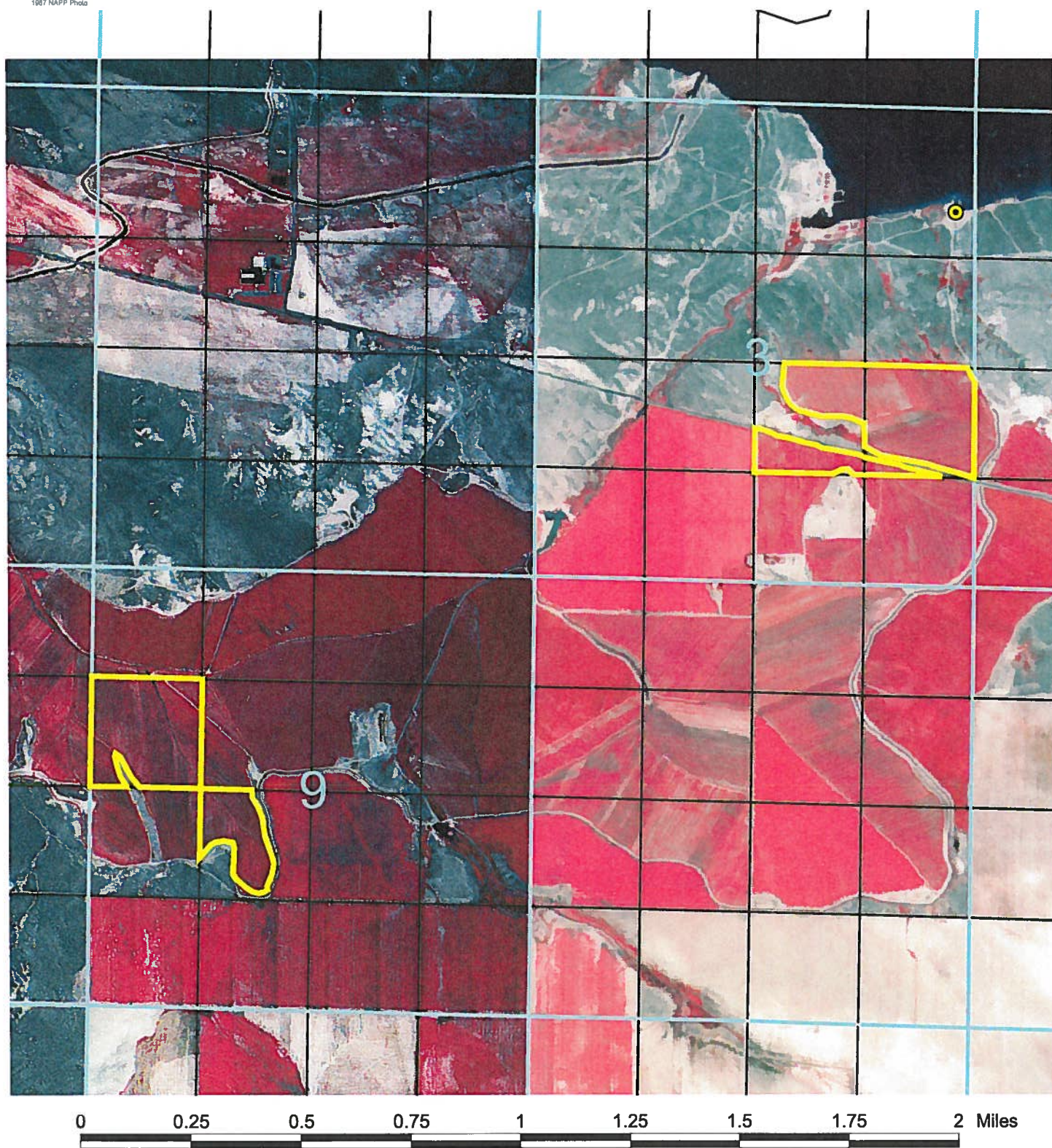


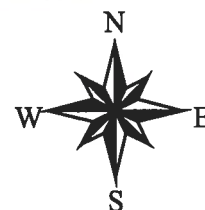
Idaho Department of Water Resources

1987 NAPP Photo



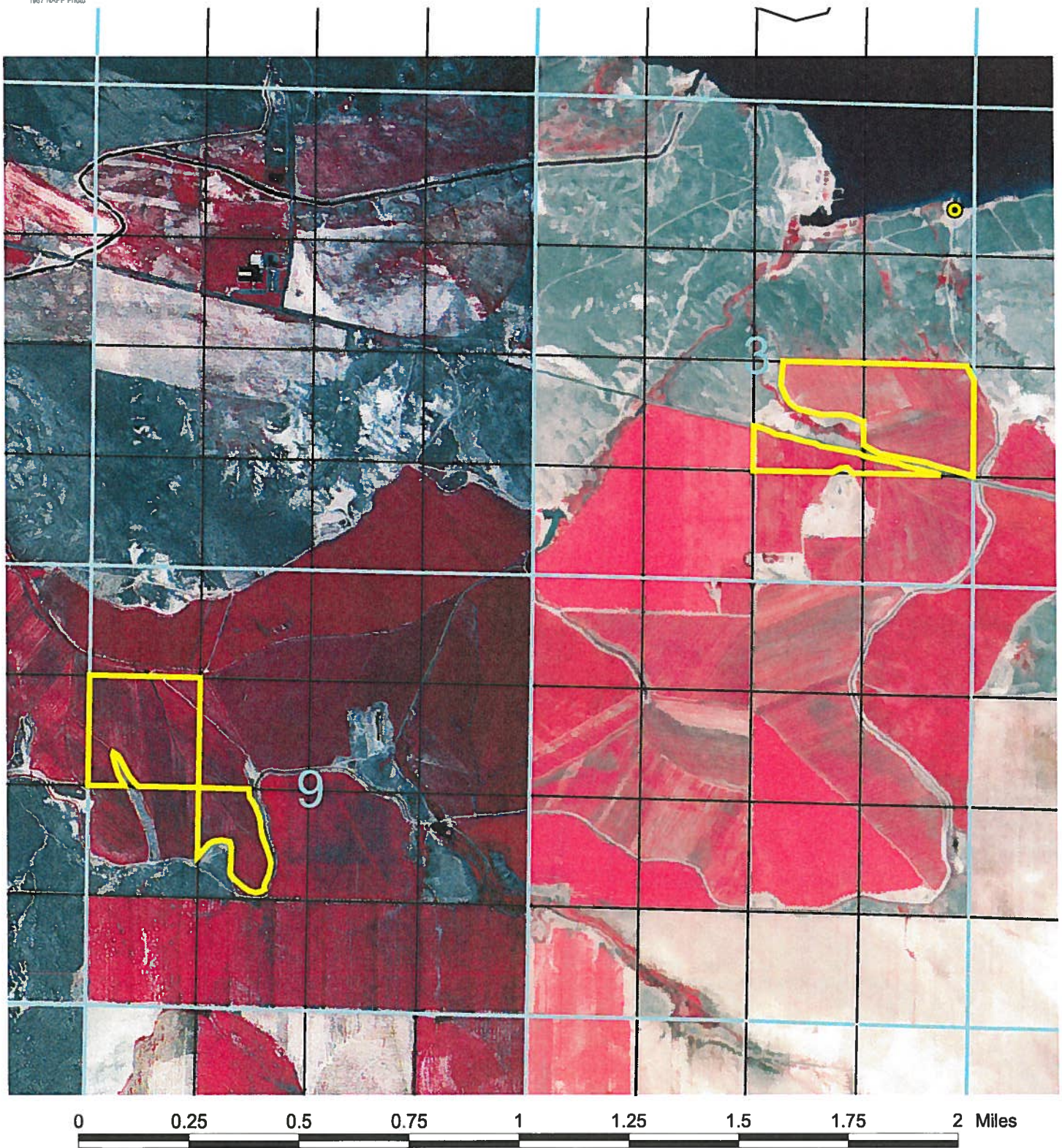
Claim Number: 02-4003B
Legal: T06S, R04E, S3 & S9
Reviewed By: JLD 8/1/05

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



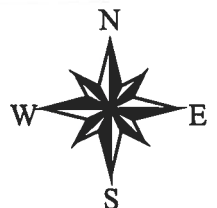
Idaho Department of Water Resources

1967 NAPP Photo



Claim Number: 02-4003B
Legal: T06S, R04E, S3 & S9
Reviewed By: JLD 8/1/05

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



08/01/2005

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

RIGHT NUMBER: 2-4003B

NAME AND ADDRESS: M L INVESTMENT CO
PO BOX 27
BOISE ID 83707-0027

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2.280 CFS

The rights listed below are limited to a total combined diversion rate of 22.99 cfs.

