

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

RIGHT NUMBER: 63-10066

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.000 CFS
964.000 AFY

Rights 63-7218, and 63-10066 when combined shall not exceed a total annual maximum diversion volume of 1470.5 af.

Rights 63-7218, 63-10012, and 63-10066 when combined shall not exceed a total diversion rate of 6.4 cfs.

PRIORITY DATE: 06/14/1983

POINT OF DIVERSION:

T03N R02W S8 SENW Within CANYON County

T03N R02W S8 SENW Within CANYON County

T03N R02W S8 SENW Within CANYON County

T03N R02W S8 NESW Within CANYON County

~~T03N R02W S8 NWNW Within CANYON County~~

~~T03N R02W S8 NWNW Within CANYON County~~

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
INDUSTRIAL	04/01 11/30	2.000 CFS <u>964.00 AFY</u>
<u>Industrial use is for potato processing.</u>		

PLACE OF USE: INDUSTRIAL in CANYON County

<u>T03N R02W S08</u>	<u>NENW</u>	<u>T03N R02W S08</u>	<u>NWNW</u>
<u>T03N R02W S08</u>	<u>SWNW</u>	<u>T03N R02W S08</u>	<u>SENW</u>
<u>T03N R02W S08</u>	<u>NESW</u>		

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.

~~This right is conditioned upon completion of the appropriation in accordance with the statutory procedure for appropriation of water rights. This right remains subject to all conditions set forth in the permit upon which this right is based, and will be subject to all conditions set forth in the license issued by IDWR upon completion of the statutory appropriation process.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - License Permit

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

In Re SRBA

Case No. 39576

Water Rights: 63-10066

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

- ☐ Address change
☐ Substitution of Party
☐ IC § 42-222 transfer

- | | |
|---|--|
| ☐ Point of diversion | ☐ Place of use |
| ☐ Period of use | ☐ Nature of use |
| ☐ Split of water right | ☐ Change in ownership |
| ☐ Other | |

XX IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: May 1, 2008


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on May 1, 2008, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court	☐ overnight mail
Snake River Basin Adjudication	☒ regular mail
P.O. Box 2707	☐ hand-delivered
Twin Falls, ID 83303-2707	☐ facsimile

2. Copies to:

Clive Strong	☐ overnight mail
Off ice of the Attorney General	☒ regular mail
P.O. Box 44449	☐ hand-delivered
Boise, ID 83711-4449	☐ facsimile

United States Dept of Justice	☐ overnight mail
Environment & Natural Resource Div	☒ regular mail
550 West Fort Street MSC 033	☐ hand-delivered
Boise ID 83724	☐ facsimile

3. Copies to all parties to the subcase:

J R Simplot Co	☐ overnight mail
c/o Terry Uhling	☒ regular mail
999 Main St Ste 1300	☐ hand-delivered
PO Box 27	☐ facsimile
Boise ID 83707	

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

May 1, 2008

J R SIMPLOT CO
C/O TERRY UHLING
999 MAIN ST STE 1300
PO BOX 27
BOISE ID 83707

Re: Water Right Nos. 63-10012, 63-10066

Dear Mr Uhling:

Enclosed are copies of the Notice of Completed Administrative Procedure and pertinent water right(s) recently sent to the Snake River Basin Adjudication Court in Twin Falls. These documents are now required to be filed by the Department in order to notify the Court of any changes to your water right(s).

The change to your water right(s) was a result of an approved license. This notification to the Court does not affect the previous approval of this license or your water right(s). You will be notified of any future action on your water right(s) by the SRBA Court or Water Resources.

