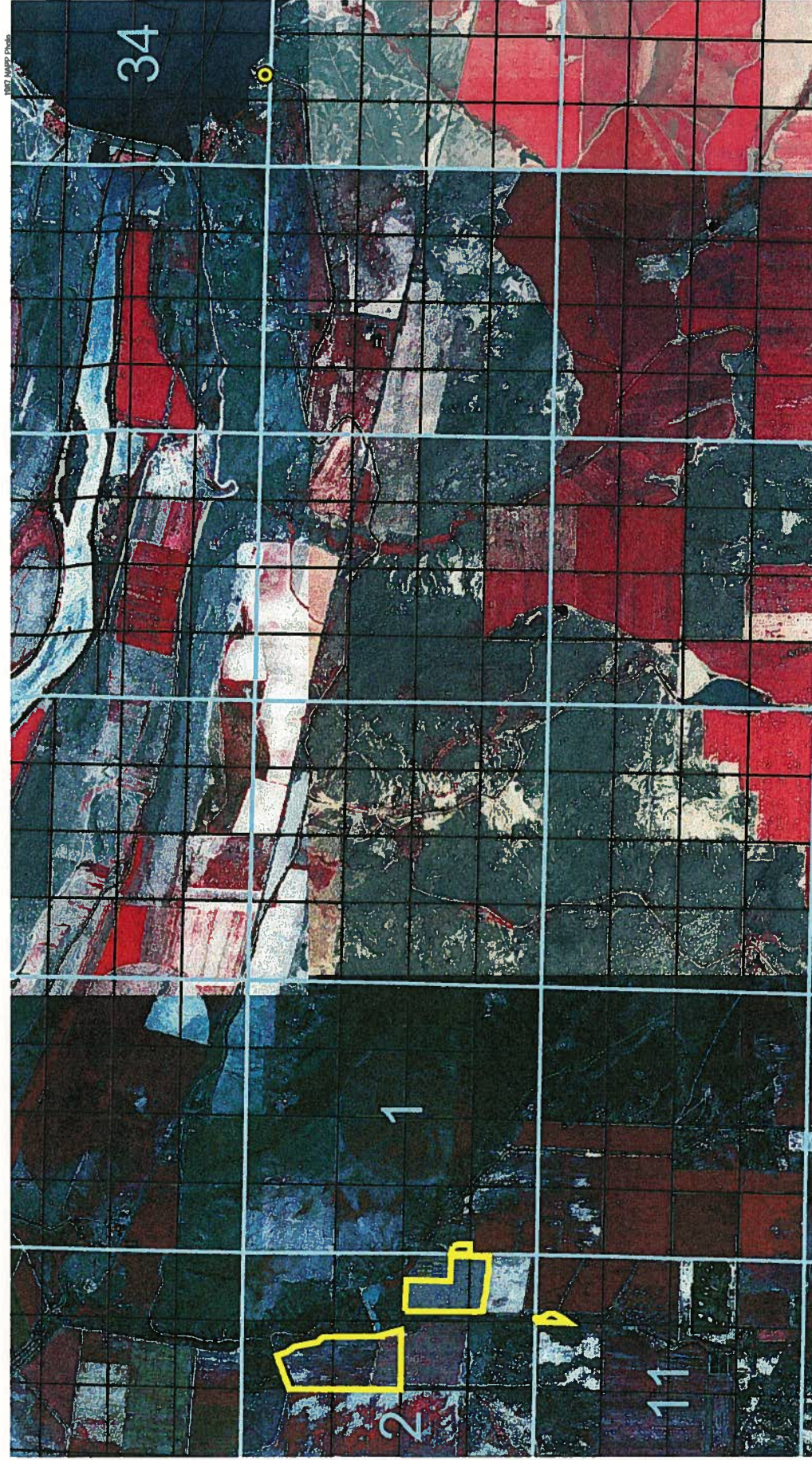
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

Idaho Department of Water Resources



0 1 2 3 4 5 Miles



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

Claim Number: 02-02423
Legal: T05S, R04E, S34 &
T06S, R03E, S1, S2, & S11
Reviewed By: JLD 5/24/05

06/02/2005

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

RIGHT NUMBER: 2-2423

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

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.860 CFS
465.000 AFY

The rights listed below are limited to a total combined diversion rate of 5.76 cfs and to a total combined annual diversion volume of 1403 AF. Combined Right Nos.: 02-02153, 02-02154, & 02-02423.

PRIORITY DATE: 02/24/1964

POINT OF DIVERSION:

T05S R04E S34 SWSESW Lot 9 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/30	1.860 CFS 465.00 AFY

PLACE OF USE: IRRIGATION Within OWYHEE County

T06S R03E S01	NWSW	3.0	T06S R03E S02	NWNE	40.0
T06S R03E S02	SWNE	34.0	T06S R03E S02	NESE	10.0
T06S R03E S02	SESE	5.0	T06S R03E S11	NENE	1.0

93 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 441 acres in a single irrigation season. Combined Right Nos.: 02-02153, 02-02154, 02-02423, 57-00187B, & 57-02152.

