

06/24/2003

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

RIGHT NUMBER: 29-2502

NAME AND ADDRESS: J R SIMPLOT CO  
999 MAIN ST STE 1300  
PO BOX 27  
BOISE ID 83707

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 6.660 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED  
ANNUAL DIVERSION VOLUME OF 8,500 AF. COMBINED RIGHT NOS.: 29-2375,  
29-2501, 29-2502, 29-7763.

PRIORITY DATE: 04/12/1965

POINT OF DIVERSION:

T06S R34E S7 NESW Within POWER County  
T06S R34E S7 SESW Within POWER County  
T06S R34E S7 SESW Within POWER County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| INDUSTRIAL            | 1/01 12/31           | 6.660 CFS       |

PLACE OF USE: INDUSTRIAL Within BANNOCK County

|               |      |               |      |
|---------------|------|---------------|------|
| T05S R34E S25 | NENE | T05S R34E S25 | NWNE |
| T05S R34E S25 | SWNE | T05S R34E S25 | SENE |
| T05S R34E S25 | NENW | T05S R34E S25 | NESW |
| T05S R34E S25 | NWSW | T05S R34E S25 | SWSW |
| T05S R34E S25 | SESW | T05S R34E S25 | NESE |
| T05S R34E S25 | NWSE | T05S R34E S25 | SWSE |
| T05S R34E S25 | SESE | T05S R34E S31 | NENW |
| T05S R34E S31 | NWNW | T05S R34E S31 | SWNW |
| T05S R34E S31 | SENW | T05S R34E S36 | NENE |
| T05S R34E S36 | NWNE | T05S R34E S36 | SWNE |
| T05S R34E S36 | SENE | T05S R34E S36 | NENW |
| T05S R34E S36 | NWNW | T05S R35E S30 | NENE |
| T05S R35E S30 | NWNE | T05S R35E S30 | SWNE |
| T05S R35E S30 | SENE | T05S R35E S30 | NENW |
| T05S R35E S30 | NWNW | T05S R35E S30 | SWNW |
| T05S R35E S30 | SENW | T06S R34E S07 | SENE |
| T06S R34E S07 | NESW | T06S R34E S07 | SESW |
| T06S R34E S07 | NESE | T06S R34E S07 | NWSE |
| T06S R34E S07 | SWSE | T06S R34E S07 | SESE |
| T06S R34E S08 | NENW | T06S R34E S08 | NWNW |
| T06S R34E S08 | SWNW | T06S R34E S08 | SENW |
| T06S R34E S08 | NESW | T06S R34E S08 | NWSW |
| T06S R34E S08 | SWSW | T06S R34E S08 | SESW |
| T06S R34E S08 | SWSE | T06S R34E S17 | NWNE |

06/24/2003

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

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T06S R34E S17                      NENW

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE  
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE  
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER  
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),  
IDAHO CODE.

EXPLANATORY MATERIAL:    License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION  
PURSUANT TO SECTION 42-1425, IDAHO CODE.



**State of Idaho  
Department of Water Resources  
Eastern Region  
Claim No.: 29-2375, 29-2501,  
29-2502, 29-7763.**



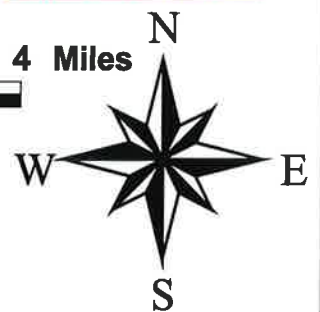
2

0

2

4 Miles

**Industrial**



- Well.shp
- Place of use.shp
- Townships
- Sections
- QQ

SCANNED

FEB 22 2006

PROFILED

GIS Place of Use Illustration  
1987/88 NAPP PHOTOGRAPHY  
Prepared by R. Warner  
Date: June, 2003

February 21, 2003

**NOTICE OF ERROR  
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

**YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:** April 21, 2003.

Water Right Number: 29-2502

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

**Industrial Places of Use**

2. Describe the changes you wish to make in the proposed recommendation:

**In addition to the places of use recommended, the following industrial places of use should be added to this water right:**

| Township and Range | Sec. | 1/4 1/4 | County  | Use        | Township and Range | Sec. | 1/4 1/4 | County          | Use        |
|--------------------|------|---------|---------|------------|--------------------|------|---------|-----------------|------------|
| T.5S R.34E         | 25   | NENE    | Bannock | Industrial | T.5S R.34E         | 36   | NENW    | Bannock         | Industrial |
|                    |      | NWNE    | Bannock | Industrial |                    |      | NWNW    | Bannock         | Industrial |
|                    |      | NENW    | Bannock | Industrial | T.5S R.35E         | 30   | NENE    | Bannock         | Industrial |
|                    |      | SWNE    | Bannock | Industrial |                    |      | NWNE    | Bannock         | Industrial |
|                    |      | SENE    | Bannock | Industrial |                    |      | SWNE    | Bannock         | Industrial |
|                    |      | NESW    | Bannock | Industrial |                    |      | SENE    | Bannock         | Industrial |
|                    |      | NWSW    | Bannock | Industrial |                    |      | NENW    | Bannock         | Industrial |
|                    |      | SWSW    | Bannock | Industrial |                    |      | NWNW    | Bannock         | Industrial |
|                    |      | SESW    | Bannock | Industrial |                    |      | SWNW    | Bannock         | Industrial |
|                    |      | NESE    | Bannock | Industrial |                    |      | SENE    | Bannock         | Industrial |
|                    |      | NWSE    | Bannock | Industrial | T.6S R.34E         | 7    | SENE    | Bannock         | Industrial |
|                    |      | SWSE    | Bannock | Industrial |                    |      | NESE    | Bannock & Power | Industrial |
|                    |      | SESE    | Bannock | Industrial |                    |      | SESE    | Power           | Industrial |
|                    | 31   | NENW    | Bannock | Industrial |                    | 8    | NESW    | Bannock         | Industrial |
|                    |      | NWNW    | Bannock | Industrial |                    |      | NWNW    | Bannock         | Industrial |
|                    |      | SWNW    | Bannock | Industrial |                    |      | SWSW    | Bannock         | Industrial |
|                    |      | SENE    | Bannock | Industrial |                    |      | SESW    | Bannock         | Industrial |
|                    | 36   | NENE    | Bannock | Industrial |                    |      | SWSE    | Bannock         | Industrial |
|                    |      | NWNE    | Bannock | Industrial |                    | 17   | NWNE    | Bannock         | Industrial |
|                    |      | SWNE    | Bannock | Industrial |                    |      | NENW    | Bannock         | Industrial |
|                    |      | SENE    | Bannock | Industrial |                    |      |         |                 |            |

