

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: A36-04179
Date Received: 8/22/1989 10/12/89
Receipt No: C012178
Received By: Rat

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
OCT 12 1989

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

83707-0000

2. Date of Priority: AUG 09, 1959

3. Source: GROUNDWATER

Trib. to:

Department of Water Resources

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	23E	15	NW	SW			MINIDOKA

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	6.350		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

I/POTATO PROCESSING, MAIN PLANT

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	23E	15	NW	SW		INDUST	

11. Place of use in counties: MINIDOKA

A36-04179

Page 1

Date: 10/11/89

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FEB 01 1993

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: 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 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

10/12/89

Date

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of October 19 89

[Signature]
Notary Public

Seal

Residing at Boise, Idaho

My Commission Expires 10-13-92
2 Date: 10/11/89

A36-04179

Page

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E. R. 23 E. FEB 01 1993

T. 10S R. 23E

UUR# A36-04179
 = point of Diversion
 = place of Use

COPY TO FILE

C012178

RECEIVED

OCT 26 1989

Department of Water Resources
Southern Region Office

10/12/89
13:24:30

SIMPLOT COMPANY, J.R.

ADJUDICATION FEE
APPLICATION FOR PERMIT

0410162	9337	6490	\$4,912.00
0610199	1238	6390	\$45.00

\$4,957.00

CHECK 47890

WR/NO:	A36-02648	A36-02729	A36-08154	A36-04182	A36-04181
	A36-04180	A36-04178	A36-04179	A36-02542	A36-04256
	A36-07636	A36-02620	A36-02619	A36-02213	A36-02208
	A36-13320	A36-13319	A36-02212	A36-04006	

Idaho Department of Water Resources

Region: STATE

Signature: _____

10/17/89 JP
AFTER CHANGE

MICROFILMED
FEB 01 1993

J. E. Simplot Company

Bar - U - Inc.

A36-2648 - \$316

A36-13261 - \$25

A36-2729 - \$106

A36-13258 - \$25

A36-08154 - \$500

\$50

A36-04182 - \$57

C012179

A36-04181 - \$51

A36-04180 - \$51

A36-04178 - \$51

A36-04177 - \$685

A36-02542 - \$272

A36-04256 - \$99

A36-07636 - \$99

A36-02620 - \$50

A36-02619 - \$690

A36-02213 - \$50

A36-02208 - \$370

A36-13320 - \$600

A36-13317 - \$85

A36-02212 - \$50

A36-04006 - \$730

Application - 45

4,957.00

C012178

Come 11

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INVOICE NO.	DESCRIPTION	ACCOUNT	CENTER	AMOUNT	PROJECT	DESC. II
	SNAKE RIVER ADJUDICATION			\$50.00		

PAYEE: DETACH THIS STATEMENT BEFORE DEPOSITING.

J. R. SIMPLOT COMPANY - Boise, Idaho 83707

N^o 47890

INVOICE NO.	DESCRIPTION	ACCOUNT	CENTER	AMOUNT	PROJECT	DESC. II
	SNAKE RIVER ADJUDICATION			\$4,957.00		
	J.R. SIMPLOT CO 10-12-89 Jeff — I receipted two checks for Vic Conrad — \$50 for the 2 Bar U, Inc. ^{attached} \$4957⁰⁰ for 19 claims (attached) 1 app/permit ^(sent to) ~~(Simpson)~~ He said he would bring the maps next week. Also, he did <u>not</u> bring the list with fees for each claim. Therefore, the receipt ~~is~~ does <u>not</u> break out the claims. When he brings the list back, receipt needs to be corrected & have all claims listed ^{of fees}. John					

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FEB 01 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 3, 1990

AS6-04179
I.R. SIMPLET CO.
P.O. BOX 27

NOTICE

ID 88707-0000

Dear Claimant(s):

In the past you submitted the claim(s) identified with the number(s) shown above your name and address at the top of this letter. You indicated on the claim(s) that the basis for establishing the water right(s) was Beneficial Use, meaning the water right was not previously confirmed by a decree, water right license or permit before you filed the claim(s).

The purpose of this letter is to request evidence supporting the priority date(s) you have claimed. The enclosed pamphlet describes what this means. While I encourage you to read all of the pamphlet, I direct your attention to the right-hand half of the pamphlet after you open it. There you will find two sections: What Kind of Evidence is Required, and Some Examples of Documents which May Be Evidence of the Priority Date. These sections tell you what must be submitted. The other sections tell you why the evidence is necessary and what the consequences of not submitting the evidence could be.

Please submit the requested evidence by November 1, 1990. When returning to the Department please reference all documents with the claim(s) identification number(s) listed above.

If you have questions not addressed by the pamphlet or need other technical assistance, please feel free to contact this office. For advice on your water right(s), please contact your attorney.

Sincerely,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosure

MICROFILMED
FEB 01 1993

DEVELOPMENT GROUP

October 31, 1990

Allen Merritt, P.E.
Water Rights Supervisor
State of Idaho Department of Water Resources
Southern Region
222 Shoshone St. East
Twin Falls, Idaho 83301

Re: Additional evidence supporting the priority dates to be included in files A36-04179, A36-04180, A36-04181, A36-04182.

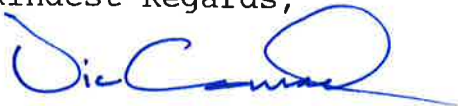
Dear Mr. Merritt:

Per your request please find enclosed additional evidence supporting the priority dates for the above referenced claims. Please include the enclosed Heyburn Plant aerial photograph copies dated September 9, 1962 into the corresponding files. Also included is a well driller's log appurtenant to A36-04179 indicating a drilling start date of June 26, 1959. This information was supplied to me by Company Personnel from Plant records.

I am continuing to research additional evidence to support the priority dates for claims A36-04006, A36-04178, A36-04256, the remaining claims you requested pursuant to your letter of October 3, 1990. I intend to submit this information to you on or before November 30, 1990.

If you have any question please contact me at (208) 389-7359.