Combined Right Nos.: 2-2085, 2-2096, 2-2098, 2-2102, 2-2137, 2-2138, 2-4003A, 2-4003B, 2-7090B, & 2-10016.

PRIORITY DATE: 04/01/1964

POINT OF DIVERSION:

T06S R04E S3 NENE Lot 1 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	2.280 CFS

PLACE OF USE: IRRIGATION Within OWYHEE County

T06S R04E S03	NESE	39.0	T06S R04E S03	NWSE	25.0
T06S R04E S09	SWNW	38.0	T06S R04E S09	NESW	17.0

119 ACRES TOTAL

This right is limited to the irrigation of 114 acres within the place of use described above in a single irrigation season.

Right Nos. 2-4003A and 2-4003B are limited to the irrigation of a combined total of 119 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

The following rights are also diverted through point of diversion described above: 2-2085, 2-2096, 2-2098, 2-2102, 2-2137, 2-2138, 2-4003A, 2-4003B, 2-7090B & 2-10016.

This right is a split from former right 02-04003.

4003
A, B

Identification No. _____

Claim No. 02-4003

Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Grandview Realty, Inc., P. O. Box 2777, Boise, Idaho, 83701
post office address _____

2. The point of diversion is in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 3 Township 6S
Range 4E B.M. located on Snake River
(name of source)
tributary to Columbia in Owyhee County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

5 ac April 1 1961 amount: .1 c.f.s. or _____ acre feet
116 ac April 1 1964 amount: 2.32 c.f.s. or _____ acre feet
both get 4/61 _____ amount: _____ c.f.s. or _____ acre feet
Total claimed 2.42 c.f.s. or _____ acre feet

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use irrigation period of use from April 1 to October 31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of _____
length is _____ feet

Works consist of 1 turbine type pump, 150 horsepower, producing 3300 gpm; 1-60 hp turbine type pump, producing 1200 gpm; 1-275 hp centrifugal pump, producing 5800 gpm, all installed to fall into a 30" pipeline which is capable of carrying 1500 miner's inches. This falls into a ditch approximately 1/4 mile long. This is a private ditch which will readily carry 1500 miner's inches, then this branches into several laterals and distribution ditches over the entire area which will adequately carry all the water produced. One 275 hp pump and 1 200 hp pump were added to the system described above. I do not have the dates these were added.

02-4003

if feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions _____

[illegible]

02-4003

Disallow Conditions
P1, P3, P11, P12,

22.99 cfs Apr 63

Disallowed Rec. as 2-2-1985
22.5
22.5

10172
K02, K09, C11

Water Right #	Priority Date	Basis	Owner	POD	Diversion Amount	Remaining Diversion	Acres	cfs/acre
✓ 2-02085	11/14/1950	License	ML Investment Co.	6S 4E S3 NENE	12.3	10.69	632	0.019462025
✓ 2-02098	3/17/1952	License	ML Investment Co.	6S 4E S3 NENE	3.2	7.49	160	0.02
✓ 2-02096	3/18/1952	License	ML Investment Co.	6S 4E S3 NENE	1.66	5.83	632	0.002626582
✓ 2-02102	12/5/1952	License	ML Investment Co.	6S 4E S3 NENE	1	4.83	50	0.02
✓ 2-02137	9/4/1956	License	ML Investment Co.	6S 4E S3 NENE	0.66	4.17	33	0.02
(2-04003A)	4/1/1961	BU	ML Investment Co.	6S 4E S3 NENE	0.1	4.07	119	0.000840336
✓ 2-00005	6/16/1963	BU	ML Investment Co.	6S 4E S3 NENE	0.72	3.35	146	0.004931507
2-02138	6/16/1963	License	ML Investment Co.	6S 4E S3 NENE	2.2	1.15	146	0.015068493
2-04003B	4/1/1964	BU	ML Investment Co.	6S 4E S3 NENE	2.28	-1.13	119	0.019159664
2-10016	12/31/1986	BU	ML Investment Co.	6S 4E S3 NENE	1.66	-2.79	80	0.02075
2-07090B	8/24/1971	License	Thomas and Diana Nicholson	6S 4E S3 NENE	3.04	-5.83	152	0.02

3 pumps

pumps

pansion

91

Add to 2-2096 E37, E31

revenue :- 7-7-85

Overlaps

— 2-7090B Overlapping Claims

2-2085 - 11/14/30 - 12.30 - 632 - ≈ 0.0175 > 0.0001 ML Symplot
 2-2096 - 3/18/32 - 1.66 - 632 - ≈ 0.0026 ML Symplot owner, Symplot att
 (see 2-10016 for expansion)

2-4003A - 4/1/61 - 0.1 - 119 - ≈ 0.0008 > 0.02 ML, Symplot
 2-4003B - 4/1/61 - 2.28 - 119 - ≈ 0.0192
 (53 NESE39, NWSE25, 59 SWNW38, NESW12)
 2-4003 - Statutory 1+2.32 - 121 - 0.02 - fixed 8/29/63
 (53 NESE37, NWSE25, 59 SWNW39, NESW15, NESW55)

2-2137 - 9/4/56 - 0.66 - 33 - $= 0.02$ ML, Symplot
 (license "supplemental irrigation")

2-2098 - 3/17/32 - 3.2 - 160 - $= 0.02$ ML, Symplot

— 2-2137 overlapping claims

2-7090B (see above)

2-5 - 6/15/63 - 0.72 - 146 - $= 0.0049$ > 0.02 ML, Symplot
 2-2138 - 6/16/63 - 2.20 - 146 - $= 0.0151$ ML, Symplot

Claims

2-2137

claim POLK PK5 $\Rightarrow 2 \times 40 = 80$

claim POLK = 33

overlook

65 HE

54 NE-NW 2-2137 (?), 2-5(26), 2-2138(26) ✓

NW-NW 2-2137(24), 2-7090B(9), 2-7090B(40) (see PROK) ✓

overlook 27th PPOLL = 33 + 26 + 9 = 68 -

Claims

2-7090B

claim POU 145 $\Rightarrow 12 \times 40 = 480$ ac

claim acres $\Rightarrow 152$

tax lots $\Rightarrow$ all Simplelot

(S11 NWNW not on map)