Please contact this office if you have any questions concerning this notification.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

JS:lh
Enclosures



SRBA Recommendation
63-10066
(INDUSTRIAL)

Legend

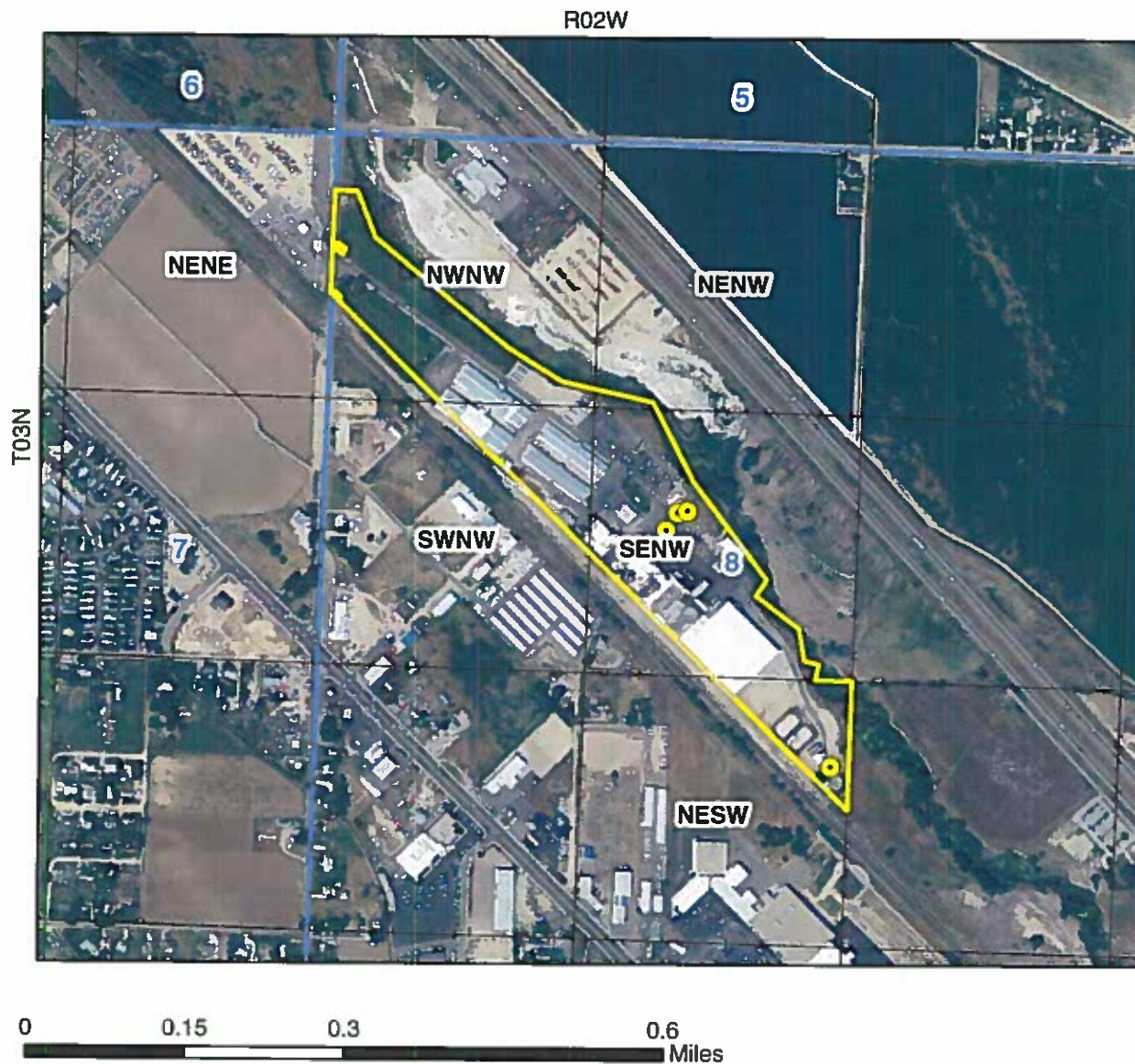
-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Canyon County
IDWR Basin 63