**PROFILED**

SCANNED

FEB 22 2006

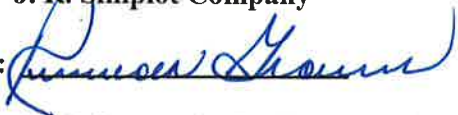
3. Give a brief explanation as to why you disagree with these portions:

The site where the industrial water is land applied was not identified among the recommended places of use. The description provided in response to question no. 2 are the places of use for the industrial land application site existing as of November, 19, 1987, the commencement date for the Snake River Basin Adjudication.

\_\_\_\_\_ I AGREE with this proposed recommendation; no changes need to be made.

J. R. Simplot Company

DATE: April 16, 2003

SIGNATURE: By: 

Please print your name: Ronald N. Graves, Senior Vice President,  
Secretary and Chief Legal Officer

IDWR Regional Office, 900 North Skyline Drive, Suite A, Idaho Falls, ID 83402 (208) 525-7161

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FEB 22 2006



State of Idaho

## DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

June 9, 2003

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

J R SIMPLOT COMPANY  
C/O VIC CONRAD, LAND DEVELOPMENT  
PO BOX 27  
BOISE ID 83707

RE: Basin 29 Notices of Error; Water Right Nos. 29-2501, 29-2502, 29-2375, & 29-7663.

Dear Mr. Conrad:

Thank you for sending in your notice of error for the above referenced water rights. In the cover letter, you mentioned that you had discovered that there were four quarter-quarters in Section 8 of Township 6 South, Range 34 East, B.M., that should have been included.

Please find enclosed four revised claims to a water right for the above referenced adjudication water right claim numbers. I am sending these revised claims for your review. They should reflect the locations that were provided upon your signed claim copies. They reflect what is now shown in the department's database. If there are any discrepancies, please mark them up and return them to my attention.

Your other concerns are noted and are being evaluated. We hope to respond to them soon.

If you have any questions regarding this matter, please feel free to call me at 525-7161.

Respectfully submitted,

W. Roger Warner  
Adjudication Specialist

Enclosure(s) Revised Claims to a water right for water right numbers 29-2501, 29-2502, 29-2375, & 29-7663.

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FEB 22 2006

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2502 V1

WATER RIGHT NUMBER: 29-2502 V1

|                   |                            |
|-------------------|----------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>    |
| Also Known As     | SIMPLOT                    |
| Attorney          | GRAY YOUNG OR TERRY UHLING |
| Current Owner     | J R SIMPLOT CO             |

Priority Date: 04/12/1965

Basis: License

Status: Active

|               |                  |
|---------------|------------------|
| <u>Source</u> | <u>Tributary</u> |
| GROUND WATER  |                  |

|                       |                         |                       |                      |
|-----------------------|-------------------------|-----------------------|----------------------|
| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
| INDUSTRIAL            | 1/01 to 12/31           | 6.660 CFS             |                      |
|                       | <u>Total Diversion:</u> | 6.660 CFS             |                      |

Location of Point(s) of Diversion

|              |                 |         |          |               |
|--------------|-----------------|---------|----------|---------------|
| GROUND WATER | NE1/4SE1/4SW1/4 | Sec. 7, | Twp 06S, | Rge 34E, B.M. |
| POWER County |                 |         |          |               |
| GROUND WATER | SE1/4NE1/4SW1/4 | Sec. 7, | Twp 06S, | Rge 34E, B.M. |
| POWER County |                 |         |          |               |
| GROUND WATER | NE1/4SE1/4SW1/4 | Sec. 7, | Twp 06S, | Rge 34E, B.M. |
| POWER 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 |        |
| 06S | 34E | 7   |    |    |    |    |    |    |    |    | X  |    |    |    | X  |    | X  | X  |        |

Total Acres: 0

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 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.

Remarks:

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 29-2502 V1

1. Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 8,500 AF. COMBINED RIGHT NOS.: 29-2375, 29-2501, 29-2502, 29-7763.

Comments:

1. bcontor 9/12/2001 Recommendation  
Comment: See paper file 29-2020, eCVR 29-2375.

Dates and Other Information:

Decreed Date:  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
Defendant:  
Plaintiff:  
Civil Case Number:  
Judicial District:  
Notice of Error Flag:  
State or Federal: S  
Owner Name Connector: AND  
Water District Number:  
Generic Max Rate Per Acre:  
Generic Max Volume Per Acre:  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False

Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Priority Date  | 9/12/2001 1:17:47 PM      | bcontor         |                           |                 | Active        |
| POD            | 9/12/2001 1:23:31 PM      | bcontor         |                           |                 | Active        |
| Source         | 9/12/2001 1:26:05 PM      | bcontor         |                           |                 | Active        |
| POU            | 9/12/2001 1:26:57 PM      | bcontor         |                           |                 | Active        |
| Use            | 9/12/2001 1:27:23 PM      | bcontor         |                           |                 | Active        |
| Season         | 9/12/2001 1:28:20 PM      | bcontor         |                           |                 | Active        |
| Summary        | 9/12/2001 1:31:19 PM      | bcontor         | 9/12/2001 1:31:19 PM      | bcontor         | Active        |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u>                                 |
|----------------|------------------------|-----------------|-------------------------------------------------|
| Contacts       | 9/12/2001 1:16:35 PM   | bcontor         | (No) 1. Do you want to schedule an appointment? |

Comment for 1: Field exam is already completed.

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 29-2502 V1

|               |                      |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------|----------------------|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Priority Date | 9/12/2001 1:16:21 PM | bcontor | (No) 1. Should this water use have been included in a later court decree of the water rights from this source?<br>(Yes) 4. Is the basis of claim decree or license?<br>(Yes) 5. Does the decree or license have a Priority Date?<br>(Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?<br>(No) 15. Is the basis of claim coded correctly?<br>(No) 16. Is a Priority Date remark and/or condition required?                                                                                      |
| POD           | 9/12/2001 1:17:47 PM | bcontor | Edited point location                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| POD           | 9/12/2001 1:18:21 PM | bcontor | Edited point location                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| POD           | 9/12/2001 1:18:51 PM | bcontor | Edited point location                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| POD           | 9/12/2001 1:19:09 PM | bcontor | Edited PLS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| POD           | 9/12/2001 1:19:44 PM | bcontor | Edited point location                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| POD           | 9/12/2001 1:20:00 PM | bcontor | Edited PLS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| POD           | 9/12/2001 1:21:07 PM | bcontor | Edited point location                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| POD           | 9/12/2001 1:21:26 PM | bcontor | Edited PLS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| POD           | 9/12/2001 1:22:05 PM | bcontor | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the parent right have a POD?<br>(No) 5. Can the claimed POD be verified using the water right file?<br>(Yes) 6. Is there evidence that there has been a change in the POD?<br>(Yes) 7. Can the change be verified as an accomplished transfer?<br>(Yes) 8. Does the file contain all the necessary information to verify the POD?<br>(No) 10. Is a POD remark and/or condition required?<br>Description for Question 6 - See eCVR 29-2375. |
| Source        | 9/12/2001 1:24:39 PM | bcontor | (Yes) 1. Is the basis of claim decree or license?<br>(Yes) 4. Does the parent right have a source?<br>(Yes) 5. Can the claimed source be verified using the water right file?<br>(No) 11. Is a Source remark and/or condition required?                                                                                                                                                                                                                                                                              |
| POD           | 9/12/2001 1:25:10 PM | bcontor | Edited polygons                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| POU           | 9/12/2001 1:25:32 PM | bcontor | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 2a. Is the POU required?<br>(Yes) 5. Does the parent right have a POU?<br>(Yes) 6. Can the claimed POU be verified using the water right file?<br>(No) 14. Is a POU remark and/or condition required?                                                                                                                                                                                                                                              |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 29-2502 V1

|         |                      |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------|----------------------|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Use     | 9/12/2001 1:25:57 PM | bcontor | <p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 4. Does the parent right have a Purpose of Use?</p> <p>(Yes) 5. Can the claimed Purpose of Use be verified using the water right file?</p> <p>(No) 13. Is a Purpose of Use remark and/or condition required?</p>                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Season  | 9/12/2001 1:26:51 PM | bcontor | <p>(Yes) 1. Is the basis of claim decree or license?</p> <p>(No) 4. Does the parent right have a Period of Use?</p> <p>(No) 6. Is there evidence that there has been a change in the Period of Use?</p> <p>(Yes) 12. Does the file contain all the necessary information to verify the Period of Use?</p> <p>(No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined?</p> <p>(No) 15. Is irrigation claimed as a Purpose of Use?</p> <p>(No) 18. Is a Period of Use remark and/or condition required?</p> <p>Description for Question 15 - Purpose, transfer 4129 on overlapping right, interview with claimant.</p> |
| Summary | 9/12/2001 1:29:53 PM | bcontor | <p>(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?</p> <p>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?</p> <p>(Yes) 5. Is an additional remark and/or condition required?</p> <p>(Yes) 6. Would you like to view the recommended right?</p> <p>(No) 7. Is this a split or combined right?</p> <p>(No) 8. Do you have documents you would like to attach or link to the file?</p> <p>(Yes) 9. Would you like to set the verification date?</p>                                                                                                           |

Form 21  
2-1-45

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF EXAMINER

PERMIT NO. G-32317 ✓

REPORT ON PROOF OF Completion of Work & Beneficial Use ✓

J. R. Simplot Co.  
c/o R. M. Winans ✓  
Box 2777 ✓  
Boise, Idaho ✓

29-2502

T  
S

304E

U.S. Highway 50

RR 7

TRAILING RIVER

TRAILING  
POUD

NORTH

E 1/2 224, 2 1/2 28 1/4

A- Industrial

~~Sub 4~~

Q = 6.66 gfs or 333 mins  
or 3000 G.P.H.

Scale: 2 Inches Equals 1 Mile. Draw Map in Ink.

32317

DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

REPORT OF EXAMINER

Permit No. G-32317

This proof is for Comp. of Works & Bene. Use

In Water District No. \_\_\_\_\_

1. Name of applicant: L. R. Simplot Co.
2. Source of water supply: Subterranean
3. Location of point of diversion: Is in the NE-1/4 of Section 7 T. 6S R. 34E County of POWELL
4. Describe works as they exist, giving dimensions and capacities of same: CLS. Motor 250 H.P. Ser # 1271579 Well #5  
12" Discharge to enclosed system Pump Ser # 30-3570  
Well H 64'
5. Water is used for: Industrial Purposes
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):  
point of use is E-1/4, W-1/4, Section 7, T6S-R34E making a total of 4 acres.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Partneuf River

Remarks: Mr. George Talevich along  
Mr. Talevich reports that when all three wells are  
in operation, well #5 produces 2280 G.P.M., however  
when only two wells are producing, well #5  
yields 3000 G.P.M.  
3000 G.P.M. = 333 inches water at 6.66 gfs

other permits 32316 - G-16221  
This examination was made on the 22 day of 3 1952

(Signed) [Signature] Examiner

32317

Plat  
711

off 12/30  
24445 2280 GP4  
off 12/30 3000 GP4

250 HP

Ser 1271579

451444

Ser 1271579

15" Discharge to  
exhaust system

Q. 107

11/2/79

451444

10685

George T. T. T. T.

### INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

J. R. Simplot Co. 20" 20" 190'  
Box 2777  
Boise, Idaho 16" 20" 170'  
Permit No. 0-32117 2" 20" 250'

Examination for Comp. of Works & Eerie. Use

County Power

Quantity: 7,798 Sec. 7 T. 6S R. 34E

Source: SOUTHERN POWER

P.D.: NESW, Sec. 7, T. 6S, R. 34E

Use: INDUSTRIAL PURPOSES

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: APR 12, 1965

Due: APR 16, 1970

Made June 23, 1965

Priority April 12, 1965

32317

State of Idaho

# License and Certificate of Water Right

Water License No. G-32317

Priority April 12, 1965

Amount 6.66 c.f.s.

THIS IS TO CERTIFY that J. R. SIMPLOT COMPANY

of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated April 12, 1965; that Permit No. G-32317 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 6.66 second feet, was issued thereunder on April 20, 1967, showing that said works were completed on the 22nd day of June, 1965, J. R. SIMPLOT COMPANY, 1965; and that on the 22nd day of June, 1965, J. R. SIMPLOT COMPANY, 1965; and

of Boise, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well, a tributary of subterranean flow,

under Use Permit No. G-32317 for the purpose of industrial use of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 14 of Licenses, at Page 8799, on the 20th day of April, 1967. The right hereby confirmed dates from April 12, 1965.

The Point of Diversion is located in the NE 1/4 SW 1/4, Sec. 7, Twp. 6 S, R. 34 E, B.M., Power County, Idaho. That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 6.66 cubic feet per second.

Description and location of use:

| Twp.                          | Range | Section | Forty-Acre Tract             | No. Acres Described in Permit | No. Acres Actually Irrigated |
|-------------------------------|-------|---------|------------------------------|-------------------------------|------------------------------|
| 6 S                           | 34 E  | 7       | E 1/2 SW 1/4<br>W 1/2 SE 1/4 | None<br>None                  | None<br>None                 |
| For industrial purposes only. |       |         |                              |                               |                              |

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 20th day of April, 1967.

*R. Keith Higgins*  
State Reclamation Engineer.

32317

State of Idaho

LICENSE AND CERTIFICATE  
OF WATER RIGHT

Water License No. 6-32317

To J. R. Simplot Company

Boise, Idaho

Source of Supply Subterranean

Power

County

Amount 6.66

Sec. 7

Point of Diversion NE 1/4 Sec. 7

T. 6 S. R. 34 E. B. M.

Place of Use ESM, WSE, Sec. 7

T. 6 S. R. 34 E. B. M.

Purpose Industrial

Date of Priority April 12, 1965

Recorded April 20, 1967

in Book 14 of Licenses, Page 8799

32317

# State of Idaho License and Certificate of Water Right

Water License No. G-32317

Priority April 12, 1965

Amount 6.66 c.f.s.

THIS IS TO CERTIFY that J. R. SIMPLOT COMPANY

of Boise, Idaho made application for a permit to appropriate the public waters of the State of Idaho, dated April 12, 1965; that Permit No. G-32317 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 6.66 second feet, was issued thereunder on April 20, 1967, showing that said works were completed on the 22nd day of June, 1965, J. R. SIMPLOT COMPANY, 1965 and that on the 22nd day of June, 1965, J. R. SIMPLOT COMPANY, 1965 and

of Boise, Idaho made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well, a tributary of subterranean flow, for the purpose of industrial use under Use Permit No. G-32317 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 14 of Licenses, at Page 8799, on the 20th day of April, 1967.

The right hereby confirmed dates from April 12, 1965. The Point of Diversion is located in the NE 1/4 SW 1/4, Sec. 7, Twp. 6 S, R. 34 E, B.M., Power County. That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 6.66 cubic feet per second.

Description and location of use:

| Twp. | Range | Section | Early-Acre Tract                                                             | No. Acres Described in Permit | No. Acres Actually Irrigated |
|------|-------|---------|------------------------------------------------------------------------------|-------------------------------|------------------------------|
| 6 S  | 34 E  | 7       | <p>E 1/2 SW 1/4</p> <p>W 1/2 SE 1/4</p> <p>For industrial purposes only.</p> | <p>None</p> <p>None</p>       | <p>None</p> <p>None</p>      |

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 20th day of April, 1967.

*R. Keith Hagg*  
State Reclamation Engineer

29 2502

32317

DISTRICT COURT  
SNAKE RIVER BASIN ADJUDICATION  
STATE OF IDAHO



RECEIVED  
APR 14 1994  
Department of Water Resources

DANIEL C. HURLBUTT, JR.  
PRESIDING JUDGE  
(208) 738-3011  
FAX (208) 738-2121

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,

Diana R. Delaney  
Chief Deputy Clerk

DRD

Enclosure

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

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 2:52  
DISTRICT COURT - SR 21  
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

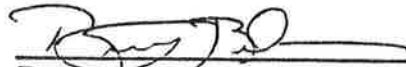
24 The United States; the State of )  
25 Idaho; and all claimants to the )  
26 use of water from the Snake )  
27 River Basin Water System, )

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:

James Annest  
Law Office of James Annest  
1742 Overland Avenue  
Burley, Idaho 83318

Richard F. Smith  
P.O. Box 70  
Rexburg, Idaho 83440

Josephine P. Beeman  
MOFFATT, THOMAS, BARRETT,  
ROCK & FIELDS  
First Security Bank Building  
911 West Idaho  
P.O. Box 829  
Boise, Idaho 83701

Brad A. Flinders  
STUNZ, FONDA, NICHOLS, KIYUNA,  
OKAI, HORTON & FLINDERS  
P.O. Box 1565  
Nyssa, Oregon 97913

Cliff S. Bentz  
YTURRI, ROSE, BURNHAM,  
BENTZ & HELFRICH  
P.O. Box 450  
Fruitland, Idaho 83619

Kent W. Foster  
HOLDEN, KIDWELL, HAHN & CRAPO  
330 Shoup Avenue  
P.O. Box 50130  
Idaho Falls, Idaho 83405

Randall C. Budge  
RACINE, OLSON, NYE,  
COOPER & BUDGE, CHARTERED  
201 East Center, Suite 2A  
P.O. Box 1391  
Pocatello, Idaho 83204-1391

Randall C. Fredricks  
COSHO, HUMPHREY, GREENER &  
WELSH, P.A.  
Carnegie Building  
815 West Washington Street  
Boise, Idaho 83702

Rebecca Craven  
Deputy Counsel  
Robert T. Anderson  
Staff Attorney  
Nez Perce Tribal Executive  
Committee  
Office of Legal Counsel  
P.O. Box 305  
Lapwai, Idaho 83540-0305

Raymond D. Givens  
Jeffrey C. Fereday  
Michael C. Creamer  
Christopher H. Meyer  
Roy L. Eiguren  
GIVENS, PURSLEY, & HUNTLEY  
277 North Sixth Street, Suite 200  
P.O. Box 2720  
Boise, Idaho 83701

NOV 13 1994

1 Richard A. Cummings  
2 MEULEMAN, MILLER, STROTHER &  
3 CUMMINGS  
4 960 Broadway, Suite 400  
5 P.O. Box 955  
6 Boise, Idaho 83701

Blair J. Grover  
Grover Law office, Chartered  
102 North Clark  
P.O. Box 36  
Rigby, Idaho 83442-0036

5 John D. Hansen  
6 HANSEN, BEARD, ST. CLAIR,  
7 PETERSON & SULLIVAN,  
8 CHARTERED  
9 683 North Capital Avenue  
10 P.O. Box 51718  
11 Idaho Falls, Idaho 83402-1718

Roger D. Ling  
LING, NIELSEN & ROBINSON  
615 H Street  
P.O. Box 396  
Rupert, Idaho 83350

10 HEPWORTH, NUNGESTER &  
11 LEZAMIZ, CHARTERED  
12 133 Shoshone Street North  
13 P.O. Box 389  
14 Twin Falls, Idaho 83303-0389

J. Dee May  
MAY & MAY LAW OFFICES  
516 Second Street East  
P.O. Box 1846  
Twin Falls, Idaho 83303

13 Cecil D. Hobdey  
14 HOBDEY & HOBDEY  
15 Attorneys at Law  
16 125 Fifth Avenue West  
17 P.O. Box 176  
18 Gooding, Idaho 83330

Don A. Olowinski  
Albert P. Barker  
Richard B. Burleigh  
HAWLEY, TROXELL, ENNIS & HAWLEY  
877 West Main Street  
P.O. Box 1617  
Boise, Idaho 83701

18 Dana L. Hofstetter  
19 Murray D. Feldman  
20 HOLLAND & HART  
21 West One Plaza, Suite 1400  
22 101 South Capitol Boulevard  
23 P.O. Box 2527  
24 Boise, Idaho 83701

Bert L. Osborn  
26 South Ninth Street  
P.O. Box 158  
Payette, Idaho 83661

23 William R. Hollifield  
24 HOLLIFIELD AND TOLMAN  
25 249 Third Avenue East  
26 P.O. Box 66  
27 Twin Falls, Idaho 83303-0066

David B. Lincoln  
Scott L. Campbell  
ELAM & BURKE  
Key Financial Center, 10th Floor  
702 West Idaho Street  
P.O. Box 1539  
Boise, Idaho 83701

1 William A. Parsons  
2 Kent Fletcher  
3 PARSONS, SMITH, STONE &  
4 FLETCHER  
5 137 West 13th Street  
6 P.O. Box 910  
7 Burley, Idaho 83318

Jerry R. Rigby  
Ray W. Rigby  
RIGBY, THATCHER, ANDRUS,  
RIGBY & KAM, CHARTERED  
25 North Second East  
P.O. Box 250  
Rexburg, Idaho 83440

6 William F. Ringert  
7 Daniel V. Steenson  
8 RINGERT, CLARK, CHARTERED  
9 455 South Third Street  
10 P.O. Box 2773  
11 Boise, Idaho 83701-2773

John A. Rosholt  
James C. Tucker  
ROSHOLT, ROBERTSON & TUCKER  
142 Third Avenue North  
P.O. Box 1906  
Twin Falls, Idaho 83303-1906

10 James P. Speck  
11 HOGUE, SPECK & AANESTAD, P.A.  
12 120 East Avenue  
13 P.O. Box 987  
14 Ketchum, Idaho 83340

Larry Sullivan  
SCHROEDER, HUTCHENS & SULLIVAN  
P.O. Box 220  
Vale, Oregon 97918

14 Douglas R. Whipple  
15 WHIPPLE'S LAW OFFICE, CHTD.  
16 111 West 15th Street  
17 P.O. Box 249  
18 Burley, Idaho 83318

Jeanette Wolfley  
Candy L. Jackson  
Shoshone-Bannock Tribes  
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  
22 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  
27 Boise, Idaho 83711-4449

RECORDED  
NOV 13 1990

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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RECEIVED  
MAY 13 1990

CORPORATE HEADQUARTERS

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.  
-Jal*

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

*CONFIDENTIAL*  
NOV 13 1994



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

E.O.

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

May 20, 1994

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

RECEIVED  
MAY 24 1994

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

Department of Water Resources  
Eastern District Office

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

RECEIVED  
MAY 13 1994

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 29-2502  
Date Received: 4/18/1990  
Receipt No: C016378  
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

J R SIMPLOT CO Phone: (208) 336-2110  
999 MAIN ST STE 1300  
PO BOX 27  
BOISE ID USA 83707

2. Date of Priority: 04/12/1965

3. Source: GROUND WATER , GROUND WATER , GROUND WATER Trib. to: , ,

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 06S      | 34E   | 7       | SE SW                 | POWER  |      |
| 06S      | 34E   | 7       | NE SW                 | POWER  |      |
| 06S      | 34E   | 7       |                       | POWER  |      |

5. Description of diverting works:

3 WELLS, 3 PUMPS, COMMON PIPELINE

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| INDUSTRIAL | 1/01 | 12/31 | 6.66   |            |

7. Total Quantity Appropriated is:  
6.66 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 |
|----------|-------|---------|-----|--------|-----|------------|-------|
| 05S      | 34E   | 25      | NE  | NE     |     | INDUSTRIAL |       |
|          |       |         | NW  | NE     |     | INDUSTRIAL |       |
|          |       |         | SW  | NE     |     | INDUSTRIAL |       |
|          |       |         | SE  | NE     |     | INDUSTRIAL |       |
|          |       |         | NE  | NW     |     | INDUSTRIAL |       |
|          |       |         | NE  | SW     |     | INDUSTRIAL |       |
|          |       |         | NW  | SW     |     | INDUSTRIAL |       |
|          |       |         | SW  | SW     |     | INDUSTRIAL |       |
|          |       |         | SE  | SW     |     | INDUSTRIAL |       |
|          |       |         | NE  | SE     |     | INDUSTRIAL |       |
|          |       |         | NW  | SE     |     | INDUSTRIAL |       |
|          |       |         | SW  | SE     |     | INDUSTRIAL |       |
|          |       |         | SE  | SE     |     | INDUSTRIAL |       |
| 05S      | 34E   | 31      | NE  | NW     |     | INDUSTRIAL |       |
|          |       |         | NW  | NW     |     | INDUSTRIAL |       |
|          |       |         | SW  | NW     |     | INDUSTRIAL |       |
|          |       |         | SE  | NW     |     | INDUSTRIAL |       |
| 05S      | 34E   | 36      | NE  | NE     |     | INDUSTRIAL |       |
|          |       |         | NW  | NE     |     | INDUSTRIAL |       |
|          |       |         | SW  | NE     |     | INDUSTRIAL |       |
|          |       |         | SE  | NE     |     | INDUSTRIAL |       |
|          |       |         | NE  | NW     |     | INDUSTRIAL |       |
|          |       |         | NW  | NW     |     | INDUSTRIAL |       |
| 05S      | 35E   | 30      | NE  | NE     |     | INDUSTRIAL |       |
|          |       |         | NW  | NE     |     | INDUSTRIAL |       |
|          |       |         | SW  | NE     |     | INDUSTRIAL |       |
|          |       |         | SE  | NE     |     | INDUSTRIAL |       |
|          |       |         | NE  | NW     |     | INDUSTRIAL |       |
|          |       |         | NW  | NW     |     | INDUSTRIAL |       |
|          |       |         | SW  | NW     |     | INDUSTRIAL |       |
|          |       |         | SE  | NW     |     | INDUSTRIAL |       |
| 06S      | 34E   | 7       | SE  | NE     |     | INDUSTRIAL |       |
|          |       |         | NE  | SW     |     | INDUSTRIAL |       |
|          |       |         | SE  | SW     |     | INDUSTRIAL |       |
|          |       |         | NE  | SE     |     | INDUSTRIAL |       |
|          |       |         | NW  | SE     |     | INDUSTRIAL |       |
|          |       |         | SW  | SE     |     | INDUSTRIAL |       |
|          |       |         | SE  | SE     |     | INDUSTRIAL |       |
| 06S      | 34E   | 8       | NE  | NW     |     | INDUSTRIAL |       |
|          |       |         | NW  | NW     |     | INDUSTRIAL |       |
|          |       |         | SW  | NW     |     | INDUSTRIAL |       |
|          |       |         | SE  | NW     |     | INDUSTRIAL |       |
|          |       |         | NE  | SW     |     | INDUSTRIAL |       |
|          |       |         | NW  | SW     |     | INDUSTRIAL |       |
|          |       |         | SW  | SW     |     | INDUSTRIAL |       |
|          |       |         | SE  | SW     |     | INDUSTRIAL |       |
|          |       |         | SW  | SE     |     | INDUSTRIAL |       |
| 06S      | 34E   | 17      | NW  | NE     |     | INDUSTRIAL |       |
|          |       |         | NE  | NW     |     | INDUSTRIAL |       |

11. Place of use in counties: BANNOCK, POWER

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

13. Other Water Rights Used:

14. Remarks:

WELL #4, SESW WELL #5, NESW - ORIGINAL WELL UNDER THIS LICENSE WELL #6, SESW

15. Basis of Claim: License

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

For Organizations:

I do solemnly swear or affirm that I am \_\_\_\_\_ of  
Title

\_\_\_\_\_, that I have signed the foregoing

Organization  
document in the space below as \_\_\_\_\_ of

Title  
\_\_\_\_\_ and that the statements contained in the

Organization  
foregoing document are true and correct. \_\_\_\_\_

Signature of Authorized Agent

\_\_\_\_\_  
Title and Organization

\_\_\_\_\_  
Date

State of Idaho )

County of \_\_\_\_\_ )

SS.

Subscribed and sworn (or affirmed) before me this

of \_\_\_\_\_ 20\_\_

\_\_\_\_\_  
Notary Public

Residing at \_\_\_\_\_

My commission Expires \_\_\_\_\_

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 29-2502  
Date Received:  
Receipt No: C016378  
Received By:

**AMENDED NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

J. R. SIMPLOT COMPANY Phone: (208) 336-2110

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

2. Date of Priority: 04/12/1965

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 06S      | 34E   | 7       | SE SW                 | POWER  |      |
| 06S      | 34E   | 7       | NE SW                 | POWER  |      |
| 06S      | 34E   | 7       |                       | POWER  |      |

5. Description of diverting works:

3 WELLS, 3 PUMPS, COMMON PIPELINE

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| INDUSTRIAL | 1/01 | 12/31 | 6.66   |            |

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

8. Total consumptive use:

9. Non-irrigation uses: Industrial

**PROFILED**

SCANNED

FEB 22 2006

10. Place of use:

| Township | Range | Section | 1/4 | of 1/4 | Lot | Use        | Acres |
|----------|-------|---------|-----|--------|-----|------------|-------|
| 05S      | 34E   | 25      | NE  | NE     |     | INDUSTRIAL |       |
|          |       |         | NW  | NE     |     | INDUSTRIAL |       |
|          |       |         | SW  | NE     |     | INDUSTRIAL |       |
|          |       |         | SE  | NE     |     | INDUSTRIAL |       |
|          |       |         | NE  | NW     |     | INDUSTRIAL |       |
|          |       |         | NE  | SW     |     | INDUSTRIAL |       |
|          |       |         | NW  | SW     |     | INDUSTRIAL |       |
|          |       |         | SW  | SW     |     | INDUSTRIAL |       |
|          |       |         | SE  | SW     |     | INDUSTRIAL |       |
|          |       |         | NE  | SE     |     | INDUSTRIAL |       |
|          |       |         | NW  | SE     |     | INDUSTRIAL |       |
|          |       |         | SW  | SE     |     | INDUSTRIAL |       |
|          |       |         | SE  | SE     |     | INDUSTRIAL |       |
| 05S      | 34E   | 31      | SE  | NW     |     | INDUSTRIAL |       |
|          |       |         | SW  | NW     |     | INDUSTRIAL |       |
|          |       |         | NW  | NW     |     | INDUSTRIAL |       |
|          |       |         | NE  | NW     |     | INDUSTRIAL |       |
| 05S      | 34E   | 36      | NW  | NW     |     | INDUSTRIAL |       |
|          |       |         | NE  | NW     |     | INDUSTRIAL |       |
|          |       |         | SE  | NE     |     | INDUSTRIAL |       |
|          |       |         | SW  | NE     |     | INDUSTRIAL |       |
|          |       |         | NW  | NE     |     | INDUSTRIAL |       |
|          |       |         | NE  | NE     |     | INDUSTRIAL |       |
| 05S      | 35E   | 30      | SE  | NW     |     | INDUSTRIAL |       |
|          |       |         | SW  | NW     |     | INDUSTRIAL |       |
|          |       |         | NW  | NW     |     | INDUSTRIAL |       |
|          |       |         | NE  | NW     |     | INDUSTRIAL |       |
|          |       |         | SE  | NE     |     | INDUSTRIAL |       |
|          |       |         | SW  | NE     |     | INDUSTRIAL |       |
|          |       |         | NW  | NE     |     | INDUSTRIAL |       |
|          |       |         | NE  | NE     |     | INDUSTRIAL |       |
| 06S      | 34E   | 7       | NE  | SW     |     | INDUSTRIAL |       |
|          |       |         | SE  | SW     |     | INDUSTRIAL |       |
|          |       |         | NE  | SE     |     | INDUSTRIAL |       |
|          |       |         | NW  | SE     |     | INDUSTRIAL |       |
|          |       |         | SW  | SE     |     | INDUSTRIAL |       |
|          |       |         | SE  | SE     |     | INDUSTRIAL |       |
|          |       |         | SE  | NE     |     | INDUSTRIAL |       |
|          |       |         | 06S | 34E    | 8   | NE         | NW    |
| NW       | NW    |         |     |        |     | INDUSTRIAL |       |
| SW       | NW    |         |     |        |     | INDUSTRIAL |       |
| SE       | NW    |         |     |        |     | INDUSTRIAL |       |
| NE       | SW    |         |     |        |     | INDUSTRIAL |       |
| NW       | SW    |         |     |        |     | INDUSTRIAL |       |
| SW       | SW    |         |     |        |     | INDUSTRIAL |       |
| SE       | SW    |         |     |        |     | INDUSTRIAL |       |
| SW       | SE    |         |     |        |     | INDUSTRIAL |       |

SCANNED

06S

34E 17

NE NW  
NW NE

INDUSTRIAL  
INDUSTRIAL

11. Place of use in counties: BANNOCK, POWER

12. Do you own the property listed above as place of use? The above place of use describes land owned by the claimant and land used by the claimant for the land application of industrial process water pursuant to agreements with other landowners.

13. Other Water Rights Used: 29-2375, 29-2501, 29-7763

14. Remarks:

WELL #4, SESW; WELL #5, NESW; - ORIGINAL WELL UNDER THIS LICENSE WELL #6, SESW

15. Basis of Claim: License

SCANNED

FEB 22 2006

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 X do not        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 Sr. Vice President and Secretary of J. R. Simplot Company, that I have signed the foregoing document in the space below as Sr. Vice President and Secretary of J. R. Simplot Company and that the statements contained in the foregoing document are true and correct.

[Signature]  
Signature of Authorized Agent  
Sr. Vice President and Secretary for  
J. R. Simplot Company  
Title and Organization

May 7, 2003  
Date

State of Idaho )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 7<sup>th</sup> day of May 20 03

[Signature]  
Notary Public

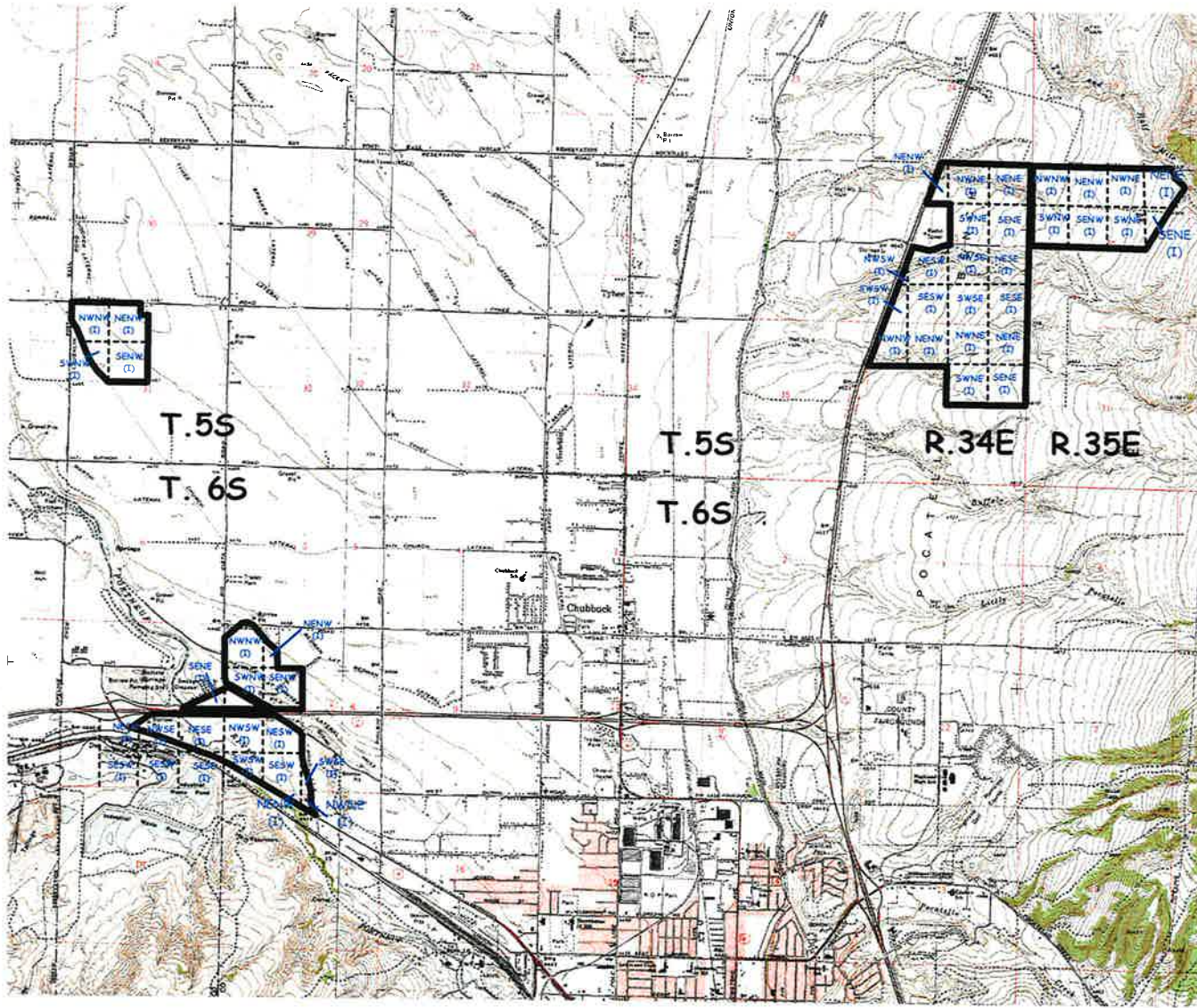
Residing at Boise, Idaho

My commission Expires 5/31/08



# Amended SRBA Claim No. 29-2502

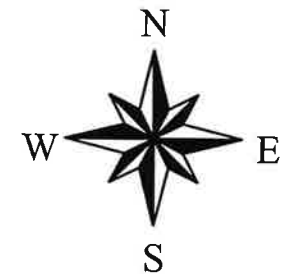
SCANNED  
FEB 22 2006



$\frac{1}{4} \frac{1}{4}$  (I) = Places of Industrial Use

 = Land where process water is land applied

2 0 2 4 Miles



MAY 10 2001

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: A29-02502  
Date Received: 4/18/90  
Receipt No: C016378  
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: J. R. SIMPLOT COMPANY  
Address: P.O. BOX 27  
BOISE, ID

83707

2. Date of Priority: APR 12, 1965

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 | Lot | County |
|----------|-------|---------|-------------------|-----|--------|
| 06S      | 34E   | 7       | NE SW             |     | POWER  |
|          |       |         | SE SW             |     | POWER  |
|          |       |         |                   |     | POWER  |

5. Description of diverting works:  
3 WELLS, 3 PUMPS, COMMON PIPELINE

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| INDUSTRIAL | 01/01 | 12/31 | 6.660  |      |        |

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:  
I/CHEMICAL MANUFACTURING

10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use    | Acres |
|----------|-------|---------|------------|-----|--------|-------|
| 06S      | 34E   | 7       | NE SW      |     | INDUST |       |

A29-02502

Page

1

Date: 04/13/90

MICROFILMED

NOV 13 1992

A2902502



10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 06S      | 34E   | 7       | SE     | SW  |     | INDUST |       |
|          |       |         | NW     | SE  |     | INDUST |       |
|          |       |         | SW     | SE  |     | INDUST |       |

11. Place of use in counties: POWER

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

13. Other Water Rights Used:  
A29-02375, A29-02501

14. Remarks:  
WELL #4, SESW  
WELL #5, NESW - ORIGINAL WELL UNDER THIS LICENSE  
WELL #6, SESW

15. Basis of Claim: LICENSE  
Water Right Number: 32317

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: One Map

**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.

*Russell L. House*  
Signature of Authorized Agent

Secretary, J. R. Simplot Company  
Title and Organization

04-17-90  
Date

State of Idaho )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 17th day  
of April 19 90

*Vicki A. Lower*  
Notary Public

Seal

Residing at Meridian

My Commission Expires 11-06-91