

Water Right Number - R35-08131

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
J. R. SIMPLOT COMPANY1 - P.O. BOX 27
2 -
3 -
City- BOISE State- ID Zip- 83707
Phone - 208-000-0000*** K - ALSO KNOWN AS ***
SIMPLOT1 -
2 -
3 -
City- BOISE State- ID Zip- 83707
Phone - 208-000-0000+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/18/1983 15 EASTERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - - - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
03S 33E 1 SE SE NE (11) BINGHAM+ - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
07 - INDUSTRIAL 04/15 09/01 0.020 5.60
43 - DOMESTIC 01/01 12/31 0.020 0.60+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.020 6.20 6.0+ - - - - - - - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
03S 33E 1 SE NE 07 INDUSTRIAL (11) BINGHAM
03S 33E 1 SE NE 43 DOMESTIC (11) BINGHAM

Total Acres:

+ - - Diversion Means - WELL, TANK & PUMP

+ - - Non-Irrigation Use - RETAIL FERTILIZER OUTLET

+ - - Other Rights for Same Use - NONE

SCANNED
SEP 13 2005

PROTECTED

Water right number - R35-08131

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - -
No Remarks found.

+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - - +
06/16/92 TAYLOR

+ - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 06/16/1992	Old Judicial District	-
Claim Received Date	- 06/07/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- C007291	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