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

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 1.86 cfs and	465 acre feet or
	from		5.0 af per acre
	from		
	from	at	cfs and
	(four days exclusive)		

Description and location of place of use:

[illegible]

Director

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 acres

.02 (1880) = 37.6 cfs

5(1352) + 3.35(528) = 8528.8 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 acres

.02 (608) = 12.16 cfs

5 (38) + 3.35 (570) = 2300 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

1461.5 acres : 29.23 cfs

2-2209D

12.16 cfs
 2035.2 AFY
 Lot 9
 2/23/63
 → .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, 2-10201

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

Vert. line

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

3-150 hp : 1-75hp @ redirection

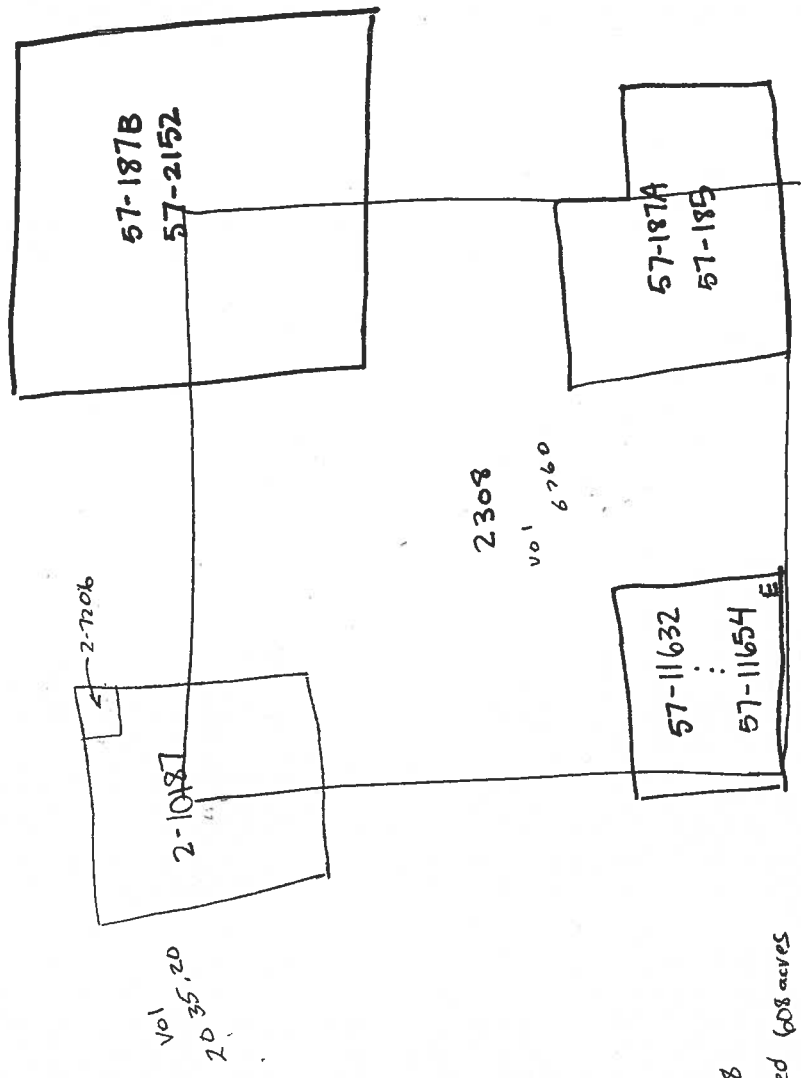
Other water rights w/ same pod 2-2308, 2-2152(Temp), 2-2153, 2-2423

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:

week overlap
 acres
 4 NENW 6
 1 SW SE 7

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



1308
 Conditions: List of rights shall not exceed 2070 acres
 List of rights shall not exceed 41.41 cfs
 2308, 10187 shall not exceed 8536 AFY : 2-7206
 10187
 Conditions: 2-10187 + 2-2308 shall not exceed 1760 acres
 3 rights shall not exceed 35.2 cfs : 8555 AFY

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

$4.5 (608 - 38) + 5 (38) = 2755 \text{ AFY}$
 $2635.2 + 190 = 2225.2 \text{ AFY}$
 $12.16 (608) = 12.16 \text{ cfs}$
 $12.16 + .76 = 12.92 \text{ cfs}$

(2-10187, 2-2308)
 $4.5 (2-10187 - \text{Overlap}) + 5 (2-2308)$
 $4.5 (608 - 80) + 5 (1232) = 8536 \text{ AFY}$

additions 7206:
 Copy P6D from 2308
 7206 + 10187 not exceed 608 acres
 12.16 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 - 77.3 acres .02 cfs

Volume Limit

02-02154⁵ - 138.3 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 - 167.3 acres of 170.3

