

VERIFIED BY 9/10/97

AJ5856NP

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

DATE: SEP-10-1997
PAGE: A-25

RIGHT NUMBER: 43-10400

NAME & ADDRESS: J R SIMPLOT COMPANY
PO BOX 27
BOISE ID 83707

SOURCE: GROUNDWATER

QUANTITY: 0.12 CFS

PRIORITY DATE: 01/01/1950

POINT OF DIVERSION: T11S R27E S30 NESENW Within CASSIA County

PURPOSE AND	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PERIOD OF USE:	STOCKWATER	01-01 12-31	0.12 CFS

PLACE OF USE: STOCKWATER Within CASSIA County
T11S R27E S30 NWNE SENW

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP11S27E300600
STOCKWATER, 400 CATTLE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 12, 1997

VIC CONRAD
J R SIMPLOT COMPANY
PO BOX 27
BOISE ID 83707-0027

RE: SNAKE RIVER BASIN ADJUDICATION CLAIMS A43-00481 & A43-10400

Dear Mr. Conrad:

The Department of Water Resources is currently in the process of reviewing domestic and stockwater claims in Basin 43 for a Director's Report of our recommendations of the rights which will be issued at the end of November 1997. It appears there may be a conflict between claims A43-00481 and A43-10400. They seem to refer to the same well. If this is true, only one can be recommended. I have enclosed copies of both claims and a map for your reference. Please give me a call at the office (208-733-3033) so we can set up an appointment or discuss the problem. As we are under a deadline to complete these reviews for the Director's Report, I ask that you respond by September 30th. If I do not hear from you by then, I will probably have to disallow one of the claims.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent

/jr
Enclosures:

*(disallowed A43-00481
✓ recommended as
A43-10400)
9/29/97*

OWNER CODE	NAME & ADDRESS	PRIORITY	WATER USE	USE PERIOD		DIVERSION	DIVERSION
		DATE		FROM	TO	RATE	VOLUME
C	J R SIMPLOT COMPANY PO BOX 27 BOISE ID 83707 (208) 336-2110	01/01/1950	STOCKWATER	01-01	12-31	0.12 CFS	
TOTAL DIVERSION:						0.12 CFS	

Water Source: GROUNDWATER Tributary to: Stage: BENEFICIAL USE

Point(s) of Diversion: T11S R27E S30 NESENW CASSIA County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE								
NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:
11S	27E	30	:							:					:					:
			:	S						:					:					:

POU County: CASSIA

Non-Irrigation Uses: STOCKWATER, 400 CATTLE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A43-00481 A43-10400 R43-00481

Other Water Rights Listing Overlapping Place(s) of Use:
A43-02483

C007327
25.00

Remarks: GEN PARCEL NO. RP11S27E300600

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

Audit: 04/20/92 SMITH 04/21/92 SMITH 07/15/92 SMITH 04/02/93 CAN-SHAF
 05/19/94 CAN-SHAF 03/30/95 POST-STD

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: A43-10400

Date Received: 6-08-89

Receipt No: 6007327

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J. R. SIMPLOT COMPANY 208-336-2110
Address: P.O. BOX 27
BOISE, ID 83707

2. Date of Priority: JAN 01, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	27E	30	NE	SE	NW		CASSIA

5. Description of diverting works:
WELL, PUMP, LINES, 2 WATER TANKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.120		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
400 HEAD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	27E	30	NW	NE		STOCK	
			SE	NW		STOCK	

11. Place of use in counties: CASSIA

A43-10400

Page 1

Date: 06/08/89

MICROFILMED
MAR 05 1993

13. Other Water Rights Used:
NONE

15. Basis of Claim: BENEFICIAL USE

(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: One Map

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

J. R. Simplot Company, that I have signed the foregoing
Organization
document in the space below as Secretary of

J. R. Simplot Company and that the statements contained in the
Organization
 foregoing document are true and correct. James R. Simplot

Signature of Authorized Agent

Secretary, J. R. Simplot Company

Title and Organization

6-8-89
Date

State of Idaho)
) SS.
County of Ada)

Subscribed and sworn (or affirmed) before me this 8th day
of June 19 89 Vicki A.

Notary Public

Residing at Meridian

My Commission Expires 11-06-91
2 Date: 06/08/89

A43-10400

Page

06/08/89
MICROFILMED
MAR 05 1993

10400

100

INPUT: AJ_SELECTION:FRAZEE-NAME-SIMPLOT.SEL

TYPE OF ACTION: ADD
MODIFY ALL FIELDS FLAG:LAST NAME: YOUNG, GRAY OR BRUCE DELZER
ADDRESS LINE 1: J R SIMPLOT CO LEGAL DEPT
ADDRESS LINE 3: PO BOX 27
CITY: BOISE

STATE: ID ZIP: 837070027

FIRST NAME:
ADDRESS LINE 2: 999 MAIN ST STE 1300
PHONE NUMBER: (208) 389-7318

A43-02485	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-02488	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-02489	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-02504	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-02505	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-02516	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-02517	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-02519	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-02522	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-02536	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-02547	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-02548	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-02569	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-02575	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-04021A	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-04021B	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-04194	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-04195	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-04197	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-04199	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-04202	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-07056	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-07068	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-07145	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-10397	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-10398	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-10399	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-10400	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-10401	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-10402	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-10403	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-10404	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-10405	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-10406	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-10407	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-10408	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-10426	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-10578	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-10579	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-10590	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-10591	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A43-10592	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A45-02179	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A45-02719	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A45-02746	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A45-11847	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A47-04312	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A51-02140	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE
A57-02202	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO	NAME	FILE

GRAY YOUNG
BRUCE BELZER
Attorneys at Law
J. R. Simplot Company Legal Department
999 Main Street, Suite 1300
P.O. Box 27
Boise, ID 83707
(208) 389-7318
(208) 389-7515 Telefacsimile

Attorneys for J. R. Simplot Company

RECEIVED
JAN 21 1992

Department of Water Resources

RECEIVED

APR 06 1993

Department of Water Resources
Southern Region Office

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF CASSIA

In Re the General Adjudication
of Rights to the Use of Water
From the Snake River Drainage
Basin Water System.

