

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 37-142
Date Received: 10/21/1988
Receipt No: C003009
Received By: ~~de~~/ ~~sc~~

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

J R SIMPLOT CO

Phone:

999 MAIN ST STE 1300
PO BOX 27
BOISE ID USA 83707

2. Date of Priority: 09/01/1887

3. Source: SILVER CREEK

Trib. to: LITTLE WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02S	20E	1	SW NE	BLAINE	

5. Description of diverting works:

NEIDER #23P PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	09/30	0.4	

7. Total Quantity Appropriated is:
0.4 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
02S	20E	1	SW NE	IRRIGATION	30
			SE NE	IRRIGATION	39

NE	NW	3	IRRIGATION	10
SE	NW		IRRIGATION	15
			Section Acres	94
			Total Acres	94

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

P/U INCOMPLETE. SEE FILE.
P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.

15. Basis of Claim: Decreed

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: A37-00142

Date Received: 9/16/1988

Receipt No: 0003009

Received By: J. D. ZI-EE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ~~EUGENE CHAUMELL~~ J. R. Simplot Company
Address: P.O. Box 27, Boise, ID 83707

2. Date of Priority: SEP 01, 1887

3. Source: SILVER CREEK Trib. to: LITTLE WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	20E	1	SW	NE			BLAINE

5. Description of diverting works:
NEIDER #23P PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	4-1	9-30	0.400		

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

8. Total consumptive use is 250 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	20E	1	NW SE	NE		IRR	39
			SW	NE		IRR	30
			SE NE	NE NW	3	IRR	10
			SE SE	NE NW		IRR	15
							94.0

A37-00142

Page 1

Date: 09/16/88

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FEB 22 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	94.0
02S	20E	1	NE	NW	3	IRR

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used: 37-00692A
37-00141
37-00143

14. Remarks:

P/U INCOMPLETE. SEE FILE.

P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.

\$1/acre filing fee included with 37-00692A

15. Basis of Claim: DECREE

Case Number:

Court :

Decree date:

S. C. FROST, ET. AL.
Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.
Decree 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 (Map)

For Organizations:

I do solemnly swear or affirm that I am Secretary of Title of J. R. Simplot Company, that I have signed the foregoing Organization document in the space below as Secretary of Title of J. R. Simplot Company and that the statements contained in the Organization foregoing document are true and correct.

Russell G. Jones
Signature of Authorized Agent

J. R. SIMPLOT COMPANY - Secretary
Title and Organization

10-19-88
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 19th day of October 19 88

Vicki A. Lauren
Notary Public

Seal

Residing at Meridian, Idaho

My Commission Expires 11-06-91

AJ5514NP

INPUT: AJ_SELECTION:FRAZEE-NAME-SIMPLOT.SEL

TYPE OF ACTION: ADD
MODIFY ALL FIELDS FLAG:

LAST NAME: YOUNG, GRAY OR BRUCE BELZER
ADDRESS LINE 1: J R SIMPLOT CO LEGAL DEPT
ADDRESS LINE 3: PO BOX 27
CITY: BOISE

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION ATTORNEY NAME ADD/UPDATE

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

STATE: ID ZIP: 837070027

A36-04180 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A36-04181 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A36-04182 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A36-04256 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A36-07333 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A36-07636 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A36-08154 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A36-13319 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A36-13320 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A37-00141 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A37-00142 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A37-00143 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A37-00465 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A37-00692A ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A37-00692B ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A37-11907 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A37-11908 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-00099C ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-00100C ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-00101C ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-00102C ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
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A43-00317 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-00318 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-00481 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-002010 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-002045 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-02115A ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-02115B ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-02313A ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-02329 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-02378 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-02382 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-02471 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-02472 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-02473 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-02475 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-02483 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-02484 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE

DATE: 04/02/93
TIME: 23:15:44.0
PAGE: 3

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00724

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
- Jf*

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OCT 24 1994

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

MICROFILMED
OCT 24 1994

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

MICROFILMED
OCT 24 1994

1/23/1989

WA CLAIMS RECEIVING CHECKLIST

0003009

CLAIMANT'S NAME

for Simplex Company

CLAIM IDENT. NO.

A3710042

DATE RECEIVED

10/21/88

CK #

AMOUNT \$

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ *
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. ☒ YES ☐ NO ☐ *
3. (a) Is a source entered? ☒ YES ☐ NO ☐ *
- (b) Is a tributary to entered? (if required) ☒ 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? ☒ YES ☐ NO ☐ *
- Is the consumptive use correct? ☒ 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. ☒ 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.) ☒ 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.) ☒ 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? ☒ YES ☐ NO ☐ *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO ☐ *
22. Should this claim be receipted and data entered? ☒ YES ☐ NO ☐ *

Claim checked by:

Bruce A. Schuler

Date:

4/5/89

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:

NOT FILMED
FEB 22 1993

01/08/2007

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

RIGHT NUMBER: 37-142

NAME AND ADDRESS: J R SIMPLOT CO
C/O RON GRAVES
999 MAIN ST STE 1300
PO BOX 27
BOISE ID 83707

SOURCE: SILVER CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 0.400 CFS

PRIORITY DATE: 09/01/1887

POINT OF DIVERSION:

T02S R20E S1 NWSWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 10/31

QUANTITY
0.400 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T02S R20E S01	SWNE	26.00	T02S R20E S01	SENE	17.00
T02S R20E S01 Lot 3	NENW	2.30	T02S R20E S01	SENW	6.70
T02S R20E S01	NESE	2.70	T02S R20E S01	NWSE	9.30

64 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 64 acres in a single irrigation season. Combined Right Nos.: 37-141, 37-142, 37-143, 37-692A, and 37-939.

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 - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Water Right Report 37-142

WATER RIGHT NUMBER: 37-142

Priority Date: 09/01/1887
Basis: Deceased
Status: Active

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	0.400 CFS	
	<u>Total Diversion:</u>	0.400 CFS	

Place of Use
IRRIGATION

[illegible]Remarks:

- Comments:**

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-142

Dates and Other Information:

Licensed Date:
Decreed Date: 12/13/1909
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37M
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Alturas Water Co, et al
Decree Plaintiff: S C Frost, et al
Civil Case Number:
Judicial District: Fourth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits: