

IDAHO DEPARTMENT OF WATER RESOURCES 09/08/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: J R SIMPLOT CO
PO BOX 27
BOISE ID 83707

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 2,500
GALLONS PER DAY.

PRIORITY DATE: 02/01/1943

POINT OF DIVERSION:

T06S R34E S7 SENWSE Within POWER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

PLACE OF USE:

DOMESTIC Within POWER County

T06S R34E S07 NWSE

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.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4311 V1

WATER RIGHT NUMBER: 29-4311 V1

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

Priority Date: 02/01/1943

Basis: Beneficial Use

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>
DOMESTIC	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4SE1/4	Sec. 7, Twp 06S, Rge 34E, B.M.
POWER County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06S	34E	7																	X

Total Acres: 0

Conditions of Approval:

1. 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.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N06 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 2,500 GALLONS PER DAY.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-4311 V1

Comments:

1. bcontor 9/8/2001 Recommendation

Comment: Recommended as deminimus non-residential domestic w/o proof of priority per letter in paper file 29-2020.
Proper remarks are coded.

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:
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	9/8/2001 12:38:44 PM	bcontor			Active
POD	9/8/2001 12:40:52 PM	bcontor			Active
Source	9/8/2001 12:41:13 PM	bcontor			Active
Use	9/8/2001 12:44:01 PM	bcontor			Active
POU	9/8/2001 12:47:13 PM	bcontor			Active
Season	9/8/2001 12:50:05 PM	bcontor			Active
Quantity	9/8/2001 12:51:29 PM	bcontor			Active
Summary	9/8/2001 12:52:38 PM	bcontor	9/8/2001 12:52:38 PM	bcontor	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	9/8/2001 12:37:28 PM	bcontor	(No) 1. Do you want to schedule an appointment?

Comment for 1: Field inspection completed, see paper file 29-2020

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4311 V1

Priority Date	9/8/2001 12:37:04 PM	bcontor	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (No) 12. Does the claim file contain sufficient evidence of Priority Date? (No) 13. Has additional evidence of priority date been submitted? (Yes) 14. Can any portion of the claim be recommended as a valid water right? (No) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Recommended as deminimus non-household domestic with appropriate remarks and conditons.
POD	9/8/2001 12:38:43 PM	bcontor	Edited point location
POD	9/8/2001 12:39:12 PM	bcontor	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (No) 8. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required? Description for Question 8 - Recommended as deminimus non-household domestic with appropriate remarks and conditons.
Source	9/8/2001 12:39:33 PM	bcontor	(No) 1. Is the basis of claim decree or license? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (No) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Recommended as deminimus non-household domestic with appropriate remarks and conditons.
POD	9/8/2001 12:41:29 PM	bcontor	Edited point location
POD	9/8/2001 12:41:45 PM	bcontor	Edited PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4311 V1

Use	9/8/2001 12:42:20 PM	bcontor	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (No) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Recommended as deminimus non-household domestic with appropriate remarks and conditons.
POD	9/8/2001 12:43:30 PM	bcontor	Edited polygons
POU	9/8/2001 12:44:22 PM	bcontor	Edited shape boundary
POU	9/8/2001 12:44:47 PM	bcontor	Edited PLS
POU	9/8/2001 12:45:32 PM	bcontor	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - GIS based on interview with claimant at field inspection of other rights of claimant.
Season	9/8/2001 12:48:25 PM	bcontor	(No) 1. Is the basis of claim decree or license? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (No) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administrativly determined? (No) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required? Description for Question 15 - Recommended as deminimus non-household domestic with appropriate remarks and conditions.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4311 V1

POD	9/8/2001 12:49:49 PM	bcontor	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - Recommended as de minimus non-household domestic with appropriate remarks and conditions.
Summary	9/8/2001 12:50:58 PM	bcontor	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 4. Is any portion of the claim be recommended? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-4311

WATER RIGHT NUMBER: 29-4311

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

Priority Date: 02/01/1943
 Basis: Statutory Claim
 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>
COMMERCIAL	1/01 to 12/31	0.280 CFS	
	<u>Total Diversion:</u>	0.280 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4	Sec. 7,	Twp 06S,	Rge 34E, B.M.
POWER County				