Kindest Regards,



Vic Conrad
Associate, Simplot
Land and Development

RECEIVED
FEB 01 1993

comp
shop
04182

Moist
wall
36-04179
Wheel
36-04181

auto S
501 J Poi
36-04180

36-04179

LIB # 36-04179
photo includes portions
of Sections 15 and 16
T. 10S R. 23E

909.53
FL
FROM ORIGINAL

Commons Drilling

Drilled By J. R. Simplot Company Address Mayburn, Idaho

Date Started June 26, 1959 Date Finished Aug 27, 1959 Well # 1

Size and Depth of Wells 0 to 230 ft. 22" hole 230' to 331 ft. 18" hole

Section 331' to 430 ft. 16" hole Township Range

Drilled By Alva Temple Helper Harold Eyrden

Struck Water at surface Ft., and stands at 185 Ft.

Used casing as follows: 162.5' of 22" OD casing 200' of 20" OD casing
Depth 331' of 16" OD casing

From	To	Formation
0	2	Sand
2	9	Hardpan
9	26	Sand & gravel & some water
26	56	Blue clay
56	80	Sand, silt & gravel
80	90	Yellow clay & sand
90	112	Sand
112	200	Blue clay
200	211	Brown clay
211	217	Blue clay
217	221	Small gravel & clay - some water
221	226	Black soft lava
226	230	Black solid lava
230	245	Shale & lava
245	265	Yellow clay & cinders
265	281	Black lava
281	292	Fine silt & sand
292	320	Yellow sticky clay
320	355	Black solid lava - loss of cuttings
355	361	Red & black lava
361	369	Gray porous lava
369	392	Black honey cone lava
392	421	Black lava
421	430	Black lava cinders

MAIN WELL

POOR ORIGINAL

Signature

DEVELOPMENT GROUP

October 31, 1990

Allen Merritt, P.E.
Water Rights Supervisor
State of Idaho Department of Water Resources
Southern Region
222 Shoshone St. East
Twin Falls, Idaho 83301

Re: Additional evidence supporting the priority dates to be included in files A36-04179, A36-04180, A36-04181, A36-04182.

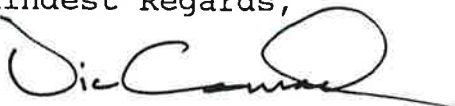
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Kindest Regards,



Vic Conrad
Associate, Simplot
Land and Development

MICROFILMED
FEB 01 1993

comp 472
5209
04182

Moi 4
W 11
36-04179
Wheel Pt
36-04181

Auto S
501 d 801
36-04180

36-04179

WIR # 36-04179
photo includes portions
of Sections 15 and 16
T. 10S R. 23E

FILED
1909.53N

FEB 01 1993

Commons Drilling

WR # 36-04179

Drilled By J. R. B.

Date Started June 26

Size and Depth of Well

Section

Drilled By Alva T.

Struck Water at surf

Used casing as follows

Depth

turn, Idaho

at 7, 1050 Well

234 ft. 48" hole.
hole

14 ft. 14 ft.

135 ft.

1 of 20" OD casing

From	To	Formation
0	2	Sand
2	9	Hardpan
9	26	Sand & gravel & some water
26	56	Blue clay
56	80	Sand, silt & gravel
80	90	Yellow clay & sand
90	112	Sand
112	200	Blue clay
200	211	Brown clay
211	217	Blue clay
217	221	Small gravel & clay - fine water
221	226	Black soft lava
226	230	Black solid lava
230	245	Shale & lava
245	265	Yellow clay & cinders
265	281	Black lava
281	292	Fine silt & sand
292	320	Yellow sticky clay
320	355	Black solid lava - loss of cuttings
355	361	Red & black lava
361	369	Gray porous lava
369	392	Black honey cone lava
392	421	Black lava
421	430	Black lava cinders

MAIN WELL

POOR ORIGINAL

MICROFILMED

FEB 01 1983

INPUT: AJ_SELECTION:FRAZEE-NAME-SIMPLOT.SEL

TYPE OF ACTION: ADD

MODIFY ALL FIELDS FLAG:

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

STATE: ID ZIP: 837070027

FIRST NAME:

ADDRESS LINE 2: 999 MAIN ST STE 1300

PHONE NUMBER: (208) 389-7318

36-02208 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-02212 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-02213 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-02542 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-02619 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-02620 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-02648A ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-02648B ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-02729 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-04006 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-04179 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-04180 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-04181 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-04182 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-04256 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-07333 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-07636 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-08154 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-13319 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-13320 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
57-02202 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
57-02203 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A01-04058 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A01-10101 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-00006 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-00015 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-00060 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-00076 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-00087 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-02053 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-02118 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-02139 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-02166 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-02220 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-02221 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-02222 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-02241 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-02409 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-07027 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-07040 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-07382 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-10002 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-10026 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-10049 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A22-07423 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A22-07451 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A24-07113 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A24-07164 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A24-07169 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE

you have N.O.A. copy.
-Jal

RECEIVED

APR 11 1993
Department of Water Resources
Boise, Idaho 83725

GRAY YOUNG
BRUCE BELZER
Attorneys at Law
J. R. Simplot Company Legal Department
999 Main Street, Suite 1300
P.O. Box 27
Boise, ID 83707
(208) 389-7318
(208) 389-7515 Telefacsimile

Attorneys for J. R. Simplot Company

RECEIVED
JAN 21 1992

Department of Water Resources

RECEIVED

APR 06 1993

Department of Water Resources
Southern Region Office

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF CASSIA

In Re the General Adjudication
of Rights to the Use of Water
From the Snake River Drainage
Basin Water System.

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States;
The State of Idaho;
and All Claimants to the Use
of Water from the Snake River
Basin Water System,

Respondents.

ALICE FOSHA, HELEN FLINT, and
BEVERLY ADAMS, individuals,

Plaintiffs,

vs.

A. KENNETH DUNN, Director of the
Department of Water Resources
of the State of Idaho,

Twin Falls County
Civil Case No. 39576

and

Cassia County
Civil Case No. 13770-12-83

NOTICE OF APPEARANCE

*Don modified thru
C.A.N. program.*

*4-1-93
- 2/*

Defendants.)

IN THE MATTER OF THE GENERAL)
DETERMINATION OF RIGHTS TO THE)
USE OF GROUNDWATER DIVERTED)
FROM SECTIONS 19, 20, 21, 28, 29,)
30, 31, 32, AND 33, T. 11 S.,)
R. 27 E., B.M.)