SCANNED

SEP 13 2005

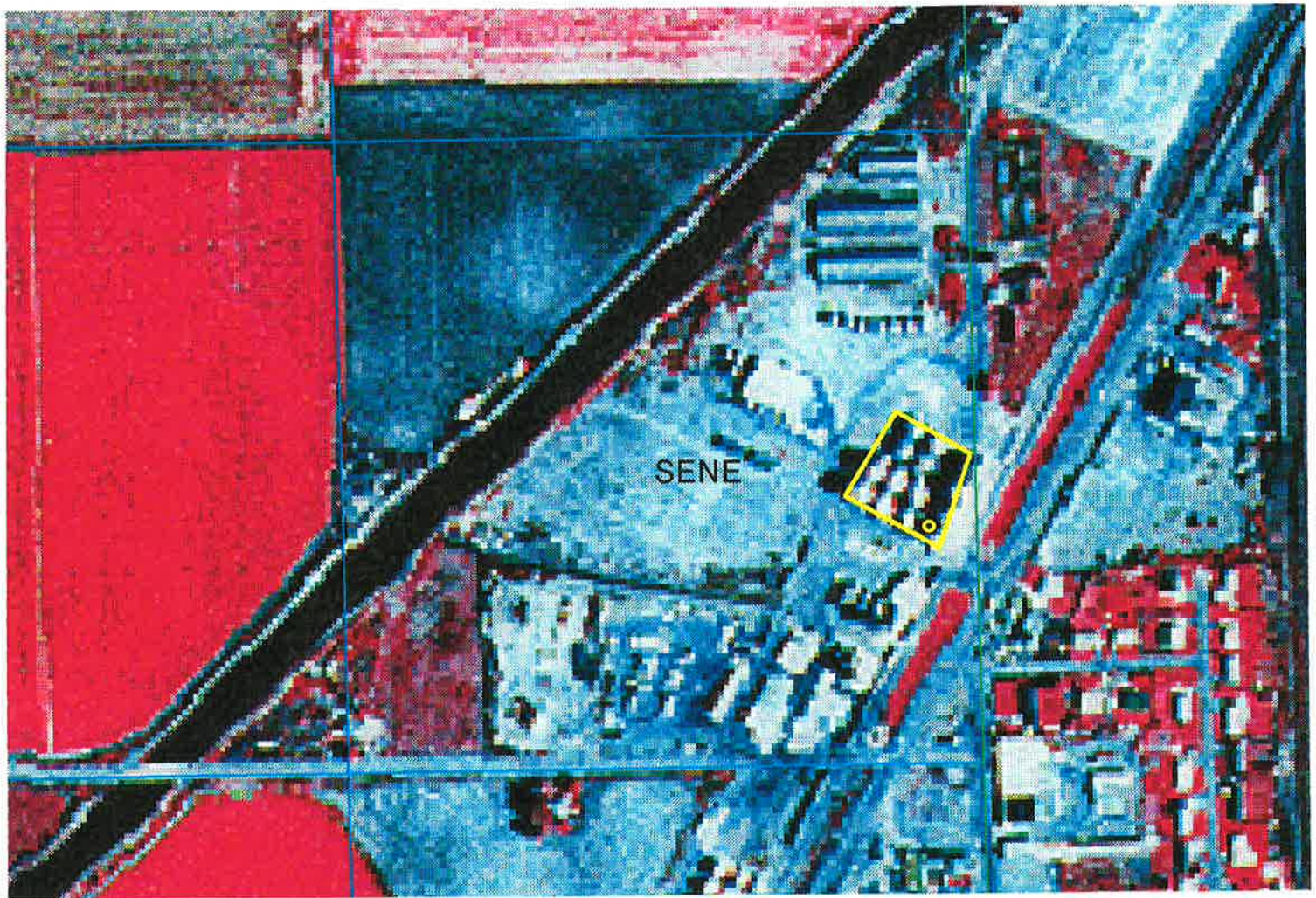
PROFILING

IDAHO DEPARTMENT OF WATER RESOURCES

J.R. SIMPLOT COMPANY

Water Right No(s).

35-08131



0 1320 Feet



Point of Diversion
Location



Place of Use
Boundary

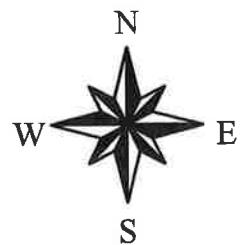


Section Lines



Quarter/Quarter Lines

**Township(s) 03S, Range(s) 33E
Section(s) 01**



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: Greg Taylor
Date: August 4, 1998

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SEP 13 2005

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

02:32:53
11/06/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A35-08131

LAST: J. R. SIMPLOT COMPANY
ADDRESS: P.O. BOX 27
CITY: BOISE
PHONE NUMBER: 208-000-0000
OWNER CODE: C

FIRST:
STATE: ID ZIP: 83707

LAST: SIMPLOT
ADDRESS:
CITY: BOISE
PHONE NUMBER: 208-000-0000
OWNER CODE: K

FIRST:
STATE: ID ZIP: 83707

FIELD EXAM REQUIRED?

DATABASE
N

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(☒)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

A. AJ CLAIM: * A35-08131 PRIORITY DATE: 04-18-1983 STAGE: L
B. WR RECORD: * 35-08131 PRIORITY DATE: 04-18-1983 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
AL

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

REMARKS: PER W.R. LICENSE NO. 35-08131

RECOMMENDED PRIORITY DATE:
04-18-1983

REVIEWED BY *SL*

DATE 6-16-92

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A35-08131	03S	33E	1		SE	NE		BINGHAM

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
35-04270

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
35-08131	03S	33E	1		SE	NE		BINGHAM

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER
IV

REMARKS:

PER OG, NAPP, LICENSE

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	R3E.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>03S</u>	<u>33E</u>	<u>01</u>	<u>SE</u>	<u>SE</u>	<u>NE</u>	<u>---</u>	<u>Bingham</u>
<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: Al Taylor DATE: 6-16-92