Prepared by Vicky Music
On Thursday, May 01, 2008
2004 Aerial Photography

Idaho Department of Water Resources



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-10066

Priority: June 14, 1983

Maximum Diversion Rate: 2.00 CFS
Maximum Diversion Volume: 964.0 AF

It is hereby certified that J R SIMPLOT CO
C/O TERRY UHLING
999 MAIN ST STE 1300
PO BOX 27
BOISE ID 83707 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 14, 1983; and has
submitted Proof of Beneficial Use on September 29, 1983. An examination indicates that the works
have a diversion capacity of 9.67 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
INDUSTRIAL	04/01 to 11/30	2.00 CFS	964.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NE1/4SW1/4 Sec. 8, Twp 03N, Rge 02W, B.M.	CANYON County
GROUND WATER	SE1/4NW1/4 Sec. 8, Twp 03N, Rge 02W, B.M.	CANYON County
GROUND WATER	SE1/4NW1/4 Sec. 8, Twp 03N, Rge 02W, B.M.	CANYON County
GROUND WATER	SE1/4NW1/4 Sec. 8, Twp 03N, Rge 02W, B.M.	CANYON County

PLACE OF USE: INDUSTRIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 02W 8					X	X	X	X	X								

CONDITIONS OF APPROVAL

1. Rights 63-7218, 63-10012, and 63-10066 when combined shall not exceed a total diversion rate of 6.4 cfs.
2. Rights 63-7218, and 63-10066 when combined shall not exceed a total annual maximum diversion volume of 1470.5 af.
3. Industrial use is for potato processing.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 23rd day of April, 2008.


701 DAVID R. TUTHILL, JR.
Director

04/10/2006

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

RIGHT NUMBER: 63-10066

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.000 CFS

PRIORITY DATE: 06/14/1983

POINT OF DIVERSION:

T03N R02W S8 NWNW Within CANYON County

T03N R02W S8 NWNW Within CANYON County

T03N R02W S8 NESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
INDUSTRIAL	04/01 11/30	2.000 CFS
Industrial use is associated with a food processing plant.		

PLACE OF USE: INDUSTRIAL Within CANYON County

T03N R02W S08	NWNW	T03N R02W S08	NESW
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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.

This right is conditioned upon completion of the appropriation in accordance with the statutory procedure for appropriation of water rights. This right remains subject to all conditions set forth in the permit upon which this right is based, and will be subject to all conditions set forth in the license issued by IDWR upon completion of the statutory appropriation process.

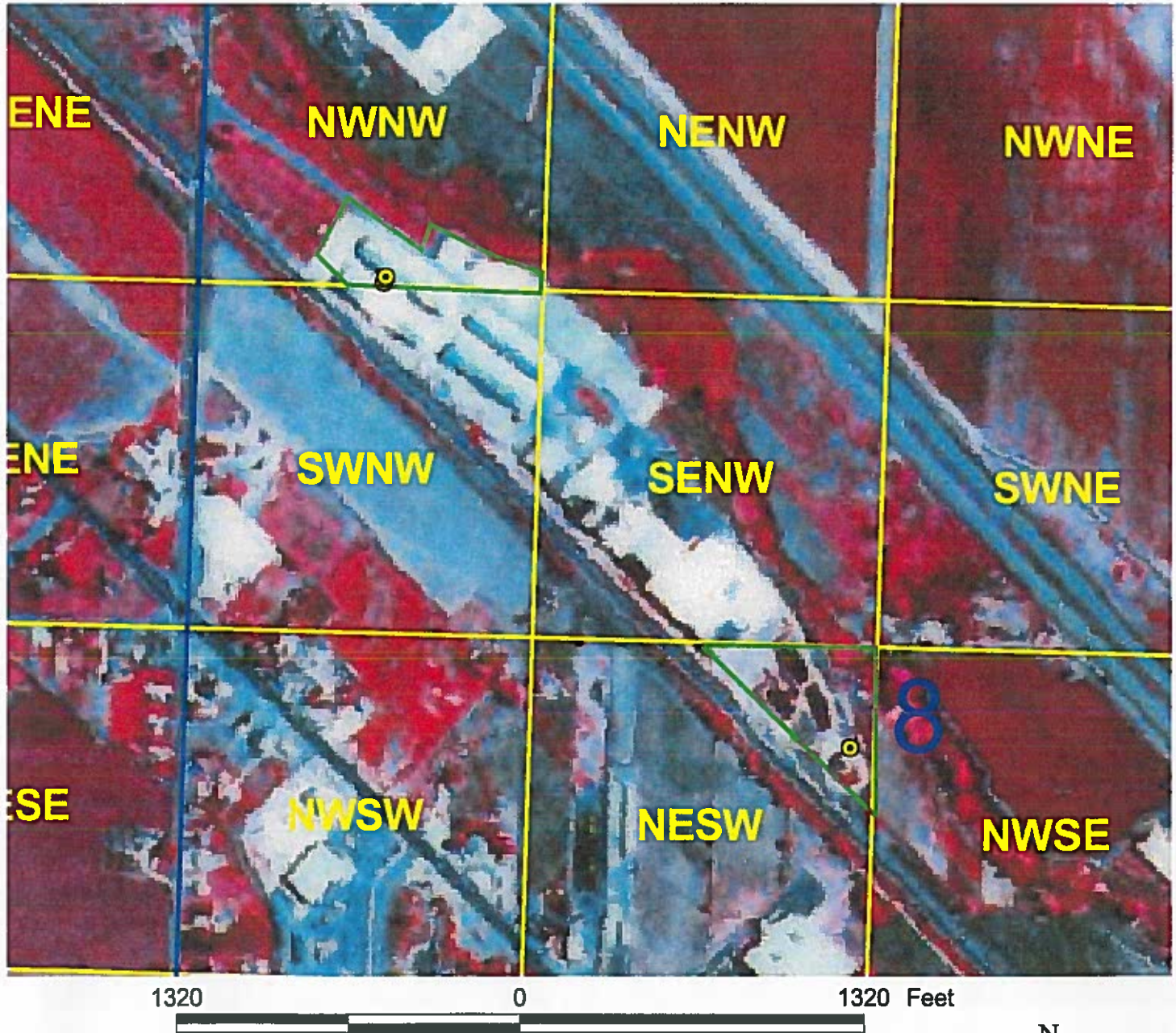
EXPLANATORY MATERIAL: BASIS OF CLAIM - Permit