A. KENNETH DUNN, Director of the)
Department of Water Resources)
of the State of Idaho,)

Counterplaintiff,)

vs.)

ALICE FOSHA, HELEN FLINT, and)
BEVERLY ADAMS, individuals,)

Counterdefendants.)

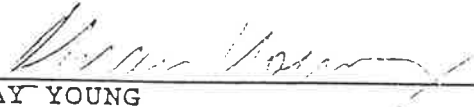
TO ALL PARTIES:

GRAY YOUNG, Assistant General Counsel, J. R. Simplot
Company, hereby enters his appearance as co-counsel on behalf
of J. R. Simplot Company in this action. All notices to
J. R. Simplot Company should be delivered to the following
address:

Gray Young
Bruce Belzer
J. R. Simplot Company
Legal Department
999 Main Street, Suite 1300
P.O. Box 27
Boise, ID 83707

DATED this 20th day of January, 1992.

By


GRAY YOUNG
Assistant General Counsel

4507vrl-20-32/1:42

CERTIFICATE OF MAILING

I HEREBY CERTIFY that a true and correct copy of the foregoing NOTICE OF APPEARANCE was mailed this 20th day of January, 1992, in an envelope with sufficient first-class postage prepaid thereon to the following:

Idahome Farms, Inc.
1925 Oakley Avenue
Burley, ID 83318

Dennis Jay Harper
Star Route
Declo, ID 83323

Roland Allen Land &
Livestock
Star Route
Malta, ID 83342

Mark J. Taylor
Strong & Hanni
5th Floor, Boston Building
Salt Lake City, UT 84111
Attorney for Fosha, et al.

Leo A. Jardine
Jardine, Linebaugh,
Brown & Dunn
Suite 400
370 East South Temple
Salt Lake City, UT 84111
Attorney for Raft River Ranches, Inc.

A. Lynne Krogh-Hampe
Deputy Attorney General
Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706-2237


VICKI SPANGLER









Water Right Number - R36-04179

Prefix Translation: RESEARCH

Old (D) Number -

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

*** A - ATTORNEY ***

YOUNG OR TERRY UHLING

GRAY

1 - ENV AND REGULATORY AFFAIRS

2 - J R SIMPLOT COMPANY

3 - PO BOX 27

City- BOISE

State- ID Zip- 837070027

Phone - 208-389-7318

*** C - CURRENT OWNER ***

J R SIMPLOT COMPANY

1 - PO BOX 27

2 -

3 -

City- BOISE

State- ID Zip- 83707

Phone - 208-000-0000

*** K - ALSO KNOWN AS ***

SIMPLOT

1 -

2 -

3 -

City- BOISE

State- ID Zip- 83707

Phone - 208-000-0000

+ - - Priority Date - - +

08/09/1959

+ - - - Region - - - +

17 SOUTHERN

+ - - - Stage - - - +

J - BENEFICIAL USE

+ - - - Status - - - +

+ - - - - Source - - - - - +

GROUNDWATER

+ - - - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name
-----	-----	-----	-------	-----	------	--------	----------------

10S	23E	15	SE NW SW			(67) MINIDOKA	
			SW SW SW	1		(67) MINIDOKA	

+ - - - - Water Use - - - - - +

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
------	-------------	-------------	-----------	----------------	------------------

07 - INDUSTRIAL		01/01	12/31	4.270	
-----------------	--	-------	-------	-------	--

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +

4.270 0.0

+ - - - - Place of Use - - - - - +

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
10S	23E	15	NE SW			07	INDUSTRIAL	(67) MINIDOKA
10S	23E	15	NW SW			07	INDUSTRIAL	(67) MINIDOKA
10S	23E	15	SW SW	1		07	INDUSTRIAL	(67) MINIDOKA

+ - - Diversion Means - 3 WELLS & PUMPS TO PIPELINE NETWORK

+ - - Non-Irrigation Use - INDUSTRIAL/ POTATO PROCESSING PLANT

+ - - Other Rights for Same Use - SEE REMARKS

*Proofed
12-10-97
KKC*

*updated
9-97
12-
KKC*

Vepp Rank

Water right number - R36-04179

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - - +

QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 7.70 CFS AND A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 3630.8 AF. COMBINED RIGHT NOS.: 36-08154,
36-02648A, 36-04180 AND 36-02729.

POD TWO POINTS OF DIVERSION LOCATED IN SENWSW, S15, T10S, R23E.

CON USE OF THIS RIGHT WITH RIGHTS LISTED IN THE QUANTITY SECTION IS
LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF
817.2 AF.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 36-08154, 36-02648A, 36-04180 & 36-02729.

+ - - - - Old Water Right Numbers - - - - - +

3604179

+ - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

+ - - Audit Fields - 08/14/96 KCHRISTE

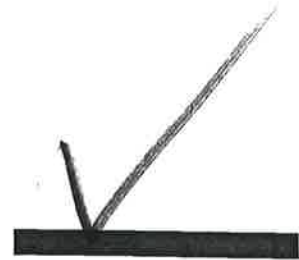
+ - - - - Comments - - - - - +

Date: 09/19/1991 User Id: WORSTELL Subject: INDUSTRIAL USE
POTATO PROCESSING - MAIN PLANT

+ - - - - 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	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 10/12/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- X777777	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	-

R PROOF



CVR



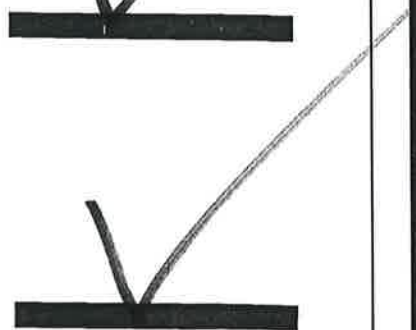
MAPS



PHOTOS



MISC



MICROFILMED
FEB 01 1993

Water Right Number - R36-04179

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
Phone - 208-000-0000

State- ID Zip- 83707

*** K - ALSO KNOWN AS ***
SIMPLOT1 -
2 -
3 -
City- BOISE
Phone - 208-000-0000

State- ID Zip- 83707

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
08/09/1959 17 SOUTHERN J - BENEFICIAL USE+ - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

Tw	Rng	Sec	Tract	Lot	RFlg	County
10S	23E	15	SE NW SW SW SW SW	1	(67) (67)	MINIDOKA MINIDOKA