706504E

Overlaps

52 NW5W 2-7085 (12), 2-7096 (12), 2-7090B (24) ✓

53 NWSE 2-4003A (25), 2-4003B (25), 2-7090B (9) ✓

SWSE 2-7085 (22), 2-7096 (22), 2-7090B (13) ✓

SESE 2-7085 (35), 2-7096 (35), 2-7090B (4) ✓

59 ^{5 full} NWNW 2-7137 (24), 2-7090B (9) ✓

SENW 2-7098 (36), 2-7090B (4) ✓

NW5W 2-7098 (36), 2-7090B (4) ✓

510 NESW 2-7085 (29), 2-7096 (29), 2-7090B (11) ✓

NW5W 2-7085 (12), 2-7096 (12), 2-7090B (27) ✓

NESE 2-7085 (25), 2-7096 (25), 2-7090B (13) ✓

511 NWNW 2-7085 (10), 2-7096 (10), 2-7090B (30) ✓

covered w/in PPOU = $152 + 12 + 35 + 32 + 35 + 24 + 36 + 29 + 12 + 25 + 10 = 418$

Simple 7011 (65 NE 53 LI NENE)

72-2-5 $\pm$ 6/16/63 - 7

12-30-2-7025 $\pm$ - 11/14/50 - 1 - 12.3

1-65-2-7096 $\pm$ - 7/15/52 - 3 - 17.2

5-20-2-7078 $\pm$ - 3/17/52 - 2 - 17.0

1-00-2-7102 $\pm$ - 12/3/52 - 4

✓ 66-2-7137 $\pm$ - 9/4/56 - 5

2-20-2-7155 $\pm$ - 6/16/63 - 7

2-20-2-4003A $\pm$ 4/1/61 - 6

2-23-2-4003B $\pm$ 4/1/61 - 9

✓ 3-04-2-7070B $\pm$ 8/24/71 - 10

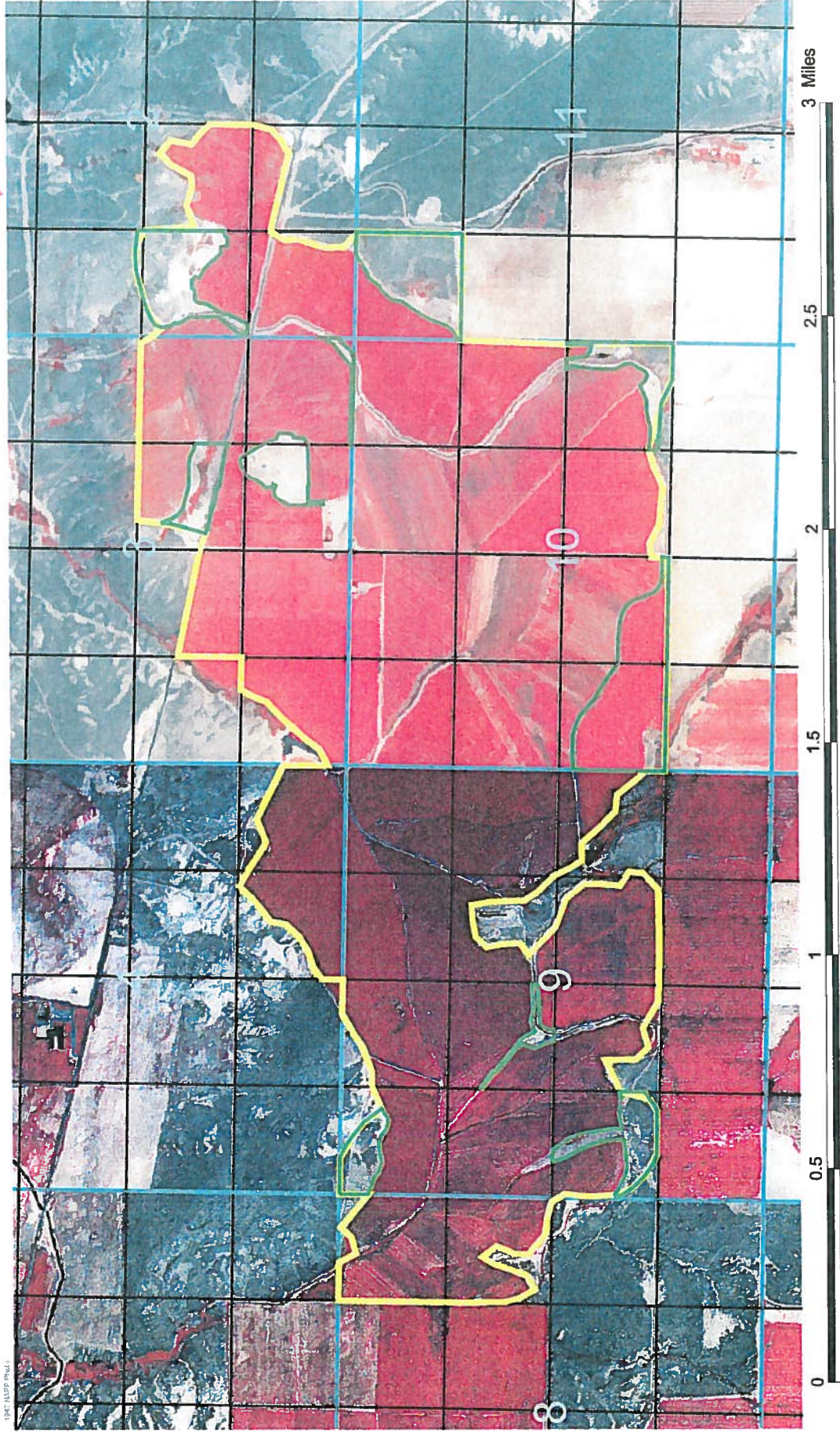
1-65-2-10016 $\pm$ (approx. 100' of 2-2096) - 12/3/50 - 11

$\Sigma = 25.32$

* M. K. Investment Co (over)