State of Idaho
Idaho Department of Water Resources
Western Region

T3N R2W SECTIONS 8

Water Right (s): 63-10012 and 63-10066



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

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: April 2006



J.R. SIMPLOT COMPANY ONE CAPITAL CENTER 999 MAIN STREET SUITE 1300
P.O. BOX 27 BOISE, IDAHO 83707-0027 (208) 336-2110 FAX (208) 389-7515

CORPORATE HEADQUARTERS

RECEIVED

DEC 14 2000

WATER RESOURCES
WESTERN REGION

December 13, 2000

Lori Harris, Technical Records Specialist
State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

Re: IDWR Permit Nos. 63-10066, 63-10012 and IDWR License No. 63-07218.

Dear Lori:

Enclosed for filing in the Snake River Basin Adjudication are claims to the above water rights. It is my understanding that the IDWR is adopting a policy of waiving the additional charges that are assessed for filing late claims in circumstances where a landowner discovers there are unclaimed rights appurtenant to real property when it is newly acquired. When Simplot recently acquired the real property to which these rights are appurtenant we discovered that our predecessor in interest had not yet filed claims in the SRBA.

Assuming the late fees are waived under these circumstances please file the enclosed claims and apply the enclosed check in the amount of \$1,195.00 toward covering the standard SRBA filing fees.

Sincerely,

Vic Conrad
Simplot Land and Development

Enclosure

c. J. Davis



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 29, 2000

Vic Conrad
J R Simplot Co.
PO Box 27
Boise ID 83707

Dear Vic:

Enclosed are the corrected claims for Water Right Nos. 63-10012 and 63-10066. In addition to correcting the Point of Diversion, the Place of Use has also been corrected after further research of the water right information.

If you have any questions regarding the claims, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Lori'.

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region

LH:l
Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 16, 2000

Vic Conrad
J R Simplot Co
PO Box 27
Boise ID 83707

Dear Vic:

Enclosed are the Notices of Claim to Water Rights for water right nos. 63-7218, 63-10012 and 63-10066, which you have acquired from Carnation Company.

Please look over the claims and note any changes or additions you may need to make, sign, notarize and return to our office for processing.