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
07 - INDUSTRIAL		01/01	12/31	4.270	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
4.270 0.0

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
10S	23E	15	NE SW			07	INDUSTRIAL	(67) MINIDOKA
10S	23E	15	NW SW			07	INDUSTRIAL	(67) MINIDOKA
10S	23E	15	SW SW	1		07	INDUSTRIAL	(67) MINIDOKA

Total Acres:

- + - - Diversion Means - 3 WELLS & PUMPS TO PIPELINE NETWORK
- + - - Non-Irrigation Use - INDUSTRIAL/ POTATO PROCESSING PLANT
- + - - Other Rights for Same Use - SEE REMARKS

VERIFIED ADM
MICROFILMED
FEB 01 1992

Water right number - R36-04179

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - - +

TWO POINTS OF DIVERSION LOCATED IN SENWSW, S15, T10S, R23E.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 36-08154, 36-02648A, 36-04180 & 36-02729.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 7.70 CFS, A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 3630.8 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 817.2 AF. COMBINED RIGHT NOS.:
36-08154, 36-02648A, 36-04180 AND 36-02729.

+ - - - - Old Water Right Numbers - - - - - +
3604179

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

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

+ - - - - Comments - - - - - +

Date: 09/19/1991 User Id: WORSTELL Subject: INDUSTRIAL USE
POTATO PROCESSING - MAIN PLANT

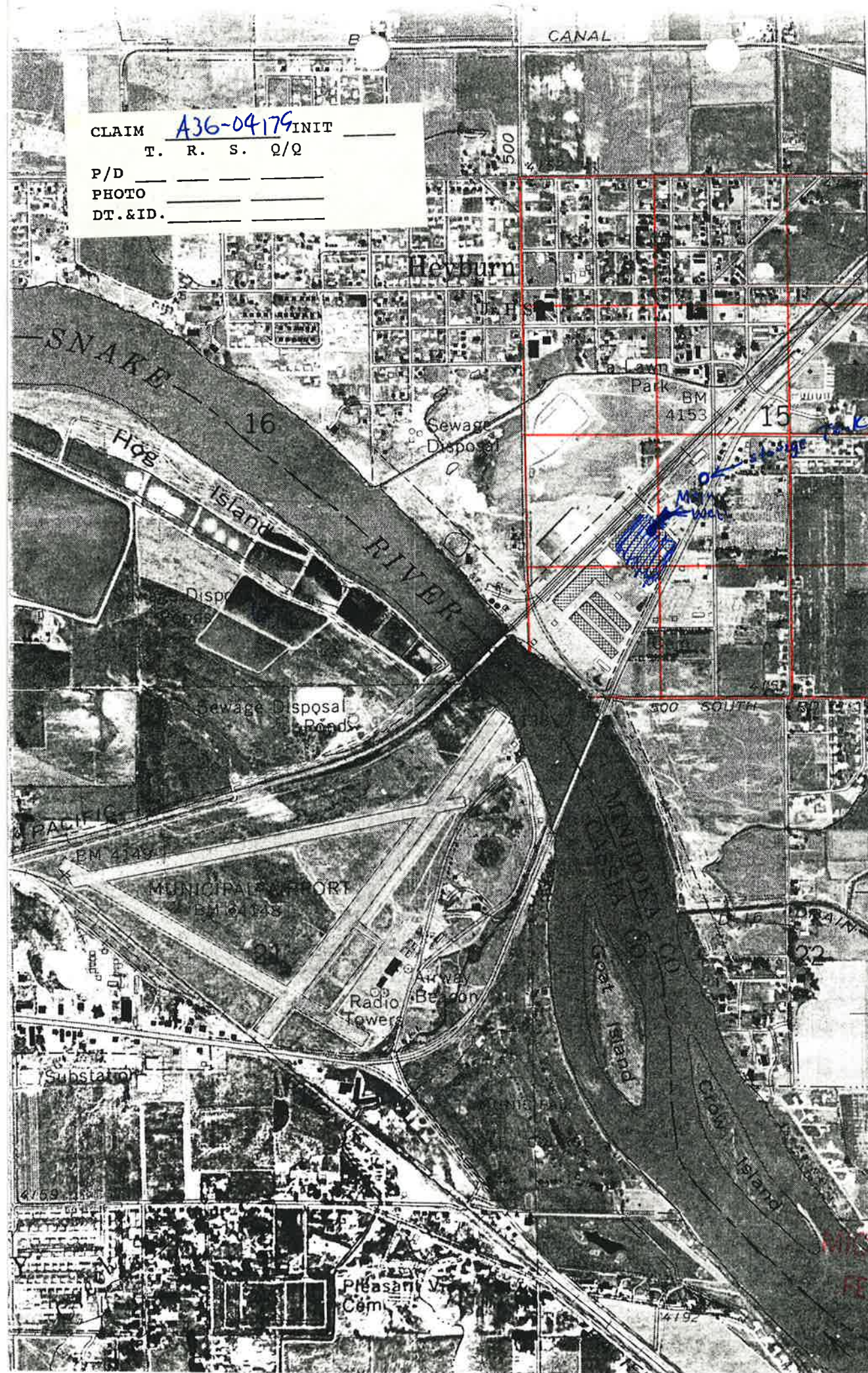
+ - - Audit Fields - - +
03/10/92 MERRITT

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 08/14/1991	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 03/10/1992	Old Judicial District	-
Claim Received Date	- 10/12/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- C012178	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

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CLAIM A36-04179 INIT _____
T. R. S. Q/Q
P/D _____
PHOTO _____
DT.&ID. _____



Main well

Static 185'
drawdown 10'

Friction Loss
10'

discharge 34
pump set @
290'

10/63 static
@ 225'

32' 30"

225' + (90 x 2.31)