Place of Use

COMMERCIAL

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

Total Acres: 0

Conditions of Approval:Remarks:

1. General WELL KNOWN LOCALLY AS FRONTIER WELL.^^

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-4311

Dates and Other Information:

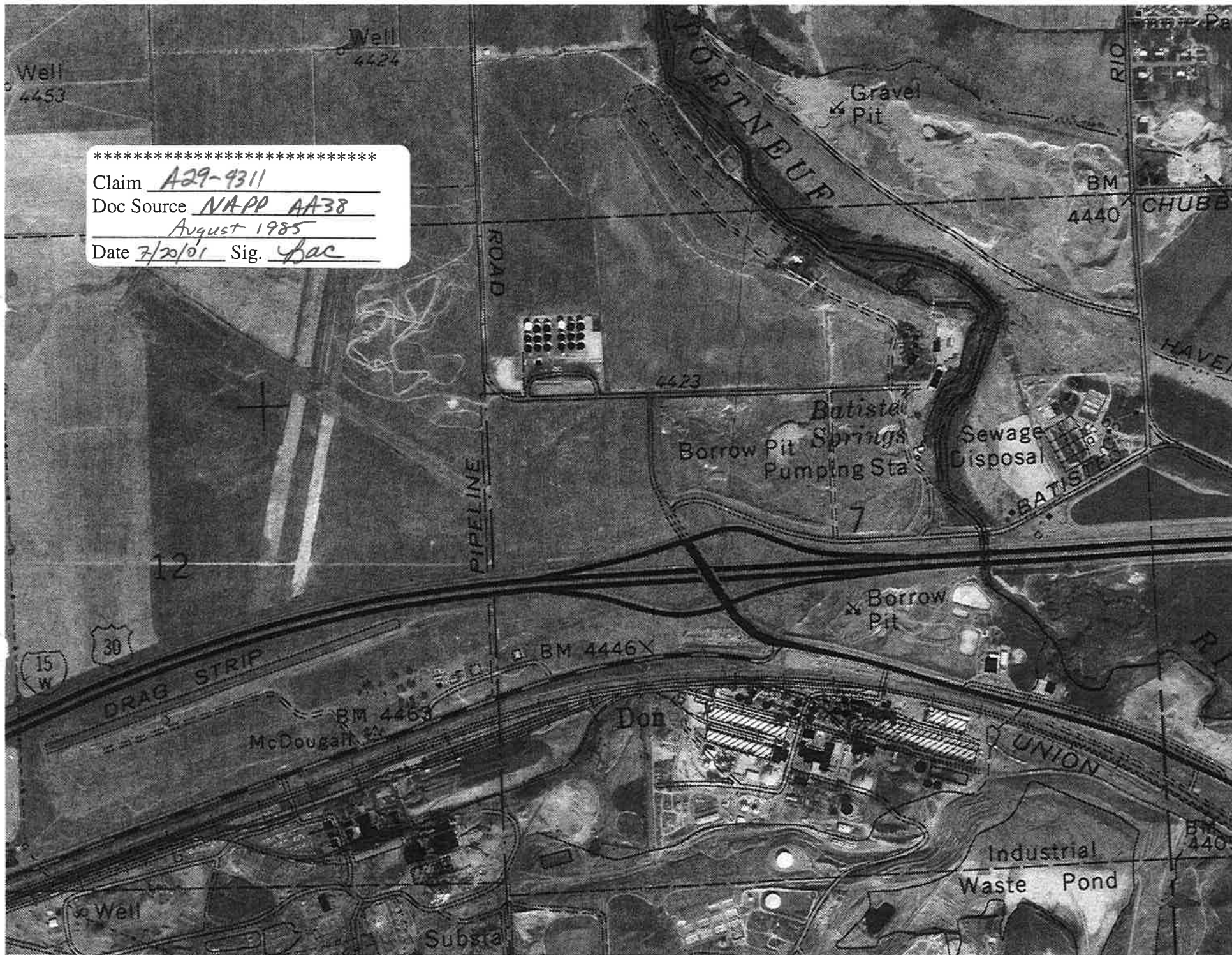
Claim Received Date: 4/18/1990
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
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>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Claim A29-9311