02-02154; 02-02423 - ¹⁷~~16~~ acres overlap - 214.3 acres of 231.3

02-02153; 02-02154; 02-02423 - ²⁰~~20~~ acres overlap - 288.3 acres of 308.3

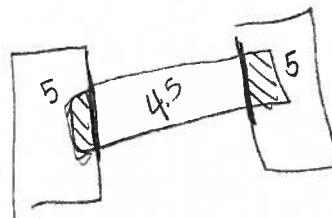
Conditions

^b

02-02153 + 02-02423 are limited to 167.3 acres and 3.34^b cfs

02-02154 + 02-02423 are limited to 214^b acres and 4.2^b cfs

→ 02-02423 + 02-02153 + 02-02154 are limited to 288.3 acres; 5.7^b cfs.
1403 AAY



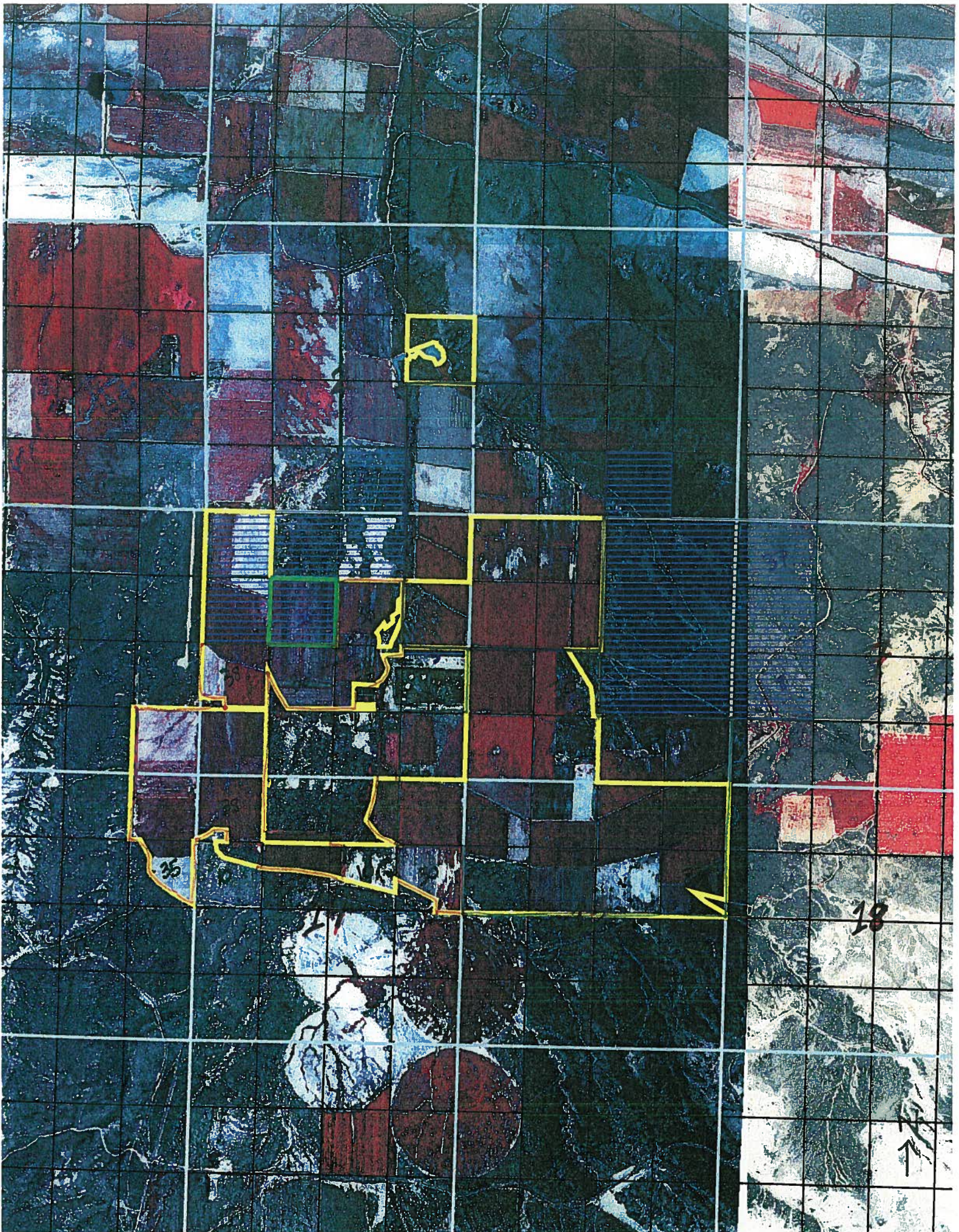
$$288 \times 5 = 1440 \\ 1403$$

Rec Cond.

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

57-00187B + 57-02152

441 acres



Idaho Department of Water Resources



Claim Number: 02-02423

Legal: T05S, R04E, S34 &
T06S, R03E, S1, S2, & S11

Reviewed By: JLD 5/24/05

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

SCANNED



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-02423 Date: 7-12-02

				NE				NW				SW				SE				Sum
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	65	3E	1										3							3
GIS													41							41
Claim			2		40	34										10			5	89
GIS					50	41										23			7.7	127.7
Claim			11	1																1
GIS				40																40
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 93

Overlapping FOU Claim #'s:

Total GIS Acres: 208.7

02-02153, 02-02154

COMMENTS:

County data indicates Simplot owns property. Per claim map & image interpretation. Not sure where the acres are in sections one & eleven.