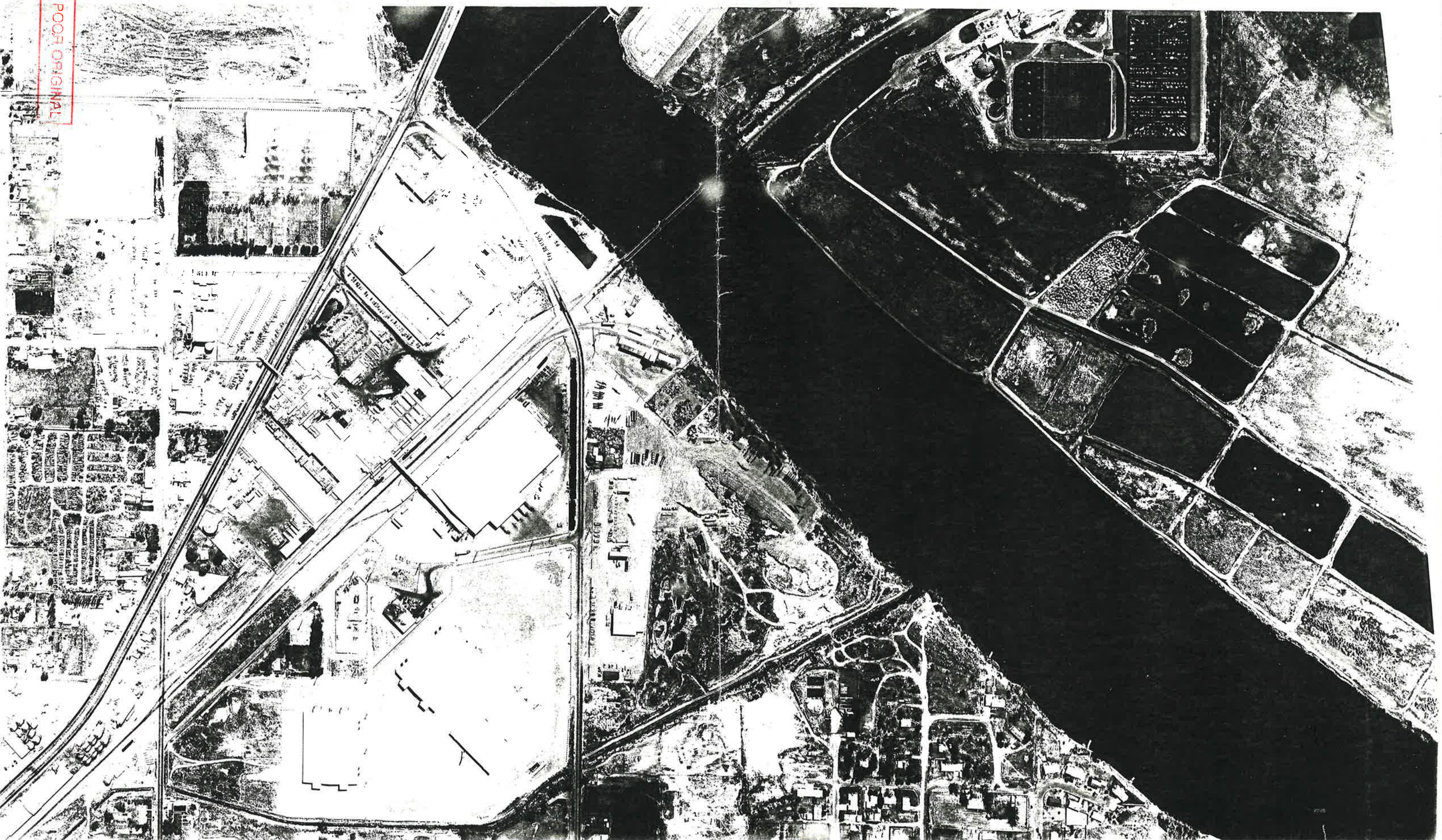
4.27

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4712

4/1/90 photo supplied by Vic Courzel.

POOF ORIGINAL



2/21/92 AD



300 H.P.

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Storage
tank
770,000
gallon.

2/21/92 Jon

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150 H.P.

Dry Storage Well

36-02648 (Part)

36-02729

36-04180

Storage tank



Cellar #2 Well

2/21/92

40-

Not used.
water transferred
to Dry Storage
well.

Developed under
36-02729 but
right removed
and now diverted
from Dry Storage
well.



25 H.P. (Not Used)

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2/21/92 AD~

River Well

36-08154

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MEMO

09-Mar-1992 08:55

From: Allen Merritt

To: Files A36-02542
A36-02648
A36-02729
A36-08154
A36-04179
A36-04180
A36-04181
A36-04182

J.R.Simplot Company has filed the above referenced claims to record the water use at the Simplot-Heyburn potatoe processing plant. The plant is located within the SW1/4 of Sec.15 T10S, R23E, BM in Minidoka County with the waste disposal plant located across the Snake River in the S1/2 of Sec.16 and the N1/2NE1/4 Sec.21 T10S, R23E, BM in Cassia County.

In the fall of 1991 Mike Harshburger, summer aid, conducted a field review of the claims but the exams were not finalized with detail sufficient to determine the diversion volume and consumptive use of the facility. During my re-evaluation I have contacted Vic Conrad of the Simplot office in Boise by phone on numerous occasions and on Feb. 21, 1992 I visited the plant and was escorted to all the well sites by Gerald Jordan. Additionally on Feb. 27 I contacted Mike Gann, environmental engineer for the plant, by phone to discuss the waste treatment facility and on 3/6/92 Vic Conrad visited my office.

My field review found that the bulk of the potatoe processing plant is supplied water from three production wells which are valved together but normally operated separately. The ethanol plant is supplied from a separate production well and there are other sandpoint wells for small domestic uses and watering of landscape. The water used within the plant is used for many purposes which can generally be classified as:

Domestic	(To supply the needs of the workers which would include drinking, toilet, washing, etc.)
Flume	(Water is used as a medium to transport potatoes and potatoe products thru the process)
Cooling	(Water is used to cool various mechanical devices as well as for humidification)
Washing	(Cleaning equipment, potatoes, ect.)
Fire Prot	(Protection for Plant)

Waste water from the processes at the potatoe processing plant and the ethanol plant is pumped across the river for treatment and disposal. A small portion being the domestic waste is processed thru the City of Heyburn waste treatment facility. Regarding the three main production