If you have any questions regarding these claims, feel free to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Lori', is written above the typed name.

Lori Harris
Technical Records Specialist
Western Region
Adjudication Section

LH:I

11/99

RECEIVED

OCT 5 - 2000

Department of Water Resources

REIVED

OCT 03 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER RESOURCES
WESTERN REGION

For Office Use Only
\$25 filing fee 12M
Receipt # 40027034
Date 10-3-00

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, Nestlé USA, Inc.*, hereby assign to J.R. Simplot Company
of One Capital Center, 999 Main St. # 1300, Boise, ID 83703 (208) 336-2110
(Full Address) (Phone)
* Formerly known as Carnation Company. See attached Certification.
All my right, title, and interest in and to Permit No. 63-10066 to
appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to for
Permit No. _____ to appropriate the public waters of the State of Idaho.
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
subdivision, point of diversion location, and amount of the water in cubic feet per second.)

Made this 29th day of September, 2000

NESTLÉ USA, INC.
My [Signature]
Permit Holder(s) ROBERT H. SANDERS
Its VICE PRESIDENT

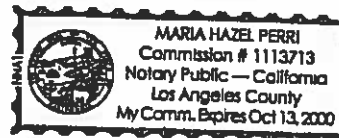
State of California)
County of Los Angeles)ss

On this 29th day of SEPTEMBER, 2000, personally appeared before me the signat[ure] of the above
instrument, who duly acknowledged to me that he (she) (they) executed the same.

LOS Maria Hazel Perri
Notary Public residing at LOS ANGELES COUNTY

SEAL

My commission expires: OCTOBER 13, 2000



MICROFILMED

OCT 23 2000

RECEIVED

OCT 03 2000

WATER RESOURCES
WESTERN REGION

CERTIFICATION

The undersigned, being the duly elected and appointed Senior Vice President, General Counsel and Assistant Secretary of Nestlé USA, Inc., a Delaware corporation (the "Corporation") hereby certifies as follows:

1. The following named person is a duly elected and appointed officer of the Corporation and serves the Corporation in the capacity set forth opposite his name and has all necessary power and authority to sign and deliver documents on behalf of the Corporation:

Robert Sanders Vice President and Deputy General Counsel

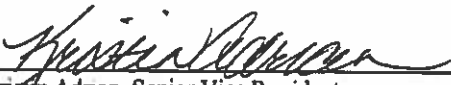
2. The Corporation was originally incorporated as "Carnation Milk Products Company" on May 21, 1920.

3. The Corporation changed its name to "Carnation Company" on November 1, 1929.

4. On May 1, 1991, the Corporation changed its name to "Nestlé Food Company."

5. The Corporation's name was changed to its present styling effective January 1, 1997.

IN WITNESS WHEREOF, the undersigned has signed this Certification this 29th day of September, 2000.

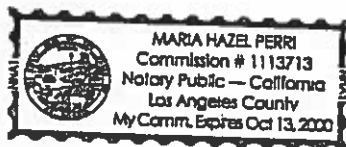

Kristin Adrian, Senior Vice President,
General Counsel and Assistant Secretary

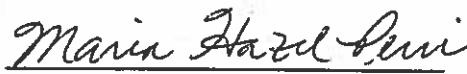
STATE OF CALIFORNIA)

COUNTY OF LOS ANGELES)

ss.

Before me, a Notary Public in and for said county personally appeared Kristin Adrian, known by me or ~~proved by satisfactory evidence to me~~ to be the Senior Vice President, General Counsel and Assistant Secretary of Nestlé USA, Inc., a Delaware corporation, and ~~the said~~ Kristin Adrian did acknowledge to me that she did sign the foregoing Certification and that the same is her free act and deed this 29th day of SEPTEMBER, 2000.




Notary Public

MICROFILMED

OCT 23 2000

AFFIDAVIT OF ROBERT H. SANDERS

RECEIVED

OCT 03 2000

WATER RESOURCES
WESTERN REGION

STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES) ss:

I, Robert H. Sanders, an officer of Nestlé USA, Inc., being duly sworn hereby state that on October 2, 2000 Nestlé USA, Inc. will sell its Nampa, Idaho potato processing facility, located at 3704 North Middleton Road, Nampa, Idaho 83652, to J.R. Simplot Company.