Doc Source NAPP AA-38

August 1985

Date 7/20/01 Sig. Bac

enlarged @ 200 %

MAY 16 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNORKARL J. DREHER
DIRECTOR

May 2, 2001

J. R. Simplot Company
P.O. Box 27
Boise, Idaho 83707Re: Claim 29-4307, 29-4311, 29-4334, 29-4489, 29-11312, 29-11313,
Snake River Basin Adjudication

Dear Water User(s):

We are now in the process of reviewing adjudication claims in Administrative Basin 29. Claim filing began a number of years ago, followed by several years of resolving legal issues. We are now in the process reviewing claims in order to make recommendations to the court.

For a long period of time in Idaho's history, a water right could be perfected by simply using water. Unless a dispute were resolved in court, there may never have been a paper record of a legitimate water right. In the 1970's or 1980's, many "statutory" claims were filed to record these existing unrecorded rights, but this process did not involve any investigation by the department. Claims were simply advertised, then recorded. When the adjudication commenced, new adjudication claims were filed, based upon the older statutory claims.

Your claims 29-4307, 29-4311, 29-4334, and 29-4489 fall in this class. Because of the nature of the statutory claims process and the adjudication claims process, these right has never been investigated nor verified by the department. Claims 29-11312 and 29-11313 are also claims for older unrecorded rights, but these did not have the intermediate statutory claim filing. I've enclosed copies of the adjudication claims and the older statutory claims, for your information.

In order to recommend these rights, I need you to supply "evidence of priority" and "evidence of beneficial use." The enclosed pamphlet describes some typical sources that may be used. If an affidavit is used, it must clearly show that the person making the affidavit personally observed the water use. The more detail the affidavit gives, indicating dates, circumstances, amounts and details of water use, the better. As I review the documentation provided, my standard will be:

The documentation should tend to indicate that diversion works were in place and had adequate capacity for the claimed use. The documentation should also tend to indicate that water was applied to the claimed beneficial use on the claimed place of use.

Please review these documents, and provide documentation of the historical use of these rights. Feel free to call me if you have questions. You should be able to reach me Thursday or Friday mornings.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

CLAIM TO A WATER RIGHT AMENDED

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that J.R. Simplot Co. ATTN: Ron Graves

(Name of Claimant)

P.O. Box 27 Boise, Idaho 83707

(Mailing Address)

Telephone No. 336-2110

(Zip Code)

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

- (1) Date of priority: (When was the water first applied to a beneficial use) February 1, 1943

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Groundwater tributary to

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>.2808 cfs</u>		Use <u>Domestic</u>		Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity <u>.2808 cfs</u>		TOTAL QUANTITY USED.			

- (4) _____

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NW 1/4 SE 1/4, Sec. 7 Twp. 6S Rge. 34E B.M., County of Power

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Well (180' deep) with 6" casing and 7.5 hp submersible pump

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			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	
6S	34E	7													X				