1 M. Investment Co (772 net acres)

Idaho Department of Water Resources

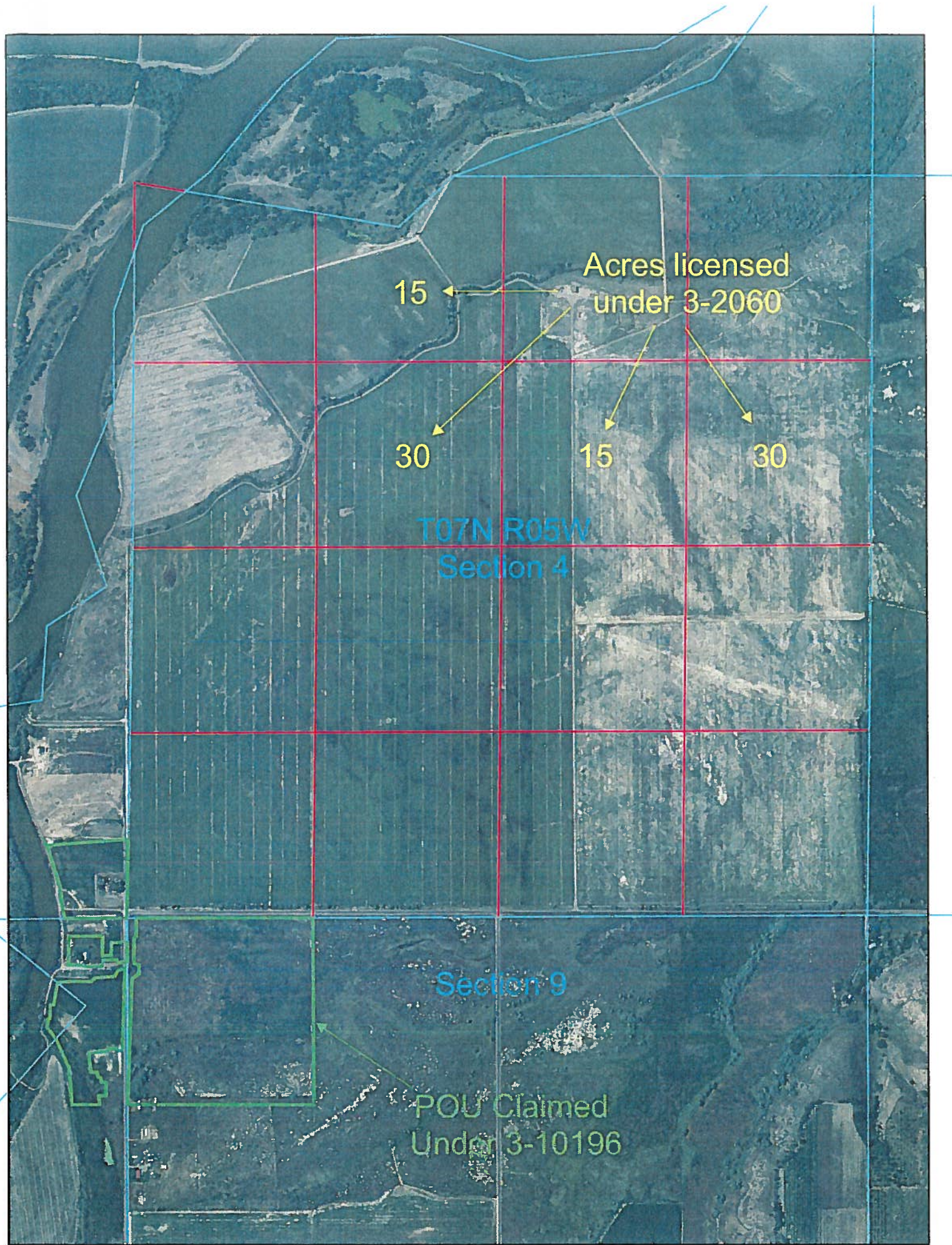


Farm 2 Approximate Place of Use
 Legal: T06S, R04E, S2-4, 8-11
 Claim Numbers: 2-2085, 2-2096, 2-2098
 2-2102, 2-2137, 2-2138, 2-4003A
 2-4003B, 2-7090B and 2-10016

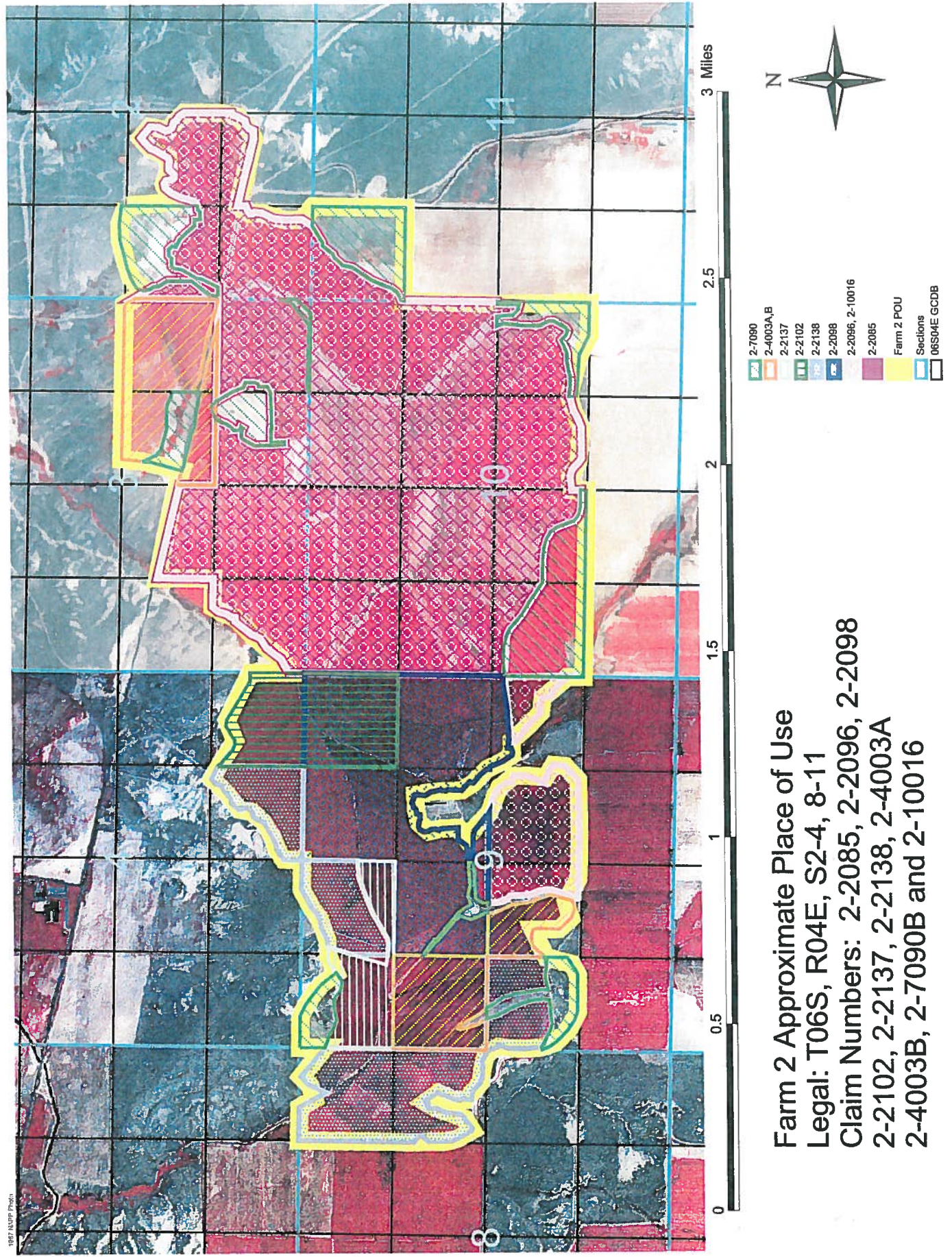
2-7090B Rec POU
 Farm 2 POU
 Sections
 06S04E GCDB

Claim Number	Recommendation Status	Acres	TextBlock
2-5	Disallowed	146	FARM 2.□□
2-2085	JD verified	632	FARM 2
2-2096	JD verified	712	FARM 2 SEE CLAIM A02-10016 FOR EXPANSION OF THIS RIGHT
2-2098	JD verified	160	FARM 2
2-2102	JD verified	50	FARM 2
2-2137	SR verified	33	FARM 2
2-2138	JD verified	146	FARM 2
2-4003A	JD verified	119	FARM 2
2-4003B	JD verified	119	FARM 2
2-10016	JD verified	712	See 2-2096 above

2-7090B	SR verified	152	Needs Change of Ownership
---------	-------------	-----	---------------------------