A. ROOT WATER RIGHT NUMBERS: A35-08131

B. POB LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
035	33E	1	SE	NE		J. R. SIMPLOT COMPANY	A35-08131 /	35-08131 /	34.0		
			SE	NE		LING, ROGER D.	A01-0002320/40.0	- /			
			SE	NE		LING, ROGER D.	A01-0029720/40.0	- /			
			SE	NE		LING, ROGER D.	A35-0254320/40.0	- /			
			SE	NE		ABERDEEN SPRINGFIELD CANAL CO.	A35-0424620/40.0	- /			
			SE	NE		LING, ROGER D.	A01-0206460/40.0	- /			
			SE	NE		LING, ROGER D.	A01-0206860/40.0	- /			
			SE	NE		LING, ROGER D.	A01-0206860/40.0	- /			
			SE	NE		OREGON SHORT LINE RAILROAD CO.	35-04270 /				
035	33E	1	SE	NE		J. R. SIMPLOT COMPANY	A35-08131 /	35-08131 /	34.0		
			SE	NE		LING, ROGER D.	A01-0002320/40.0	- /			
			SE	NE		LING, ROGER D.	A01-0029720/40.0	- /			
			SE	NE		LING, ROGER D.	A35-0254320/40.0	- /			
			SE	NE		ABERDEEN SPRINGFIELD CANAL CO.	A35-0424620/40.0	- /			
			SE	NE		LING, ROGER D.	A01-0206460/40.0	- /			
			SE	NE		LING, ROGER D.	A01-0206860/40.0	- /			
			SE	NE		LING, ROGER D.	A01-0206860/40.0	- /			
			SE	NE		OREGON SHORT LINE RAILROAD CO.	35-04270 /				
TOTAL ACRES							A35-08131		68.00		

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(X)
 IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POB DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
✓

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: 0

REVIEWED BY: W. Taylor

DATE: 6-16-72

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION	QUANTITY
A35-08131 INDUSTRIAL	FROM 04-15 TO 09-01	.020 CFS	5.60 AF/A
A35-08131 DOMESTIC	FROM 01-01 TO 12-31	.020 CFS	.60 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		.020 CFS	6.20 AF/A

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION	QUANTITY
35-08131 INDUSTRIAL	FROM 04-15 TO 09-01	.020 CFS	5.60 AF/A
35-08131 DOMESTIC	FROM 01-01 TO 12-31	.020 CFS	.60 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		.020 CFS	6.20 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	<u>N</u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y(/) N()

RECOMMEND TO WR STANDARDS OR OTHER? Y() N() EXPLAIN IN REMARKS, BELOW.

REMARKS:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(/) N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.020 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.020 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **
** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN REMARKS. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) N
FIELD DATABASE EXAMINER N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POB AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A31-0002320	SNAKE RIVER	LING, ROGER D.	1250.000	0.035		
A31-0029720	SNAKE RIVER	LING, ROGER D.	230.000	0.036		
A31-0205460	SNAKE RIVER	LING, ROGER D.			57133.00	1.61
A31-0205860	SNAKE RIVER	LING, ROGER D.			129940.00	3.66
A31-0205880	SNAKE RIVER	LING, ROGER D.			22850.00	0.64
A35-0254320	GROUNDWATER	LING, ROGER D.	6.000			
A35-0424620	GROUNDWATER	LING, ROGER D.	2.440			
		ABERDEEN SPRINGFIELD CANAL CO.				

NO RIGHTS WITH SAME POB BUT NOT USED FOR IRRIGATION

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE

ACRES _____ X 0.02 CFS/ACRE = _____ CFS
(TAKEN FROM P/U REVIEW)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

1B. CALCULATIONS

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 6.0 AF/A

ACRES _____ X CONSUMPTIVE VOL. AF/A FOR AREA _____ =
TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 6.20 AF/A

ACRES _____ X DIVERSION VOL. AF/A FOR AREA _____ =
TOTAL DIVERSION VOLUME _____ AF/A

$$.02 (1.9835) (140 \text{ days}) = 5.553$$
$$5.60$$

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
INDUSTRIAL	04-15 07-01	DATABASE EXAMINER 0.020 <u>.02</u>	DATABASE EXAMINER 5.60 <u>5.60</u>	DATABASE EXAMINER
DOMESTIC	01-01 12-31	0.020 <u>.02</u>	0.60 <u>.60</u>	6.0 <u>6.0</u>
TOTAL FOR THIS RIGHT		0.020 <u>.02</u>	6.20 <u>6.20</u>	

REVIEWED BY: LT Taylor

DATE: 6-16-92

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
(✓)	()
(✓)	()
(✓)	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 35-08131