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wells these are generally used year-round, 24 hrs a day. They are valved &/or switched such that the discharge varies greatly throughout the day. To determine the appropriate amounts for the diversion volume and consumptive use volume I decided to first determine the volume of water pumped based on conversations and observations made then subtract out the measured waste. The large unknown in the water budget for the complex is the water evaporated into the air at the plant thru the venting of steam. This consumptive use of the water was estimated to be large by both Mr. Gann and Mr. Conrad but they could not quantify this value. Mike Gann indicated that the waste treatment facility treats around 3.0 million gallons/day (mgd). Of this 2.3 to 2.7 is termed "white water" and the remainder being termed "silt water". These waters are run thru a combination of digesters and settling ponds with effluent being discharged back to the Snake River under a discharge permit with a daily average of 2.5 to 2.7 mgd. A by product of this process is a biogas which is recovered and burned. Using napp photos and the description provided by Mr. Gann it appears that there are 35 acres of pond surface to evaporate water at the waste disposal site. The numbers provided by Mr. Gann and Mr. Conrad are their best estimates and are reduced below in a simplified water budget for the processes:

WATER INPUT TO SYSTEM

Main Well
 $4.27 \times 1.98 \times 365 = 3085.1 \text{ AFA}$

Dry Storage Well
 $30\% \times 2.23 \times 1.98 \times 365 = 477.0 \text{ AFA}$

Ethanol Well
 $0.70 \times 1.98 \times 240 = 332.6 \text{ AFA}$

River Well = 66.7 AFA

Estimated loss to evap @ plant

3961.4
 -3247.9
 - 3.7
 -61.6

 648.2 AFA

WATER OUTPUT FROM SYSTEM

Waste Treatment
 $2.9 \text{ mgd} = 3247.9 \text{ AFA}$
Back to River
 $2.6 \text{ mgd} = 2911.9 \text{ AFA}$
Evap in Pond
 $4 \times 35 = 140.0 \text{ AFA}$
Unaccounted
 $3247.9 - 2911.9 - 140 = 196.0 \text{ AFA}$
 (Biogas + seepage +?)

Ethanol Production
 5000×240
 ----- = 3.7 AFA
 325900

Domestic Waste
 $1100 \times 50 \times 365$
 ----- = 61.6 AFA
 325900

TOTAL DIVERSION VOLUME 3961.4 AFA
TOTAL CONSUMPTIVE USE 648.2 + 140.0 + 3.7 + (196 x 50%) 889.9 AFA

It is realized that some water enters the process in the potatoes and some water is lost in the biogas but it is assumed that these balance

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out or is a portion of the 196.0 AFA unaccounted at the waste treatment plant.

.....
In recommending the rights since the three main production wells are tied together all three points of diversion should be listed and the rights associated with these three wells should be:

Main Well	36-04179	4.27 cfs
Dry Storage	36-02648 part	1.96 cfs (2.66-0.70)
	36-02729	0.56 cfs

		2.23 cfs *well cap.
River Well	36-08154	1.20 cfs

*** Combined diversion rate = 7.70 cfs

**** Combined diversion volume = 3628.8 AFA

***** Also note that 36-04080 also supplied from this system for irrig. of 1/2 acre

***** Combined consumptive use est. = $889.9 (7.70/8.4) = 815.7$ AFA

.....
Ethanol Pump 36-02648 part 0.70 cfs

** Diversion volume = $0.7 \times 1.98 \times 240 = 332.6$ AFA

*** Consumptive use est. = $889.9 (0.7/8.4) = 74.2$ AFA

.....
A36-02542 This claim was for the fertilizer plant and after review with Mr. Conrad they are going to relinquish the claim since Simplot has never owned the property and they do not own it now. If belongs to Cenex but Simplot my purchase it in the future. During my field review we reviewed the property and the well and pump was not located and the fertilizer plant was not used and it was reported that the plant has not been used for many years.

.....
36-04180 This right was initially developed with an old sandpoint well located in the auto body shop. The right was for irrigation of a small strip of grass on the southern end of the property. During the field review the strip of ground continues to be irrigated but the pump on the sandpoint has been removed. Further discussions with Mr. Jordan indicated that the grass is watered from the pipeline network which connects the River Well, Dry Storage Well & the Main Well. This use will be recommended out of this system.

.....
36-04181 This right is for the lawn and shrub irrigation around the main parking lot located near the main building. The well and pump are located inside the main building inside the wheel pit peal room. The pump is a 1 hp and is only used for irrigation of the lawn of approx. 1/2 acre.

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.....
36-04182 This right is for the small domestic type use for the workers
in the carpenter shop. The well is a sandpoint with 1/3 hp pump
supplying the shop.