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of October, 2000.

Oct. 2, 2000
Date

Robert H. Sanders
Robert H. Sanders
Vice President and Deputy General Counsel

Subscribed and sworn to before me this 2nd day of October, 2000.



Maria Hazel Perri
Notary Public

My commission expires: OCTOBER 13, 2000

MICROFILMED

OCT 23 2000

Form 211
2/60

RECEIVED
FEB 3 1964

Ident. No. 63-10066

STATE OF IDAHO

Department of Water Resources
APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use

APPROVED

Comes now Carnation Company / Phone 466-8911
of (address) P.O. Box 9069, Nampa, Idaho 83652, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 63-10066, and requests that the permit and permit map be changed as follows:

(2 points)
1. Point of diversion: NW 1/4 NW 1/4, Section 8, Township 3N, Range 2W, B.M.,
County of Canyon Other points of diversion: NESW Sec. 8 T3N, R2W

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 2.0 for Industrial purposes from 4/1 to 11/30 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

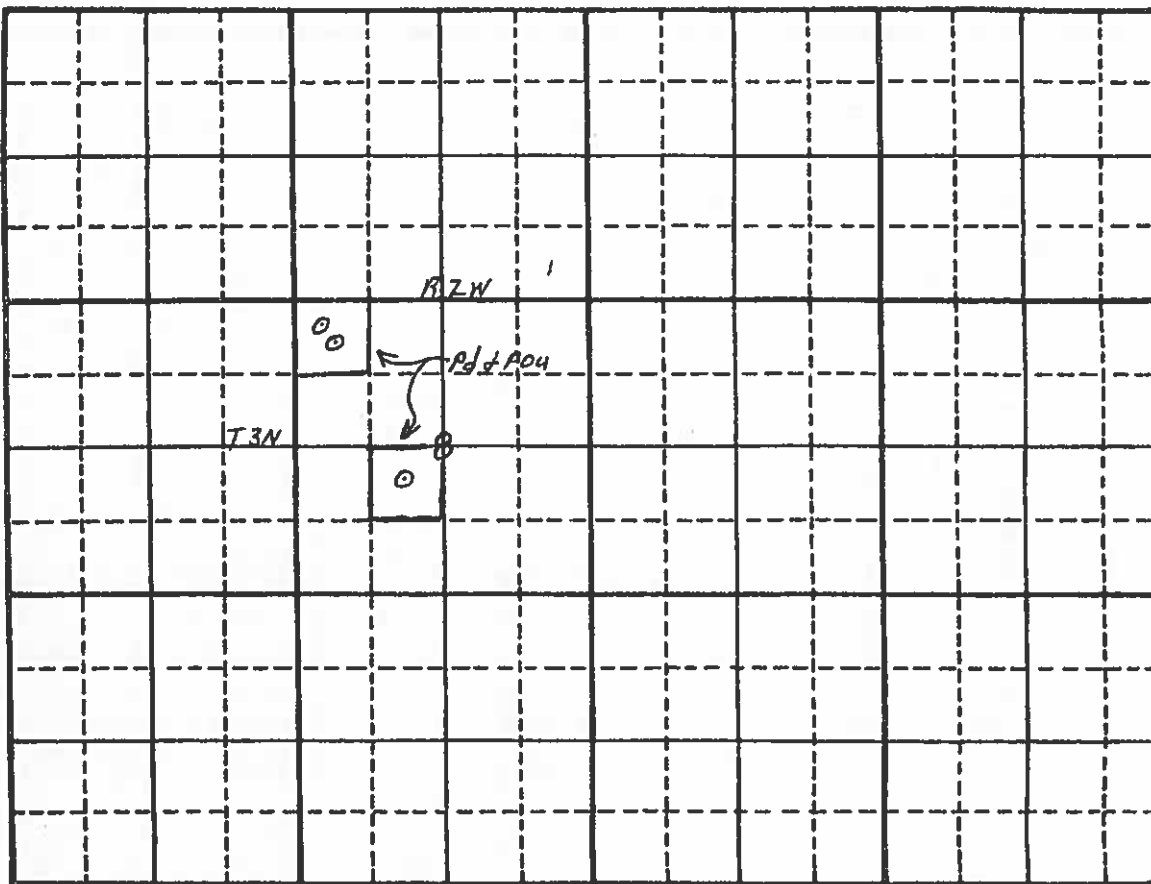
TWP	RGE	SEC	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>3N</u>	<u>2W</u>	<u>8</u>					<u>X</u>				<u>X</u>								

Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? Applicant
b. Who owns the land to be irrigated or the place of use? Applicant
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

RECORDED

Complete the following by showing land and point of ... proposed by this amendment.
Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at _____, this 24 day of January, 19 84.

[Signature]
(Signature)
[Signature] For

FOR DEPARTMENT USE ONLY

Preliminary check by GLS Fee = \$20.00 #32542 Received by JP Date 1/31/84
Publication prepared by GP Date 3/1/84 Published in Idaho Bureau of Land Management
Publication dates 2/3 & 3/15/84

DBS

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby
Approve the above referenced Amendment provided the conditions as set forth on
page 4 of Permit No. 63-10066 are met.

Witness my hand this

4th day of

April

19 84

[Signature]
Chief, Operations Bureau

RECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Carnation Company Phone 208-466-8911

Post office address P.O. Box 9609 ⁰⁶ Nampa, Idaho 83652

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

3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 8 Township 3N

Range 2 W B.M. Canyon County, additional points of diversion if any: 2 points

4. Water will be used for the following purposes:

Amount 2.0 for Industrial purposes from 4/1 to 11/30 (both dates inclusive)
(cfs or acre-feet per annum)

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

Amount _____ for _____ purposes from _____ to _____ (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. 2.0 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well with pump and pipeline

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 _____ inches; proposed depth of well is _____ feet.

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

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 8 Township 3N

Range 2 W 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 _____

(5) If water is to be used for other purposes describe: for food processing and associated activities.

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

Total number of acres to be irrigated

c. Describe any other water rights used for the same purposes as described above. 63-7218