POD per claim legal.

Idaho Department of Water Resources

Claim Number: 02-02423

Legal: T06S, R03E, S01, 02, 11

Reviewed By:



Point of Diversion
(located outside view)



Place of Use



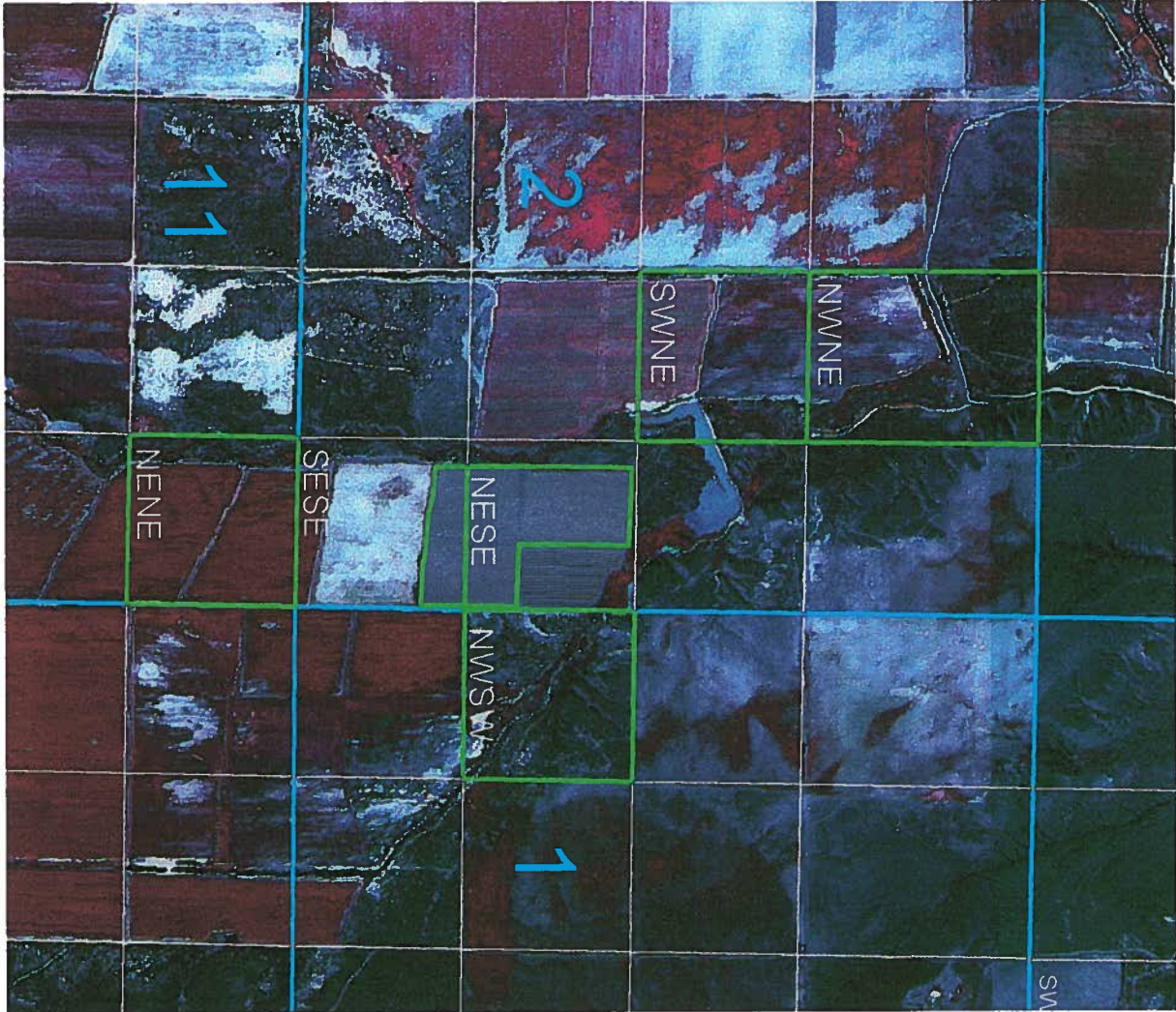
Section Lines



Quarter Quarter Lines



1987 Napp Photo



Idaho Department of Water Resources

Claim Number: 02-02423

Legal: T06S, R03E, S01, 02, 11

Reviewed By:



Point of Diversion
(located outside view)



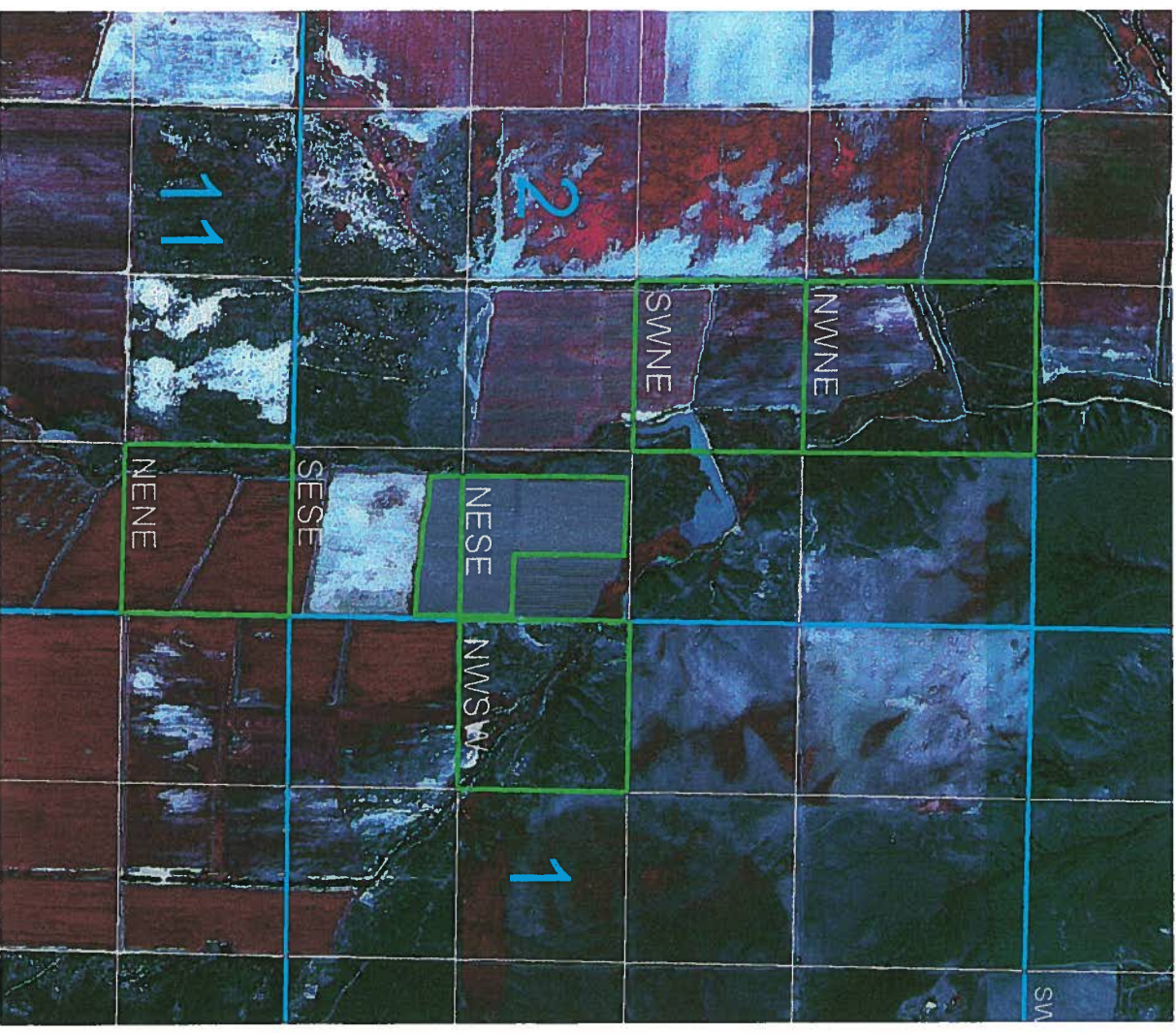
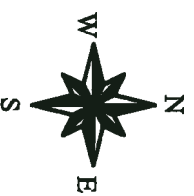
Place of Use



Section Lines



Quarter Quarter Lines



1987 Napp Photo



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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A02-02423
Date Received: 1/11/1989
Receipt No: W002037
Received By: DE JAH

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: FEB 24, 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	03/01	11/30	1.860		465.00

7. Total Quantity Appropriated is:
1.860 C.F.S. (and/or) 465.00 A.F.A.

8. Total consumptive use is 326.0 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	1	NW	SW		IRR	3.0
						Section Acres	3.0
		2	NW	NE		IRR	40.0

A02-02423

Page 1

Date: 04/03/89

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	03E	2	SW	NE		IRR	34.0
			NE	SE		IRR	10.0
			SE	SE		IRR	5.0
						Section Acres	89.0
		11	NE	NE		IRR	1.0
						Section Acres	1.0
						Total Acres	93.0

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:
02-2154, 02-2152.

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: 31736

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 02-02423

Date Received 1-11-89

Receipt Number W0002037 W0002478

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) 345-3130
P. O. Box 7526
Mailing Address 897-Park-Bldg, Boise, Idaho Zip 88707

2. Date of Priority (Only one (1) per claim) 2/24/64

3. Source of water supply (a) Snake River
which is tributary to (b) Columbia River

4. a. Location of existing point of diversion is: Township 5S Range 4E Section 34,
SW 1/4 of SE 1/4 of SW 1/4, Govt. Lot, 9 B.M., County of Owyhee

Additional points of diversion if any: None

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

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, 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 3/1 to 11/30 amount 1.86 or 465

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.86 (cfs) and/or (b) 465 (acre feet)

8. Total consumptive use claimed is 326 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	1										3							3
6S	3E	2		40	34										10			5	49
6S	3E	11	1																1

Total number of acres irrigated 93

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.
02-2154; 02-2152 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.

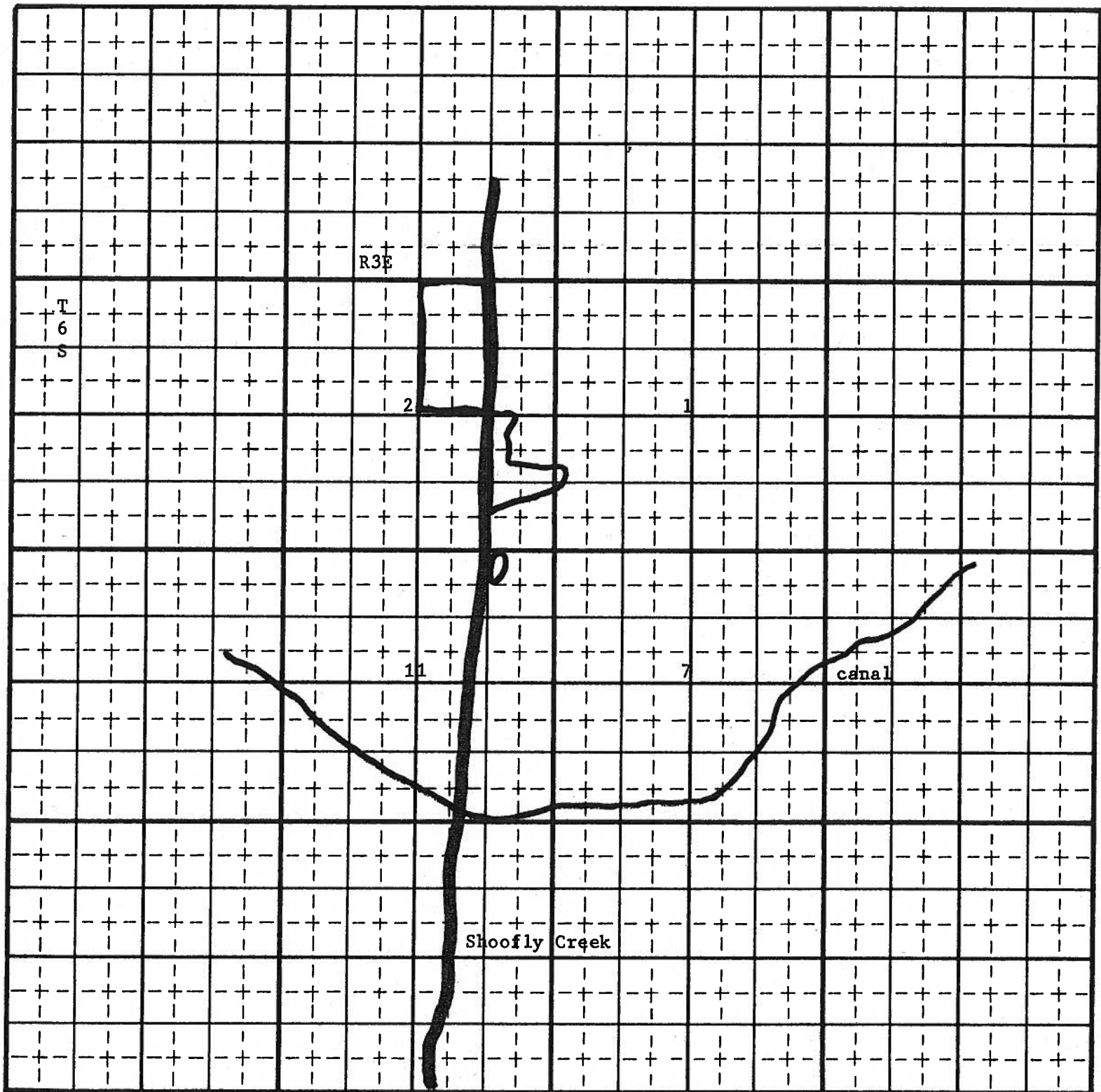
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AUG 07 1992

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: Attachment "A" shows PD

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AUG 07 1992

Last Name Triangle Dairy, Inc. Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 02-2423
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 X 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., that I have signed the foregoing

Organization

document in the space below as President of Triangle Dairy, Inc.