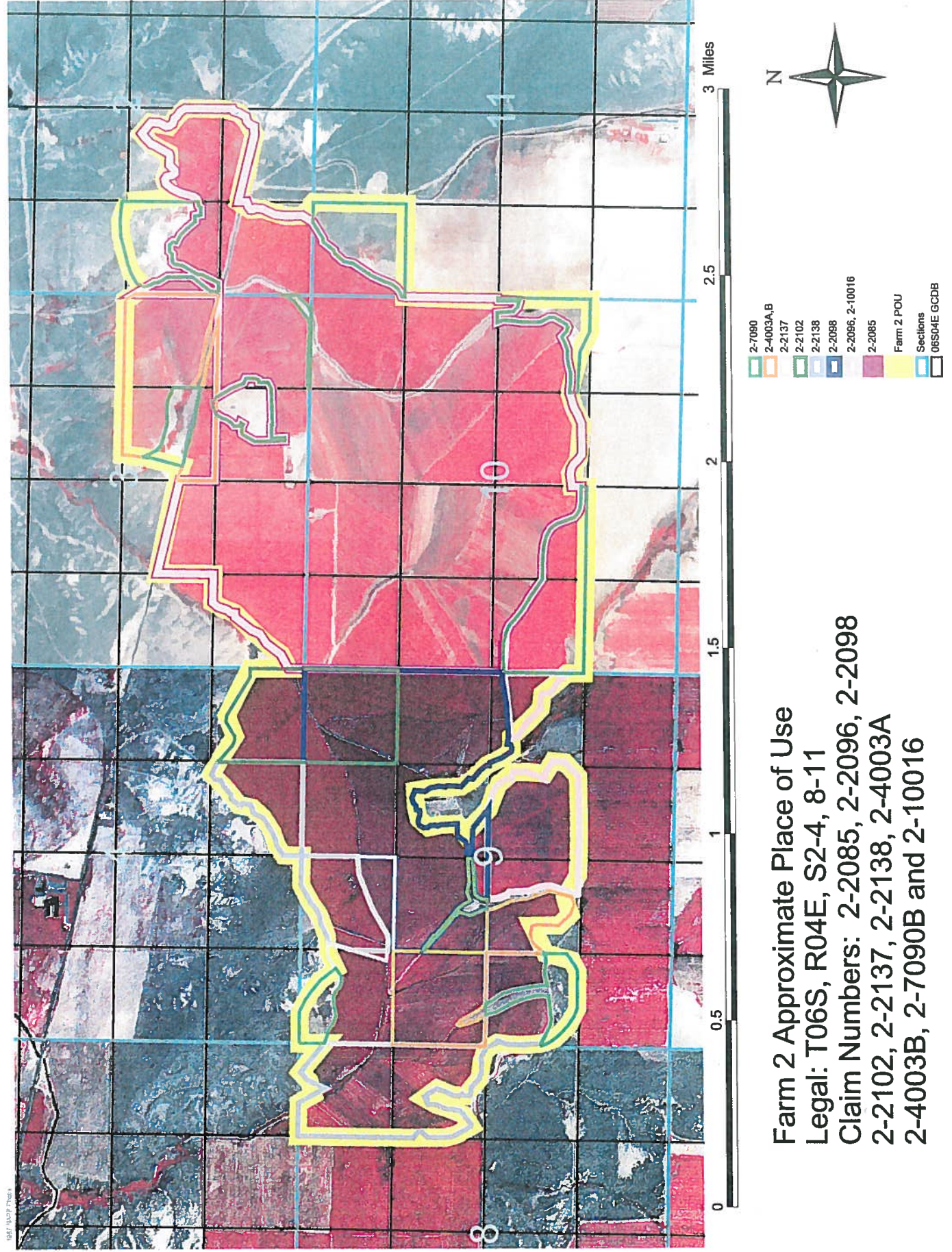


Idaho Department of Water Resources



Farm 2 Approximate Place of Use
 Legal: T06S, R04E, S2-4, 8-11
 Claim Numbers: 2-2085, 2-2096, 2-2098
 2-2102, 2-2137, 2-2138, 2-4003A
 2-4003B, 2-7090B and 2-10016

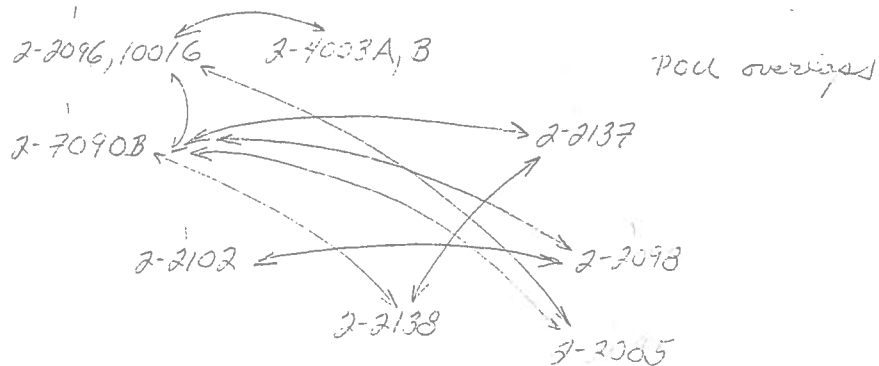
Idaho Department of Water Resources



Farm 2 Approximate Place of Use
Legal: T06S, R04E, S2-4, 8-11
Claim Numbers: 2-2085, 2-2096, 2-2098
2-2102, 2-2137, 2-2138, 2-4003A
2-4003B, 2-7090B and 2-10016

2-2085	632	12.3	$E5 + 76 = 632$
2-2096	712 (132)	1.66	$76 + 10016 \leq 1.66$
2-2098	160	3.2	
2-2102	50	1.0	
2-2137	33	0.66	
2-2138	146	2.2	
2-4003A	119 (5)	0.1	$4003A + 4003B \leq 119$
2-4003B	~~119 (5)~~	2.28	$\Sigma 11) \leq 22.99$
2-7090B	152	3.04	Overlap
2-10-16	~~712 (50)~~	~~1.66~~	enlargement of 2-2096

Sum 2 sheets = 1408 acres ← E56 POU-configuration



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-0400 B Date: 7 31 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	6S	4E	3													39	25			
GIS																40	40			
Claim			9							38		17								
GIS										40		40								
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's

Total Claimed Acres: 9

Overlapping FOU Claim #'s:

Total GIS Acres:

02-04003A, 02-07090B, 02-10016

COMMENTS:

per claim map.

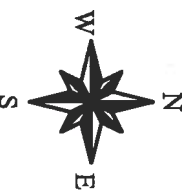
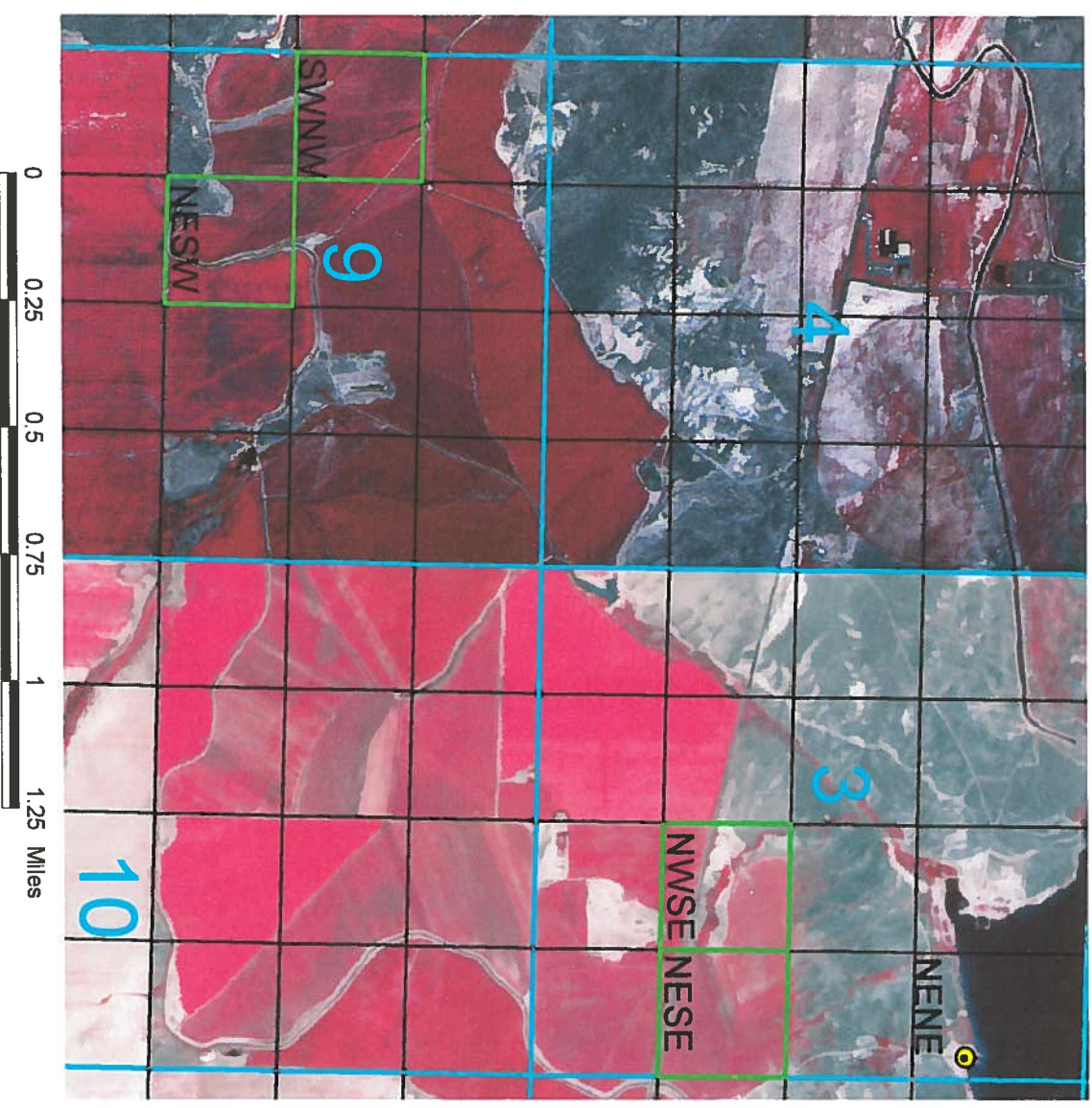
POD per claim legal.