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States;
The State of Idaho;
and All Claimants to the Use
of Water from the Snake River
Basin Water System,

Respondents.

ALICE FOSHA, HELEN FLINT, and
BEVERLY ADAMS, individuals,

Plaintiffs,

vs.

A. KENNETH DUNN, Director of the
Department of Water Resources
of the State of Idaho,

Twin Falls County
Civil Case No. 39576

and

Cassia County
Civil Case No. 13770-12-83

NOTICE OF APPEARANCE

*Don modified thru
C.A.N. program.*

*4-1-93
- Af*

Defendants.)

IN THE MATTER OF THE GENERAL)
DETERMINATION OF RIGHTS TO THE)
USE OF GROUNDWATER DIVERTED)
FROM SECTIONS 19, 20, 21, 28, 29,)
30, 31, 32, AND 33, T. 11 S.,)
R. 27 E., B.M.)

A. KENNETH DUNN, Director of the)
Department of Water Resources)
of the State of Idaho,)

Counterplaintiff,)

vs.)

ALICE FOSHA, HELEN FLINT, and)
BEVERLY ADAMS, individuals,)

Counterdefendants.)

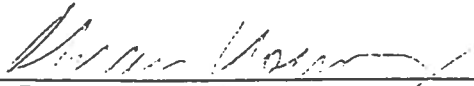
TO ALL PARTIES:

GRAY YOUNG, Assistant General Counsel, J. R. Simplot
Company, hereby enters his appearance as co-counsel on behalf
of J. R. Simplot Company in this action. All notices to
J. R. Simplot Company should be delivered to the following
address:

Gray Young
Bruce Belzer
J. R. Simplot Company
Legal Department
999 Main Street, Suite 1300
P.O. Box 27
Boise, ID 83707

DATED this 20th day of January, 1992.

By


GRAY YOUNG
Assistant General Counsel

4507v/1-20-92/1:42

CERTIFICATE OF MAILING

I HEREBY CERTIFY that a true and correct copy of the foregoing NOTICE OF APPEARANCE was mailed this 20th day of January, 1992, in an envelope with sufficient first-class postage prepaid thereon to the following:

Idahome Farms, Inc.
1925 Oakley Avenue
Burley, ID 83318

Dennis Jay Harper
Star Route
Declo, ID 83323

Roland Allen Land &
Livestock
Star Route
Malta, ID 83342

Mark J. Taylor
Strong & Hanni
5th Floor, Boston Building
Salt Lake City, UT 84111
Attorney for Fosha, et al.

Leo A. Jardine
Jardine, Linebaugh,
Brown & Dunn
Suite 400
370 East South Temple
Salt Lake City, UT 84111
Attorney for Raft River Ranches, Inc.

A. Lynne Krogh-Hampe
Deputy Attorney General
Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706-2237


VICKI SPANGLER

WATER RIGHT NUMBER - A43-10400

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (0) NUMBER -

+ - - - - LAST NAME - - - - + + - FIRST NAME - - + + - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
J. R. SIMPLOT COMPANY

1 - P.O. BOX 27
2 -
3 -
CITY- BOISE
PHONE - 208-336-2110

STATE- ID ZIP- 83707

*** K - ALSO KNOWN AS ***
SIMPLOT

1 -
2 -
3 -
CITY- BOISE
PHONE - 208-000-0000

STATE- ID ZIP- 83707

+ - - PRIORITY DATE - - + + - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
01/01/1950

J - BENEFICIAL USE

+ - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +

GROUNDWATER

+ - - - - - - - - - - - - - - - - - POINT OF DIVERSION - - - - - - - - - - - - - - - - +

TWN RNG SEC TRACT LOT RFLG COUNTY

STREAM INDEX (BLANK IF NO INDEX CODE)

11S 27E 30 NE SE NW (31) CASSIA

+ - - - - - - - - - - - - - - - - - WATER USE - - - - - - - - - - - - - - - - +

CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

04 - STOCKWATER 01/01 12/31 0.120

+ - - TOTAL DIV. RATE - + + - - TOTAL DIV. VOLUME - + + - - TOTAL DIV. CAPACITY - + + - - TOTAL CONSUMPTIVE USE - + + - - KW USAGE - - +

0.120

+ - - - - - - - - - - - - - - - - - PLACE OF USE - - - - - - - - - - - - - - - - +

TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

11S 27E 30 NW NE 04 STOCKWATER (31) CASSIA
11S 27E 30 SE NW 04 STOCKWATER (31) CASSIA

+ - - DIVERSION MEANS - WELL, PUMP, LINES, 2 WATER TANKS

+ - - NON-IRRIGATION USE - 400 HEAD CATTLE

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - - - - - - - - - - - - - - REMARKS - - - - - - - - - - - - - - - - +

NO REMARKS FOUND.

+ - - - - - - - - - - - - - - - - - OLD WATER RIGHT NUMBERS - - - - - - - - - - - - - - - - +

NO OLD WATER RIGHT NUMBERS FOUND.

MICROFILMED
MAR 05 1993