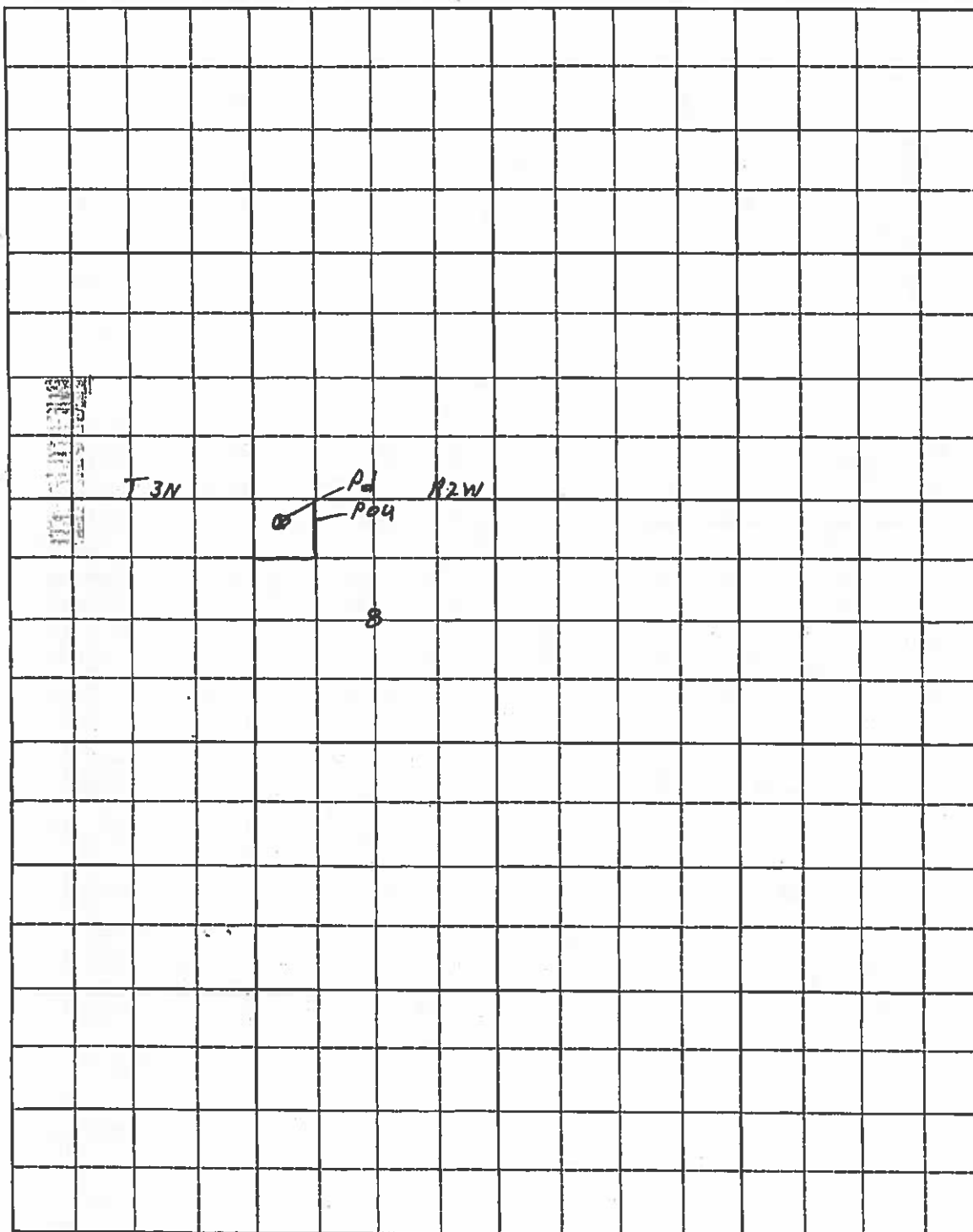
9. a. Who owns the property at the point of diversion applicant

b. Who owns the land to be irrigated or place of use applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

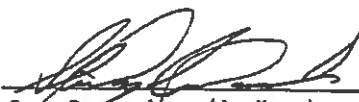
10. Remarks

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



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.


Stan Rowlands (Applicant)
Plant Manager
Carnation Company

Proposed Priority 6/14/1983

Received by CLS Date 6/14/83 Time 2:30
Preliminary check by CLS Fee \$ 65.00
Receipted by JP Date 6/14/83 # 28998
Publication prepared by JP Date 6/16/83
Published in Boise Tribune
Publication dates 6/16 & 6/23/83
Publication approved WD Date 7/6/83
Protests filed by: ONE

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by DBS RC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-10066, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 19 84.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 22nd day of August, 19 83.

L. Glen Saxton
Chief, Operations Bureau

RECEIVED

DEC 14 2000

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, ^{WATER RESOURCES}
IN AND FOR THE COUNTY OF TWIN FALLS ^{WESTERN REGION}

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 63-10066
Date Received: 10/16/00
Receipt No: W027209
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

J R SIMPLOT CO Phone:

PO BOX 27
BOISE ID USA 83707

2. Date of Priority: 06/14/1983

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County
03N	02W	8	NE	SW		CANYON
03N	02W	8	NW	NW		CANYON

5. Description of diverting works:

3 wells.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
INDUSTRIAL	04/01	11/30	2	

7. Total Quantity Appropriated is:
2 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
03N	02W	8	NE	SW	INDUSTRIAL	
			NW	NW	INDUSTRIAL	

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

2 P/D in NWNW, T3N, R2W, Sec. 8.

15. Basis of Claim: Permit

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: 0

For Organizations:

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
Title

J. R. Simplot Company and that the statements contained in the
Organization

foregoing document are true and correct.

Signature of [Signature] Authorized Agent

Secretary, J. R. Simplot Company
Title and Organization

December 8, 2000
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of December 2000

[Signature]
Notary Public

Residing at Boise, Idaho

My commission Expires 5/31/02