Idaho Department of Water Resources

Claim Number: 02-04003B
Legal: T06S, R04E, S03, 09
Reviewed By:

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

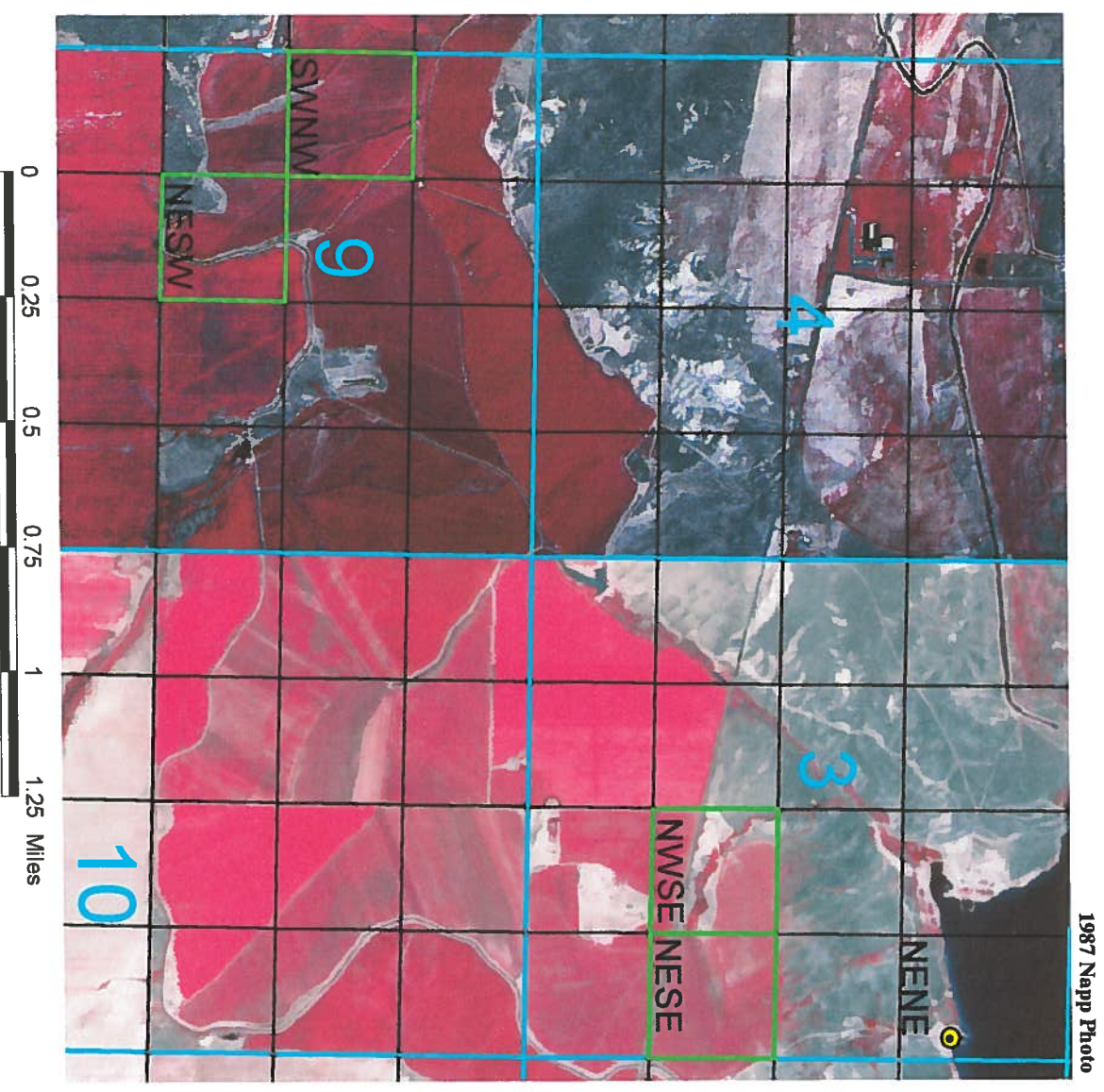
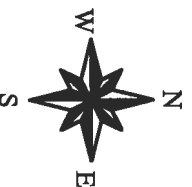
1987 Napp Photo



Idaho Department of Water Resources

Claim Number: 02-04003B
Legal: T06S, R04E, S03, 09
Reviewed By:

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



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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A02-04003B

Date Received: 3/1/89

Receipt No: C005639

Received By: gr

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAR 01 1989

Department of Water Resources

1. Name: M. L. INVESTMENT CO.
Address: P. O. BOX 27
BOISE, ID

83707

2. Date of Priority: APR 01, 1964

3. Source: SNAKE RIVER

Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	04E	3	NE	NE		1	OWYHEE

5. Description of diverting works:
PUMP AND CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.280		

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

A.F.A.

8. Total consumptive use is 416.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	04E	3	NE	SE		IRR	39.0
			NW	SE		IRR	25.0

Section Acres 64.0

A02-04003B

Page 1

Date: 02/24/89

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AUG 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	04E	9	SW	NW		IRR	38.0
			NE	SW		IRR	17.0
						Section Acres	55.0
						Total Acres	119.0

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:
02-04003A

14. Remarks:
FARM 2

15. Basis of Claim: BENEFICIAL USE

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 Map

For Organizations:

I do solemnly swear or affirm that I am _____ Secretary _____ of _____ Title _____

M. L. Investment Co. _____, that I have signed the foregoing _____ Organization _____

document in the space below as _____ Secretary _____ of _____ Title _____

M. L. Investment Co. _____ and that the statements contained in the _____ Organization _____
foregoing document are true and correct.