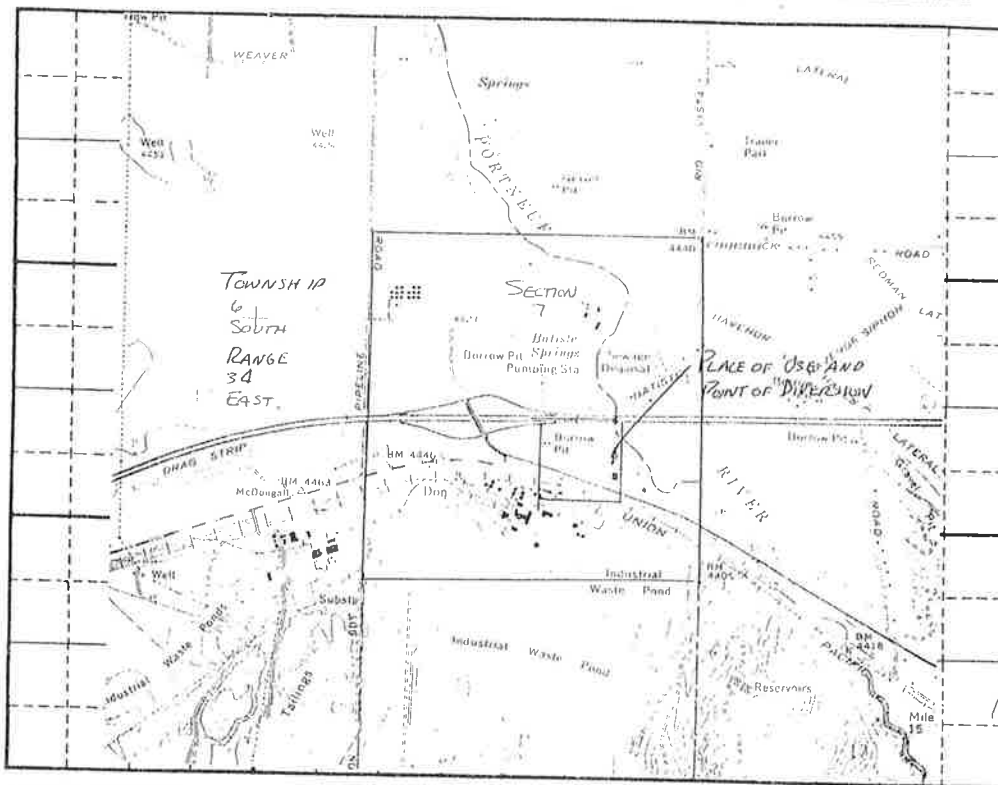
No. of acres _____

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

Domestic supplying water to office building and laboratory

NOTE: Include here the type and number of stock watered:

- (7) If used as a member of an organization, list name of organization:



Scale: 2 Inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of ADA

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

J. R. SIMPLOT COMPANY

Ramona J. Young - Secretary
(Claimant)

Sworn to before me this 12th day of May, 19 83.

Notary Public

Residing at Boise, IdahoMy commission expires Lifetime

FOR DEPARTMENT USE ONLY

Received by SW Date 5/11/83
Prelim. check by S.M. Date 5/20/83
\$30.00 fee received by N.A. Date _____
Published in Boise County Press
Dates 7/14 & 7/21

Exception filed by:

Forwarded to
claimant by: Date



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

MICROFILMED

NOV 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

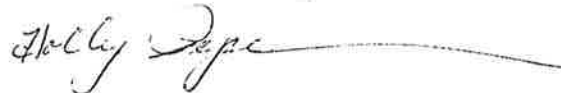
Dear Mr. Shaff:

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

MICROFILMED

NOV 13 1990

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. - JEL*

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

Dear Mr. Young and Mr. Uhling:

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

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

Sincerely,

A handwritten signature in cursive script, reading "Diana R. Delaney".

Diana R. Delaney
Chief Deputy Clerk

DRD

Enclosure

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

MICROFILMED

NOV 13 1996

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
Boise, Idaho 83707
Telephone: (208) 389-7318
Fax: (208) 389-7515

7 Attorneys for J. R. Simplot Company

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

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

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

Civil Case No. 39576

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

19 Petitioner,)

20 v.)

NOTICE OF WITHDRAWAL
OF COUNSEL

21 _____)
22 The United States; the State of)
23 Idaho; and all claimants to the)
24 use of water from the Snake)
River Basin Water System,)

25 Defendants.)

MICROFILMED
NOV 13 1996

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 4th day of April, 1994.

8
9 
10 Bruce L. Belzer
11 Assistant General Counsel for
12 J. R. Simplot Company
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MICROFILMED
NOV 13 1996

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

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

27 MICROFILMED
28 NOV 13 1996

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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SCANNED

MAY 16 2001

78

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: A29-04311

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: FEB 01, 1943

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	NW	SE			POWER

5. Description of diverting works:
WELL, PUMP, AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.280		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
C/OFFICE BLDG & LAB

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	34E	7	NW	SE		COMMER	

11. Place of use in counties: POWER

A29-04311

Page 1

Date: 04/13/90

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

13. Other Water Rights Used:
NONE

14. Remarks:
WELL KNOWN LOCALLY AS FRONTIER WELL.

15. Basis of Claim: STATUTORY CLAIM

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 J. R. Simplot Company, that I have signed the foregoing document in the space below as Secretary of J. R. Simplot Company and that the statements contained in the foregoing document are true and correct.

Raymond W. Granger
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