Title

Organization

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

Signature of Authorized Agent William D. Telle

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 Sharl Chapman

Residing at 457 Westlawnbrook Meridian Id

My Commission Expires 6/14/94

Please Print Name Sharl 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 _____

Copies White-State, Yellow-Claimant

1/23/1988

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Triangle Dairy CLAIM IDENT. NO. 02-2423

DATE RECEIVED 1-11-89 CK # AMOUNT \$

- | | YES | NO | Require Info |
|--|-------------------------------------|--------------------------|--------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates? | ☒ | ☐ | * |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☒ | ☐ | |
| N/A | ☒ | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 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. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | ☒ | ☐ | |
| N/A | ☒ | ☐ | |
| Is the consumptive use correct? | ☒ | ☐ | |
| N/A | ☒ | ☐ | |
| 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 | ☒ | ☐ | |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ | |
| 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 | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☒ | ☐ | |
| N/A | ☒ | ☐ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? | ☒ | ☐ | * |
| Exempt | ☒ | ☐ | |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☒ | ☐ | |
| N/A | ☒ | ☐ | |
| 22. Should this claim be receipted and data entered? | ☒ | ☐ | |

Claim checked by: 2W 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: Checked by: Date:
Sent to claimant by: Date:

Comments:

MICROFILMED

AUG 07 1992

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by JKH

Date 10/23/84

Right No. 02.2423

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 11/18/82

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

Measurement 39 cfs. Amount recommended .96 cfs.

Type of measuring device: anemometer Meter No. 091477

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 See attached spreadsheet showing reason for reducing acreage & also aerial photo attached.

See 02-2308 for maps & etc.

POOR ORIGINAL

[illegible]

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

02-2423	
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) 2-24-64

(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 1.86 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) 1.86 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, 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 $\frac{1}{4}$				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 $\frac{1}{4}$	
6S	3E	1										3							3
		2		40	34										10			5	89
		11	1																1

Total no. of acres 93

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. Department of Water Resources
☐ B) Right decreed by court, cite title of case. Western Regional Office
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 02-2423

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 _____
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

RECEIVED
JUN 12 1981

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

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
SNAKE RIVER FROM BASE OF MILNER
DAM TO OREGON DRAINAGE BASIN
Border.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

<u>02-2423</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) 2-24-64 ✓
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) SNAKE RIVER ✓ tributary to COLUMBIA RIVER ✓
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | |
|--------------------------|-------------------------------------|--|
| Quantity <u>1.86</u> cfs | Use <u>irrigation</u> | Period of Use From <u>3/1</u> <u>3/15</u> To <u>11/30</u> <u>11/15</u> |
| (CFS, GPD, AF) | (Domestic, Irrigation, stock, etc.) | (Mo., Day) (Mo., Day) |
| | | (Both dates inclusive) |
| Quantity <u>96</u> ✓ | 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 <u>96</u> ✓ | Use | Period of Use From To |
| (CFS, GPD, AF) | (Domestic, Irrigation, stock, etc.) | (Mo., Day) (Mo., Day) |
| | | (Both dates inclusive) |
- (4) 1.86 cfs TOTAL QUANTITY CLAIMED. SW ✓
- (5) A) Point of Diversion: Give location of point where water is diverted from its source Lot 9 ¼ (SE ¼ SW ¼) ¼
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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	3E	1									30								30
		2		40	34									10			5		89
		11	1																1
		1		(62)							0								
		2		(16)	34									0			0		44
		11	1																1

Sources outside Basin

Total no. of acres 93 48 48

- 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. 02-2423

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

(Signature of Authorized Agent)

On this 12th day of June

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

2K 11/17/3104

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 31736/02-2423 Priority Feb. 24, 1964 Amount 1.86 cfs

THIS IS TO CERTIFY, that TRIANGLE DAIRY, INC.
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 31736/02-2423 issued pursuant to Application for Permit dated February 24, 1964,
and has submitted proof to the Department of Water Resources on February 14, 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>1.86</u> cfs and	<u>465 acre feet or</u> <u>5.0 af per acre</u>
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 1.86 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
465 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 $\frac{1}{4}$	
6 S	3 E	1									3								3 0
		2		40	34									10				5	89
		11	1																1

Total number of acres irrigated 93

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

DATE OF EXAM 7-17-75

ACREAGE
Found 302
Recommended 302

Irrigation Requirement 5.0 Ac Ft/Ac

USE
Irrigation Q = 6.04 c.f.s. V = 1510.0 AF/Ann. from Mar. 15 to Nov. 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

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

Exchange? yes _____ no ☒

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

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

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

Total Q measured 23.01 cfs Method of measurement flowmeter & AA meter

Total Q recommended 6.04 cfs Meter No. 7330106 Type 30" Mcrometer Condition Questionable accuracy

Total V recommended 1510.0

Recommended Amendments:

P.D. _____
Place of Use see rough draft license
Other _____
None _____

MEASUREMENT CALCULATION:

see measurement notes

SYSTEM DESCRIPTION:
(3 Pumps from Bybee Canal) (#1 & #2) are Vertiline pumps w/ 150 HP
Hollaschaff & G.E. Motors (#D35033, CA124187). (#3) Johnson pump w/
75 HP G.E. motor #VYJ319154. 12" & 10" discharge into 30" penstock &
into canal system. 25 HP & Two 15 HP relief pumps w/
sprinkler systems.

REMARKS:

This system involves other permits & licenses as shown
on attached map.