James L. Young
Signature of Authorized Agent

Secretary, M. L. Investment Co.
Title and Organization

2-28-89

Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 28th day
of February 19 89

Vicki A. Lower
Notary Public

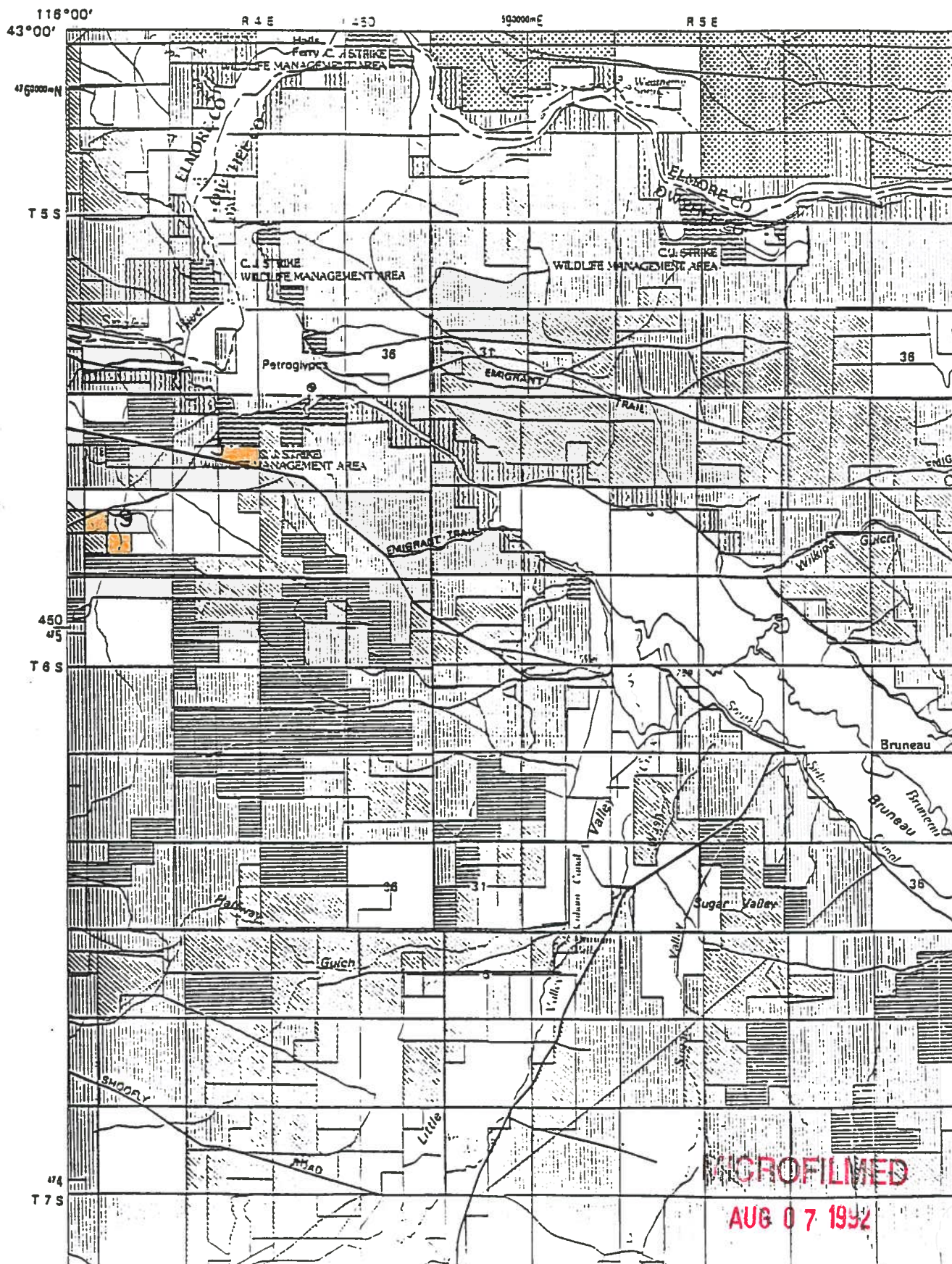
Seal

Residing at Meridian, Idaho

My Commission Expires 11-06-91

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

MURPHY



MICROFILMED

AUG 07 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

W.O.

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 20, 1994

RECEIVED

MAY 20 1994

WATER RESOURCES
WESTERN REGION

HOLLY PEPE
LEGAL DEPARTMENT
J R SIMPLOT COMPANY
PO BOX 27
BOISE ID 83707-0027

RE: Snake River Basin Adjudication (SRBA)
Co-counsel for J. R. Simplot Company

Dear Ms. Pepe:

Our records were modified May 19, 1994, to reflect Terry Uhling and Gray Young as co-counsel for J. R. Simplot Company. Bruce Belzer was removed from the water right claim records on which he appeared as counsel.

Thank you for your assistance. If you have any questions, please contact me.

Sincerely,

Sally Sherman
Secretary, Adjudication Bureau
Department of Water Resources

SS:regions

MICROFILMED

AUG 16 1994

CORPORATE HEADQUARTERS

RECEIVED

MAY 20 1994

WATER RESOURCES
WESTERN REGION

April 12, 1994

RECEIVED

APR 14 1994

Department of Water Resources

Donald V. Shaff
Manager, Adjudication Section
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

*Records modified 05-19-94
by Don Shaff. Sel. file
copy attached.
-Sal*

RE: Snake River Basin Adjudication
Case No. 39576 and Subcase Nos. 36-13320 & 57-02203A

Dear Mr. Shaff:

In response to your letter of March 24, 1994, please modify your records to reflect that Terry T. Uhling and Gray Young are co-counsel of record in the above referenced matter. Mr. Uhling and Mr. Young are in-house counsel for J. R. Simplot Company, and, therefore, would be apprised of all matters relating to the claims of Simplot and its related company subsidiaries and affiliates as a matter of course. The attached Exhibit A does represent all water rights we are aware of at this time to which the Notice applies.

For your information, I have also enclosed a copy of a letter and attached Notice of Withdrawal from Diana Delaney, Chief Deputy Clerk of the Snake River Basin Adjudication Clerk's Office, which indicates that Bruce Belzer never was recorded as being counsel for J. R. Simplot Company.

If you have any questions, feel free to call me at 389-7201.

Sincerely,



Holly Pepe
Legal Department

/hp
Enclosures
5517v

MICROFILMED

AUG 16 1994

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



RECEIVED
APR 14 1994
Department of Water Resources

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
(208) 736-3011
FAX (208) 736-2121

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

April 6, 1994

Gray Young
Terry Uhling
J. R. Simplot Company
P.O. Box 27
Boise, ID 83707

Records modified 05-19-94
by Don Shaff. Sel. file
copy attached. - Sel

RE: Appearance of J. R. Simplot in Subcase Nos. 36-13320 and 57-02203A

Dear Mr. Young and Mr. Uhling:

Enclosed I am returning your *Notice of Withdrawal of Counsel* which was received by the court on April 5, 1994, and which stated that Bruce L. Belzer was withdrawing as counsel for J. R. Simplot Company in the above-referenced subcases.

After a search of the files for the above subcase, I am unable to locate any appearance by Bruce L. Belzer. However, on January 28, 1994, a *Notice and Entry of Appearance* was filed on behalf of J. R. Simplot in these subcases. That notice listed Gray Young and Terry Uhling as counsel for J. R. Simplot.

Sincerely,

A handwritten signature in cursive script that reads "Diana R. Delaney".