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 0.020 EXAMINER .02 CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A35-08131	0.020	-		35-08131	0.020
TOTAL CFS		0.020				0.020

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)

DATABASE
Y

FIELD
EXAMINER
Y

REMARKS:

AUTHENTICATION:

SIGNATURE: G.J. Taylor

DATE: 6-16-92

NAME OF FIELD EXAMINER: G.J. Taylor

TITLE: Sr. Water Agent

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

02:32:53
11/06/91

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A35-08131

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE						6-16-92	6-16-92	6-16-92
POINT OF DIV	Y		6-16-92	To 10 Acres		6-16-92	6-16-92	6-16-92
SOURCE				Y	1, 4, 6			
PLACE OF USE	Y		6-16-92		1, 4, 6			
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE								
PURPOSES								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS								

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
 A3CS MAP = 2
 WATERMASTER RECORDS = 3
 NAAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

02:55:34
11/04/91

PAGE: 14
PROFILE REPORT

CLAIM NUMBER: A35-08131

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J. R. SIMPLOT COMPANY P.O. BOX 27 BOISE ID 83707	04/18/1993	INDUSTRIAL DOMESTIC	04-15 09-01 01-01 12-31	0.02 CFS 0.02 CFS	5.6 AFA 0.6 AFA
TOTAL DIVERSION: CONSUMPTIVE USE:					0.02 CFS	6.2 AFA 6.0 AFA

WATER SOURCE: GROUNDWATER

TRIBUTARY TO:

STAGE: LICENSE

POINT(S) OF DIVERSION: T03S R33E S01 SENE

BINGHAM COUNTY

PLACE OF USE LEGAL DESCRIPTION FOR: INDUSTRIAL

				NE				NW				SW				SE			
T	R	S	:	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC
03S	33E	1	:					I	:										

PLACE OF USE LEGAL DESCRIPTION FOR: DOMESTIC

				NE				NW				SW				SE			
T	R	S	:	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC
03S	33E	1	:					0	:										

OTHER RIGHTS: NONE

OTHER WATER RIGHTS LISTING OVERLAPPING PLACE(S) OF USE:

A01-00023Z0 A01-00297Z0 A01-02064G0 A01-02066G0 A01-02068H0 A35-02543Z0 A35-04246Z0

NON-IRRIGATION USE: RETAIL FERTILIZER OUTLET

DATES: EXAM MADE DATE:

MISC: WATER DISTRICT NUMBER: FIELD INSPECTION FLAG:
PRESUMPTION FLAG:



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 15 1990

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SEP 13 2005

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. -Sal*

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

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SEP 13 2005

MICROFILMED
NOV 15 1996

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



RECEIVED
APR 14 1994
Department of Water Resources

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
(208) 736-3011
FAX (208) 736-2121

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

MICROFILMED
NOV 15 1996

PROFILED

SCANNED
SEP 13 2005

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 - 5 PM 2:52
DISTRICT COURT - SRPA
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 The United States; the State of)
22 Idaho; and all claimants to the)
23 use of water from the Snake)
River Basin Water System,)

24 Defendants.)
25 _____)

26
27
28 NOTICE AND ENTRY OF APPEARANCE - 1

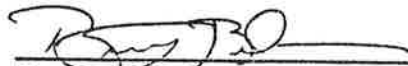
PROFILED

MICROFILMED
NOV 15 1996
SCANNED
SEP 13 2005

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 Bruce L. Belzer
10 Assistant General Counsel for
11 J. R. Simplot Company
12
13
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PROFILED

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NOV 15 1990

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SEP 13 2005

CERTIFICATE OF SERVICE

I hereby certify that on this 4~~th~~ 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
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9 683 North Capital Avenue
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11 LEZAMIZ, CHARTERED
12 133 Shoshone Street North
13 P.O. Box 389
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14 HOBDEY & HOBDEY
15 Attorneys at Law
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17 P.O. Box 176
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18 Dana L. Hofstetter
19 Murray D. Feldman
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21 West One Plaza, Suite 1400
22 101 South Capitol Boulevard
23 P.O. Box 2527
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23 William R. Hollifield
24 HOLLIFIELD AND TOLMAN
25 249 Third Avenue East
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PROFILE