Examiner's Signature

M. Clayton Barron

Date 7-17-75

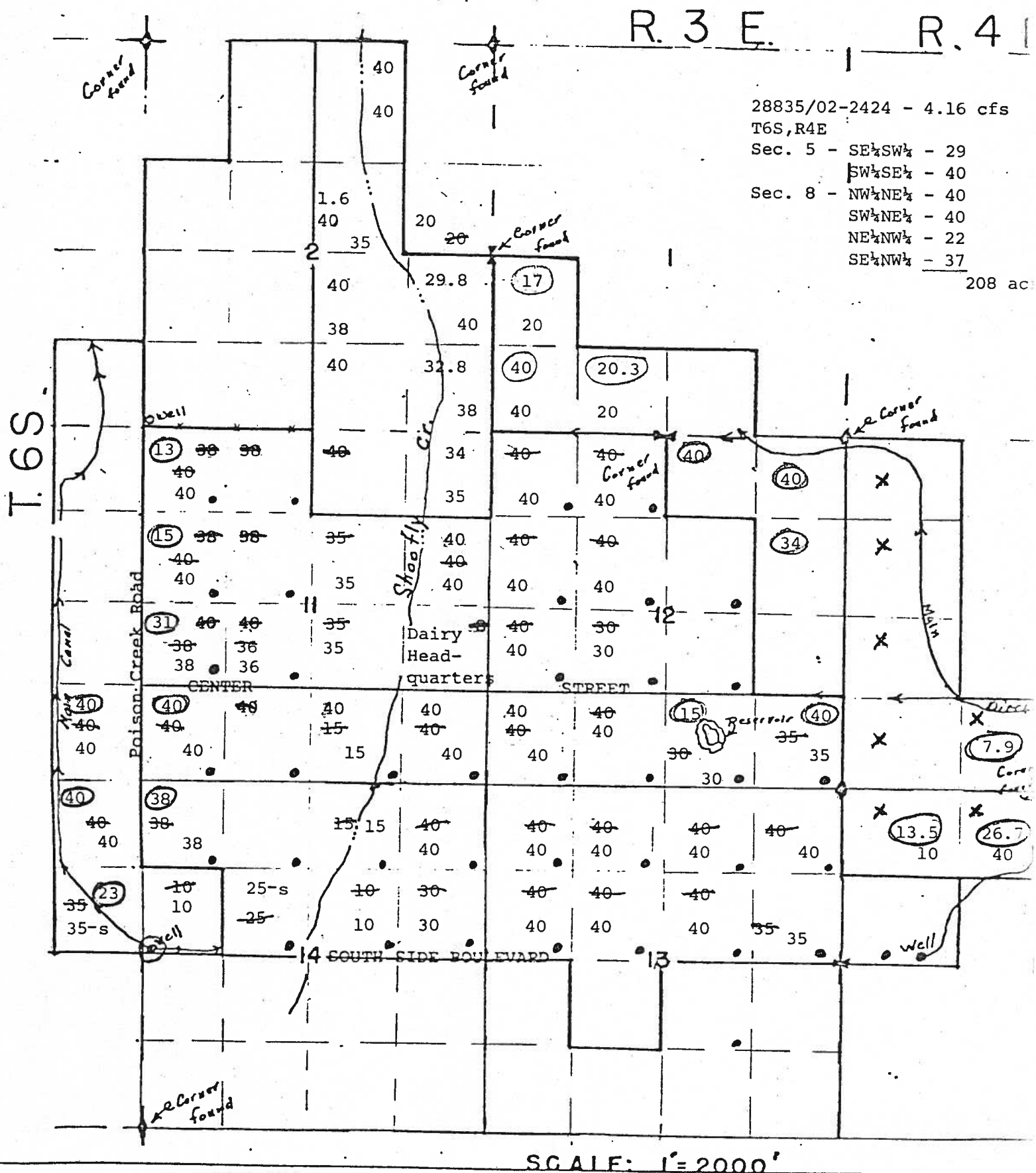
Checked by _____

Date _____

Approved by _____

Date _____

ORIENTATION MAP OF TATE ET. AL.



- 40 G-27341/57-2225 (5.46 cfs) well
- X 40 G-27341/57-2225 (2.00 cfs by Transfer No. 1062) = 14" per 40 well
- 19497/57-2180 (1cfs) well
- 40 28242/02-2152 (.96 cfs) Snake River
- 40 28243/02-2153 (1.55 cfs) Snake River
- 40 28244/02-2154 (2.76 cfs) Snake River
- 40 31736/02-2423 (proof taken 2/75 on 6.4 cfs - not yet licensed)
- 40 02-7005 (proof taken 1/24/73 on 5.6 cfs - not yet licensed)
- 40 31901/02-2308 (proof taken 5/22/75 on 24.9 cfs - not yet licensed)
- Decreed Water(Hinton vs Neiswanger) 11.21 when combined with 19497 above under Transfer No. 910
- 40 actually irrigated
- 40-s irrigated from subterranean source