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FEB 0 1 1993

CANAL

16

CLAIM _____ INIT Adm
T. R. S. Q/Q
P/D _____
PHOTO BB78 SE
DT. & ID. _____

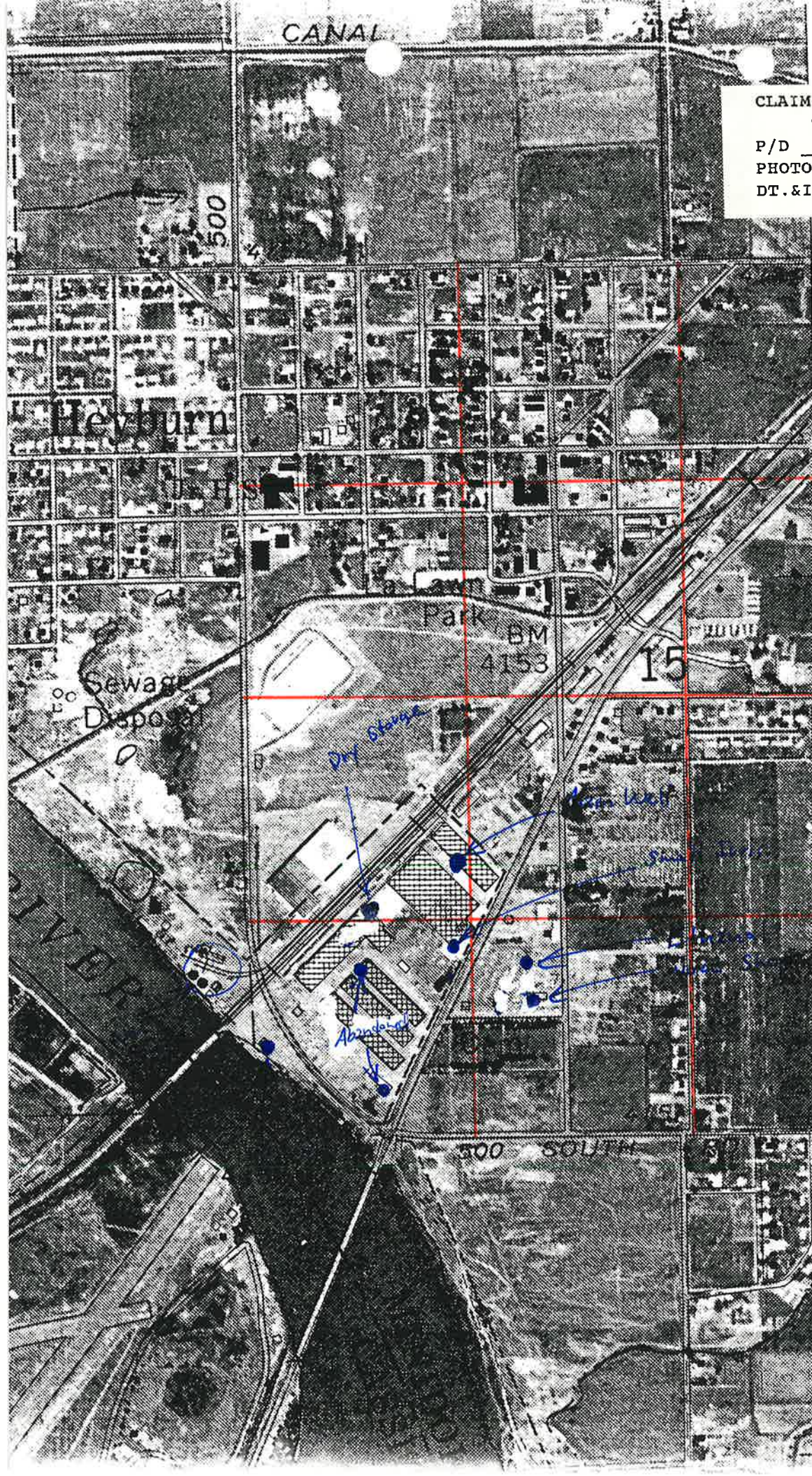
Well locations
Simplot Plant
Heyburn

4715

4714

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FEB 01 1993

32' 30"



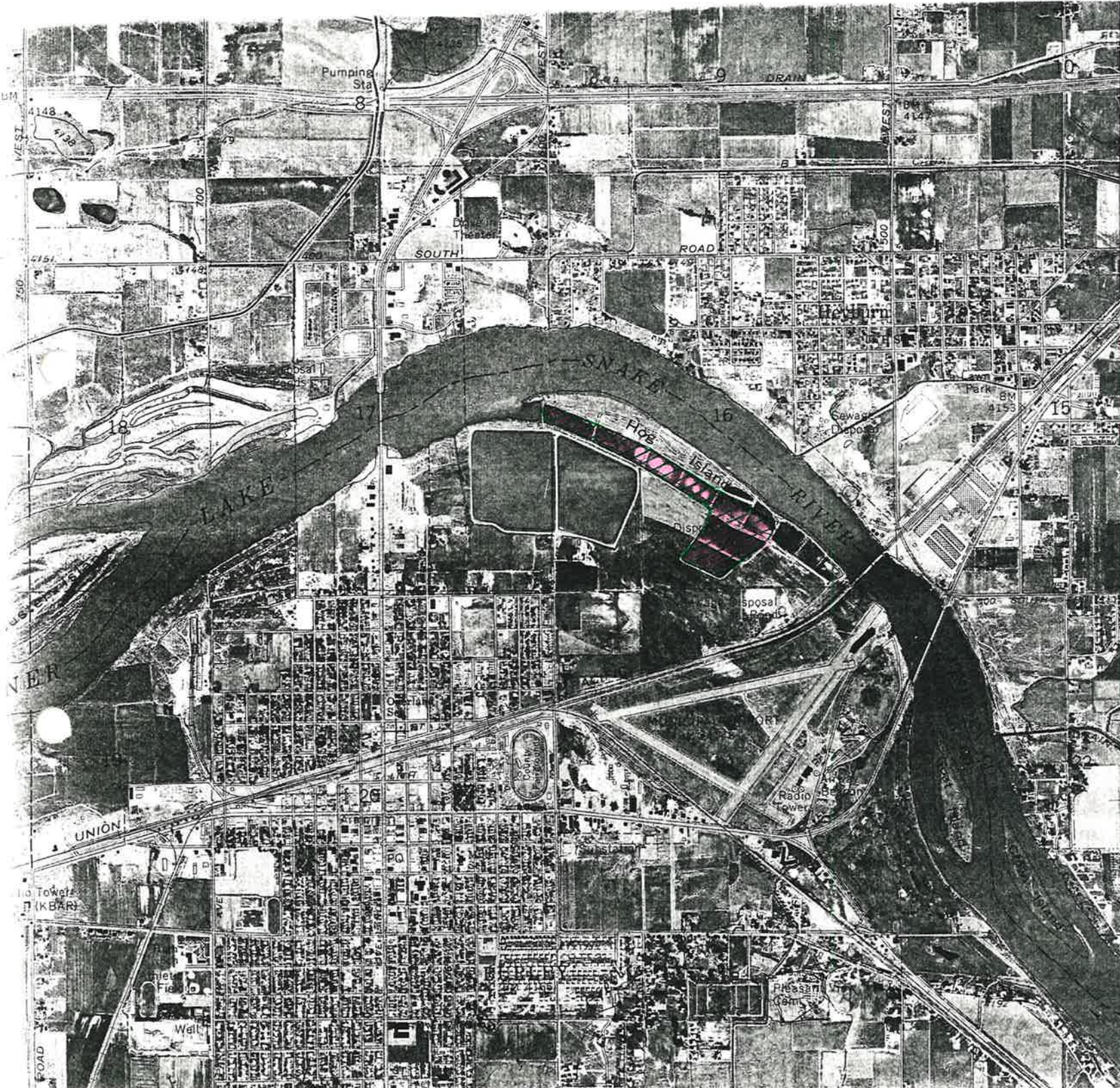
J.R. Simplot

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Surface area
of Disposal
Ponds
35 acres

Free water evap.
for area = 4.0 Af/ann.
per Acre.

Calc. evap for
32' 30" ponds =
 $35 \times 4 = 140 \text{ Af}_2$



Verified

Gerald Jordan

Ext.
251
678-3571

Simplot

Sec 15

T.10S., R.23E.

30
~~10~~ min/out
of every hr.

A36-02542
60 psig. G.E.
5K6315XCIA
150 H.P.

originally Lie in South

Flame w/ } 211 yr.
cooling
Cyrus Double
44324
Water level 275

P/U ?

✓ Runs
All the
time

A36-02648

1966 Reduced 70 cfs Ethanol Plant. 3 1966
Turns. Well @ Ethanol Plant. AF.
25 H.P. No plate (Submergible) 240
days
yr.

P/U ?

P/U ?

A36-02729
discontinued

(25 H.P. U.S. Motor)
Serial 1155089
J2C4221 No Plate
Presently not used.

Runs all the
time / reduced
flow

A36-08154

River well
40 H.P. U.S. Electric
Cyrus Pump 4423

P/U ?

All way on
all the time

A36-04179

U.S. Motor 300 H.P. Ventilator
Serial 952270 26638 rated
(90 psig) 3000 gpm
310 ft.

770,000 gal storage total
270,000 plant 500,000 Fire prod.

(A36-04180)
Abandoned

Low Inj. 1/2 sec surge (4.1)
Send point.

A36-04181

1 H.P.
G.E.
Flow water system
6PJO71

Low Inj. 1/2 sec surge (4.1)
Send point.

A36-04182

20 psi

(1/3 H.P. 522 psig)
Carpenter Shop

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10/1

3Ks to get
info.

Vic Couvred

208 389-7359

A36-04179

6.35 cfs Potatoes Processing

A36-02648

0.70 cfs Ethanol Plant

A36-04182

0.07 cfs Bath room, cooling, Laundry

A36-02542

2.22 cfs (Cooling in Storage)

12/1 called Vic and asked for info by Dec 13.
He indicated he would schedule a visit and
reply maybe by end of wk.

Adm

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DEVELOPMENT GROUP

October 31, 1990

Allen Merritt, P.E.
Water Rights Supervisor
State of Idaho Department of Water Resources
Southern Region
222 Shoshone St. East
Twin Falls, Idaho 83301

Re: Additional evidence supporting the priority dates to be included in files A36-04179, A36-04180, A36-04181, A36-04182.

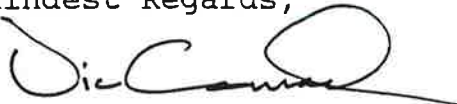
Dear Mr. Merritt:

Per your request please find enclosed additional evidence supporting the priority dates for the above referenced claims. Please include the enclosed Heyburn Plant aerial photograph copies dated September 9, 1962 into the corresponding files. Also included is a well driller's log appurtenant to A36-04179 indicating a drilling start date of June 26, 1959. This information was supplied to me by Company Personnel from Plant records.

I am continuing to research additional evidence to support the priority dates for claims A36-04006, A36-04178, A36-04256, the remaining claims you requested pursuant to your letter of October 3, 1990. I intend to submit this information to you on or before November 30, 1990.

If you have any question please contact me at (208) 389-7359.

Kindest Regards,



Vic Conrad
Associate, Simplot
Land and Development

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Hum

2/26/92

Conv. with Gerald Jordan
2-3 million gal / day to waste
disposal plant from 3 major
wells.

4.6 cfs

2/27/92

Word

Mike Gann

Environment Engr. @ Hays

Average

2.5 msd
2.3 - 2.75 (white water)
1.5 1.75 (silt water)

3.0 msd.

2.3 - 2.5

msd back to River.

20 Acres Eulp.

only consumption is
pond evap.

(5)
(con)

1) AF
3 AF

(28)

drawn
5000 gal/day

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Total Plant Use

3,000,000 gal/day $\Rightarrow$



4.65 cfs constant for
3,000,000 gal/day.

3360

~~3,359.92 Af₂~~

10 psi.
140' pumping
level

60 psi.
275' pumping
level

River Well

1.20 cfs

Main Well *

4.64 cfs

6.67 cfs
3000 gpm

80%

85%

20%

15%

Other

2.23
~~2.66~~ .30 2.36

Ethanol

~~0.70~~ .70

on 8% time
40 H.P.

div
Vol

66.72

on 69% time
300 H.P.

2310

2455

~~2856~~

on 36% time
150 H.P.

578

433

on 80% time
25 H.P.

405 Af₂

Max div. rate

10.79 cfs

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4180

Art Shop Sandpoint
#8

Aerial phot. Sept 9 1962

2mm only

3/5 to 11/15

1/2 2mm

A36-4256 - Disallow

A36-07636 same use

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12/9/91

Conv. Vic. Convid

3220 Af2

A36 - 04179

2000 gpm

24 hrs/day 365 days/yr.

Used potato process then
wash water goes across river
& used for irrigation

A36-02648

24 hrs/day 365 days/yr.
(250 gpm) 710

well inside shop

A36-04182

Carpenter Shop Sandpoint
#6 well

drinking water

not same
well as 02648

2000 employee hrs/yr

Cowboy
drinking
toilet

A36-2542

24 hrs/day

(totally consumed)

Use

~~[Sept. 1 to Oct 31
Feb. 1 to May 31]~~

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Ethanol

.70 (Pvt 36-02648) 240 days $\Rightarrow$

332 A.F.

Mail Well

$$4.64 \times 365 \times 1.98$$

3,353 A

Ofen

$$4.64 = \frac{300 \times 8.8 \times .70}{(190' + 90 \text{ psi} \times 2.31)} \quad \frac{310'}{397'}$$

~~805~~

Pvt. 36-02648

(73)

36-02725

(404)

477 A.F.

River Well

1.20

66.7 A.F.

4,228 A.F.

+ waste
treatment

3,360 A.F.

868 A.F.

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(M)

()

Stock w 370

div.

con

[Com
Stock w 2]
Dm
St

[Com
Stock w 2]
Dm
St

[Con]

[Con]
Dm
4000
300

Com	Dm	PU C
Stock	400	div C
	300	(div) -

UNIVERSITY OF
LEO 1 0 037