NOTICE AND ENTRY OF APPEARANCE - 4

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NOV 15 1996

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2 Kent Fletcher
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4 FLETCHER
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7 Burley, Idaho 83318

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

14 James P. Speck
15 HOGUE, SPECK & AANESTAD, P.A.
16 120 East Avenue
17 P.O. Box 987
18 Ketchum, Idaho 83340

19 Douglas R. Whipple
20 WHIPPLE'S LAW OFFICE, CHTD.
21 111 West 15th Street
22 P.O. Box 249
23 Burley, Idaho 83318

24 Craig R. Zaiss
25 CRAIG R. ZAISS, P.A.
26 Attorney at Law
27 305 Grover Street
28 P.O. Box 628
Parma, Idaho 83660

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

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Office of the Attorney General
State of Idaho
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Boise, Idaho 83711-4449

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United States Department of Justice
Environment & Natural Resources Division
550 West Forth Street, Box 33
Boise, Idaho 83724



5500v

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SEP 13 2005



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

cc: Jo T.
Lori H.

RECEIVED

OCT 07 1994

March 24, 1994

Department of Water Resources
Eastern District Office

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Terry T. Uhling
Assistant General Counsel
Environmental & Regulatory Affairs
J. R. Simplot Company
P.O. Box 27
Boise, ID 83707

10/3/94 Still show
Belzer R63-21592
-35-04175
-35-08131

modified R Records to
match A Records of above.

RE: Snake River Basin Adjudication (SRBA)
Notice of Appearance (NOA) Dated January 28, 1994

Dear Mr. Uhling:

In response to the NOA referenced above, before we can modify our records to show you as co-counsel with Gray Young, we need confirmation the water rights shown on the enclosed Adjudication Name Index or others are the claims to which your Notice applies. You may decide, after reviewing the name index, additional Notices of Appearance are necessary to cover the myriad of companies that operate under the Company umbrella. We have not received notification that Bruce Belzer has withdrawn as counsel.

Please contact me if you have any questions or concerns.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:state

Enclosure:

Adjudication Name Index

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4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Simple

CL.

IDENT. NO.

A35-08131

DATE RECEIVED

6-07-89

CK #

AMOUNT \$

54-

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ *
2. Is a priority date entered? ☒ YES ☐ NO ☐ *
Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO ☐ *
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO ☐ *
3. (a) Is a source entered? ☒ YES ☐ NO ☐ *
(b) Is a tributary to entered? (if required) ☐ YES ☒ NO ☐ *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ *
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO ☐ *
Is the period of use included? ☒ YES ☐ NO ☐ *
Is a quantity claimed for each use? ☒ YES ☐ NO ☐ *
7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ *
8. If required is a consumptive use entered? ☐ YES ☒ NO ☐ *
Is the consumptive use correct? ☐ YES ☒ NO ☐ *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☐ YES ☒ NO ☐ *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ YES ☒ NO ☐ *
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ YES ☒ NO ☐ *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ *
19. Was this claim filed on time, or was an extension granted? ☐ YES ☒ NO ☐ *
20. Is the fee enclosed correct? ☐ YES ☒ NO ☐ *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☒ NO ☐ *
22. Should this claim be data entered? ☒ YES ☐ NO ☐ *

Claim checked by: ASDate: 6-08-89

Claim must be returned to claimant:

(Yes) ☐ (No) ☒

Claimant must be notified of modifications:

(Yes) ☐ (No) ☒Receipt Prepared by: ASClaim data entered by: ASSent to claimant by: ASDate: 6-07-89Date: 6-07-89Date: 6-07-89Checked by: MICROFILMEDDate: DEC 10 1992Comments: PROFILE

SEP 13 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

JUL 17 1986

35-8131

Permit No.