Diana R. Delaney
Chief Deputy Clerk

DRD

Enclosure

cc: Chief, Natural Resources Division
U.S. Department of Justice

MICROFILMED
AUG 16 1994

1 GRAY YOUNG, Assistant General Counsel
2 TERRY T. UHLING, Assistant General Counsel
3 Environmental & Regulatory Affairs
4 J. R. SIMPLOT COMPANY
5 P.O. Box 27
6 999 Main Street, Suite 1300
7 Boise, Idaho 83707
8 Telephone: (208) 389-7318
9 Fax: (208) 389-7515

10 Attorneys for J. R. Simplot Company

1994 APR - 5 PM 12:52
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

13 In Re the General Adjudication)
14 of Rights to the Use of Water)
15 from the Snake River Basin)
16 Water System.)

Civil Case No. 39576

17 The State of Idaho, ex rel.)
18 R. Keith Higginson in his)
19 official capacity as director)
20 of the Idaho Department of)
21 Water Resources,)

22 Petitioner,)

23 v.)

NOTICE OF WITHDRAWAL
OF COUNSEL

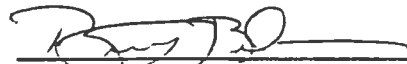
24 The United States; the State of)
25 Idaho; and all claimants to the)
26 use of water from the Snake)
27 River Basin Water System,)

28 Defendants.)

1 **PLEASE TAKE NOTICE** that Bruce L. Belzer hereby withdraws as
2 counsel of record for J. R. Simplot Company in the above entitled matter
3 and the following listed subcases:
4

5 36-13320
6 57-02203A

7 DATED this 4~~th~~ day of April, 1994.
8

9 

10 Bruce L. Belzer
11 Assistant General Counsel for
12 J. R. Simplot Company
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CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of April, 1994, I caused to be served a true and correct copy of the foregoing by United States mail, postage prepaid, addressed to the following:

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Burley, Idaho 83318

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Rexburg, Idaho 83440

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MICROFILMED

AUG 16 1994

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P.O. Box 306
Fort Hall, Idaho 83203

17 Craig R. Zaiss
18 CRAIG R. ZAISS, P.A.
19 Attorney at Law
20 305 Grover Street
21 P.O. Box 628
Parma, Idaho 83660

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

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

1 United States Department of Justice
2 Environment & Natural Resources Division
3 550 West Forth Street, Box 33
4 Boise, Idaho 83724

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

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

**NOTICE OF CLAIM
TO A
WATER RIGHT**

02-4003B I.D. No.	Map No.
\$ 85. Fee Paid	19461 Receipt No.

Notice is hereby given that M. L. INVESTMENT Company
(Name of Claimant)

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

Telephone No. Tom Blessinger
342-8194

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

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 4/01/1964

(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 2.32 2.28 Use irrigation Period of Use From 3/15 To 11/15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 2.32 2.28 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source NE Lot 1 NE 1/4
Sec. 3, Twp. 6S, Rge. 4E, B.M., Owyhee County
Additional Points: SCI: 2720(1) 492.8 492.7

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

(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	4E	3													27	25			52 64
		9							39	15					39				59 55
									38	17									

Total no. of acres 121 119

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 Farm 2 - Pre-Adjudication claim by Grandview Realty.

(9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case.

☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 02-4003

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

April 27, 1981
(Date)

(Signature of Claimant)

State of Idaho

Organization

County of Ada

Seal

Organization M. L. INVESTMENT COMPANY

By: Ronald N. Graves
(Signature of Authorized Agent) Secretary

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

a notary public, personally appeared Ronald N. Graves

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

My commission expires 4/27/83

Notary Public residing at Boise, Idaho

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by RL

Date 4/29/82

Right No. 02-4003B

Claimant M.C. INVEST.

Recommendation differs from claim: ☒ Yes ☐ No ☐ Disallow
(Document any differences)

Claim Details Verified Against:

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

☐ License

☒ Previous Statutory Claim.

☐ Permits, valid or lapsed. Number(s) if different than above _____

☐ Decree. Name & date _____

☐ Conveyance Loss Calculations. See printout included.

☐ Title abstract. ☐ In file. Or, Name & location _____

☐ County records. ☐ In file. Or, Name & location _____

☐ Affidavits. ☐ In file.

☐ Posted Notices, Water Locations Notices. ☐ In file.

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

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

☐ Metzker Maps. Identify _____

☐ A.S.C.S. Records. Year & Photograph No. _____

☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____

☐ Historical Books. Name(s) & location _____

☐ Interview(s). Attach conversation memorandum.

☐ Other _____

☐ _____

Field Exam Made: ☐ Yes ☒ No Date _____

☐ Adj. Report in file ☐ Beneficial Use Report in License (S.O.) File
SEE MEMO 7/23/81

Measurement _____ cfs. Amount recommended _____ cfs.

Type of measuring device: _____ Meter No. _____

Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. 1974 OQ C.J. STRIKE

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☒ Yes ☐ No

Remarks _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

MICROFILMED
AUG 16 1994

To appropriate the public waters of the State of Idaho

1. Name of applicant GEO THERMAL FISHERIES, INC. Phone 939-0358

Post office address Rt. 1, Artesian Rd., Eagle, ID 83616

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is SE ^{Lot 1} $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 21 Township 1N

Range 3W B.M. Owyhee County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .5cfs for commercial purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .2cfs for heating purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .04cfs for domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .5 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, pipeline to place of use;
raceways for fish propagation

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 8 inches; proposed depth of well is 550 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation: ^{Lot 1}
(1) Give the place of use of water: SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 21 Township 1N

Range 3W B.M. _____

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 4 persons.

(5) If water is to be used for other purposes describe: _____

Culture of exotic fishes and prawn research

02-4003A#B

02-4003A#B

7/23/81

From: D. SHAFF

I BELIEVE A FIELD EXAM FOR THIS RIGHT IS NOT NECESSARY. A FIELD EXAM FOR SEVERAL PERMITS ON THE SAME LANDS SHOWED A DIVERSION RATE OF 22.99 CFS FOR LICENSED AMTS OF 19.36 CFS. THESE TWO B/U RTS TOTAL LESS THAN THE ABOVE DIFFERENCE.

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

02-4003R I.D. No.	Map No.
\$ <u>85.</u>	<u>1946/</u>
Fee Paid	Receipt No.

Notice is hereby given that M. L. INVESTMENT Company
(Name of Claimant) Tom Blessinger
P. O. Box 27 Boise, ID 83707 Telephone No. 342-8194
(Mailing Address) (Zip Code)

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

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 4/01/1964
- (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>2.32</u>
(CFS, GPD, AF) | Use <u>irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>3/15</u> To <u>11/15</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
- (4) 2.32 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source Lot 1 NE 1/4 NE 1/4
Sec. 3, Twp. 6S, Rge. 4E, B.M., Quayhee County
Additional Points: _____
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Pump and canal
- (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	
6S	4E	3													37	25			62
		9							39		15				5				50

Total no. of acres 121

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 Farm 2 - Pre-Adjudication claim by Grandview Realty

- (9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

RECEIVED

JUN 22 1981

Department of Water Resources
Western Regional Office

Identification No. _____
Claim No. 02-4003
Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT
Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Grandview Realty, Inc., P. O. Box 2777, Boise, Idaho, 83701
post office address _____
2. The point of diversion is in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 3 Township 6S
Range 4E B.M. located on Snake River
(name of source)
tributary to Columbia in Owyhee County.
3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.
 - a. Date of priority claimed:

April 1st 1961 amount: 0.15 c.f.s. or _____ acre feet
April 1st 1964 amount: 2.32 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed 2.42 c.f.s. or _____ acre feet.
 - b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use irrigation period of use from April 1 to October 31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).
4. Description of diverting works:
 - a. Surface water diversion dam and/or headgate: material is composed of _____

_____; if so, give dates and explain _____

ing date and dimensions if possible.

is reservoir on or off stream, _____ explain _____

if feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions _____

has there been any enlargement of the reservoir since it was first built_____, if so, give dates and describe_____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]