Department of Water Resources

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

$$\frac{20 \text{ ft}}{9 \text{ sec}} \times \frac{0.943 \text{ ft}}{1 \text{ ft}} \times \frac{9 \text{ ft}}{4 \text{ ft}} \times \frac{60 \text{ sec}}{1 \text{ min}} \times \frac{1 \text{ cfs}}{448.8 \text{ gal/min}} = \frac{0.07 \text{ cfs}}{\text{CAPACITY}}$$

$$\text{Theoretical: } \frac{8.8 (1)(6)}{2.31 (40) + 30} = 0.05 \text{ cfs}$$

0.02 cfs (permit)

$$\frac{8.8 (140)(6)}{2.31 (40) + 30} = Q$$

Recommend 0.02 cfs by permit

b) Volume Calculations for Irrigation: NA

$$V_{ir} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{div} = [\text{Diversión Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{ir} \text{ and } V_{div} = \underline{\hspace{2cm}}$$

c) Volume Calculations for Other Uses:

$$\text{Industrial: } 0.02 \text{ cfs} \times 140 \text{ days} \times 1.9835 = 5.55 \text{ ac-ft}$$

$$\text{Domestic: } 0.6 \text{ ac-ft}$$

2. Overlap Review

a) Other water rights with same place of use: NA

b) Other water rights with same point of diversion: NA

c) Analysis:

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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: A35-08131

Date Received: 6-07-89

Receipt No: 0007291

Received By: [Signature]

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 18, 1983

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	33E	1	SE	NE			BINGHAM

5. Description of diverting works:
WELL, TANK & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
INDUSTRIAL	04/15	09/01	0.020		5.60
DOMESTIC	01/01	12/31	0.020		0.60

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) 6.20 A.F.A.

8. Total consumptive use is 6.0 Acre Feet Per Annum.

9. Non-irrigation uses:
RETAIL FERTILIZER OUTLET

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	33E	1	SE	NE		INDUST	
			SE	NE		DOMEST	

A35-08131

Page 1

Date: 05/24/89

A3508131



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11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
NONE

14. Remarks:

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 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.

[Signature]
Signature of Authorized Agent

Secretary, J. R. Simplot Company
Title and Organization

5-25-89
Date

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SEP 13 2005

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State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 25th day

of May 19 89

W. A. Lowe
Notary Public

Seal

Residing at Meridian, Idaho

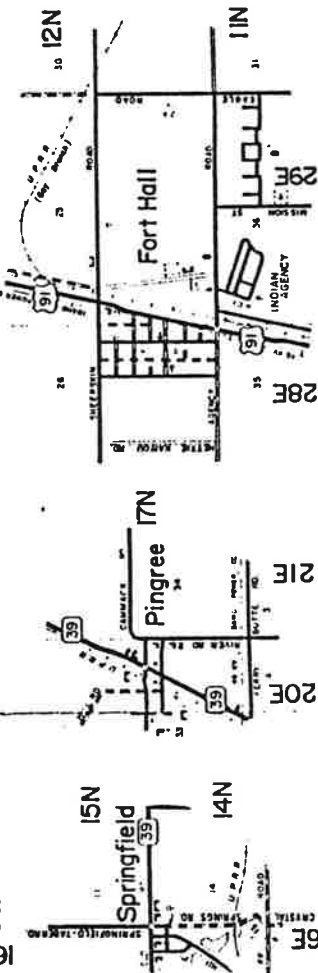
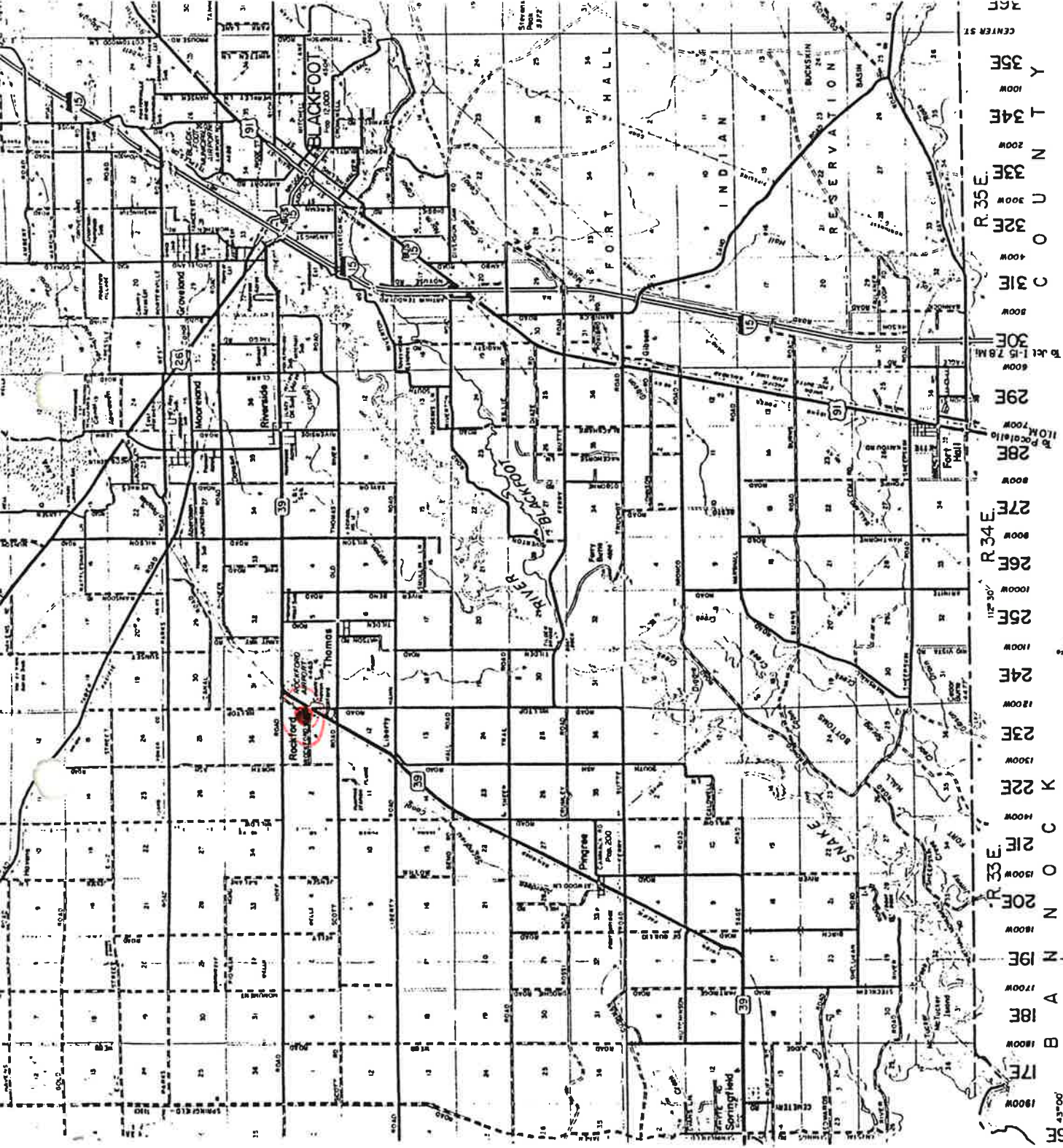
My Commission Expires 11-06-91

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PROTECTED

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SEP 13 2005

MICROFILMED
DEC 10 1992

SHAM COUNTY
IDAHO

LEGEND

- ARCH BRIDGE
- TRUSS ON GROUND (WOOD & STEEL)
- STATE CAPITAL
- COUNTY SEAT
- OTHER CITIES AND VILLAGES
- BUSINESS ESTABLISHMENTS

- SHOWABLE TRAILS
- JEEP TRAILS
- TRAIL OR PRIVATE ROAD
- PROJECTED ROAD
- UNIMPROVED ROAD
- GRADED AND DRAINED ROAD

