

RECEIVED

APR 10 1980

Transfer No. 2274

Water Right No. 29-4088

Department of Water Resources
STATE OF IDAHO Office

DEPARTMENT OF WATER RESOURCES

AMENDED

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

APPROVED
Department of Water Resources

Name of applicant SIMPLOT INDUSTRIES, INC. Phone (208) 336-2110
Post office address P.O. Box 27 Boise, Idaho 83707 - Attn: Ronald N. Graves

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____ (Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. 29-4088 Amended on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant
Copy of Deed Attached.
3. Source of water Portneuf tributary to Snake River
4. Date of priority June 18, 1902
5. Water is used for the following purposes:
amount 3.2 cfs for Irrigation purposes from April 1 to November 1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)
6. Total amount of water under right: a. 3.2 cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is SE ¼ of SW ¼ of Section 16
Township 6 S Range 34 E B.M., in Bannock County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOTALS
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6 S	34 E	7													26				26
6 S	34 E	8									28	36	9	37		1	7		118
6 S	34 E	17		9	1		6												16

Total number of acres to be irrigated 160

9. Describe any other water rights used for the same purposes as described above

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
- a. Amount of water to be diverted 3.2 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion NE 1/4 SE 1/4, Section 7 Township 6 S
Range 34 E, B.M., Bannock County
Additional points SE 1/4 SW 1/4, Sec. 16, T. 6 S., R. 34 E.
- c. Description of diverting works Pump, pipeline and sprinkler system to replace canal
- d. Describe the reasons for applying for a change in the point(s) of diversion To eliminate canal and install a pump and sprinkler system.

2. Change in place of use

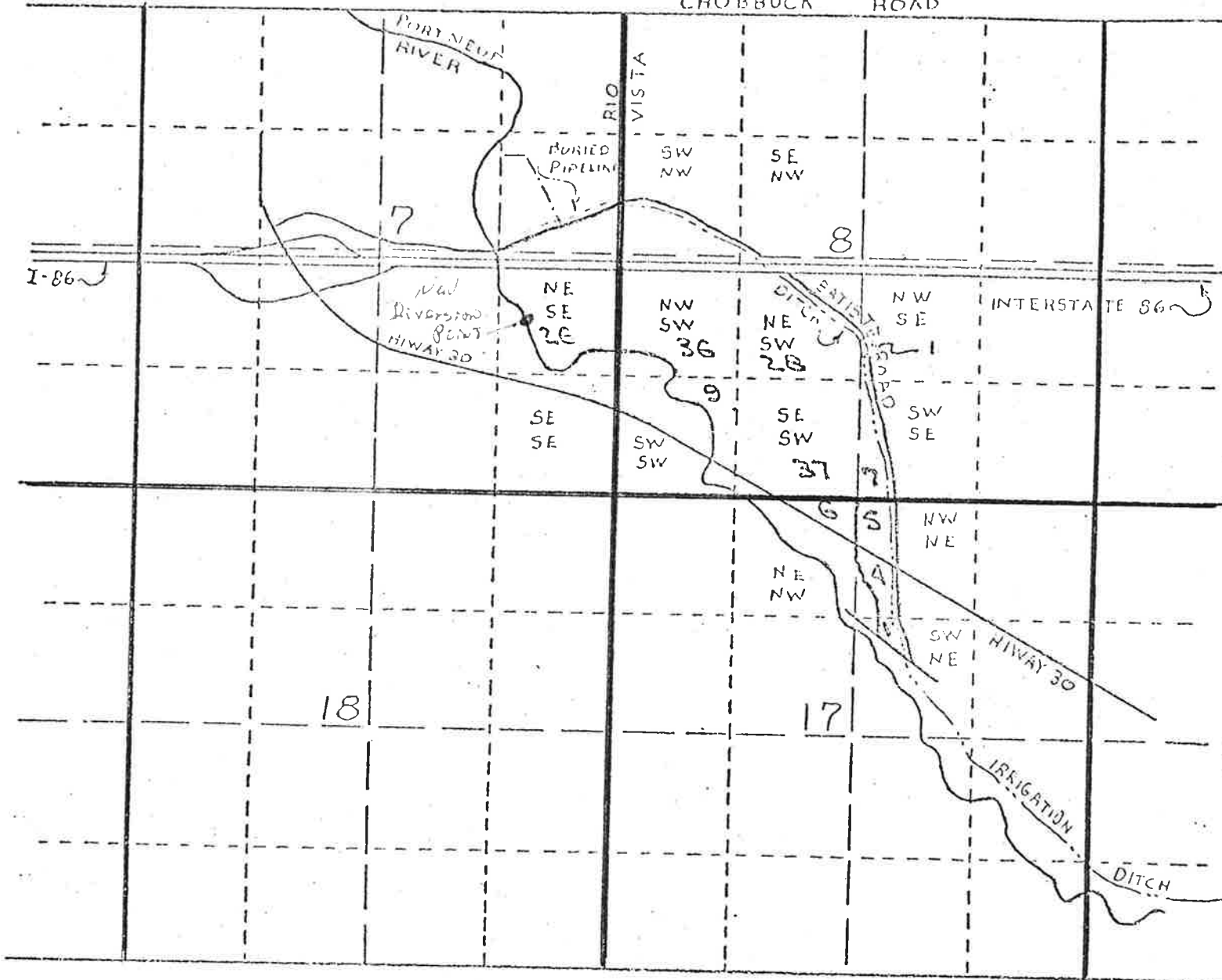
- a. Describe the lands or place of use to which the right will be transferred: NO CHANGE

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres to be irrigated _____

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

T. 6 S., R. 34 E., B.M.
CHUBBUCK ROAD



T	R	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6 S	34 E	7													26				26
6 S	34 E	8								26	36	9	37		1	7			118
6 S	34 E	17		9	1		6												16
																			160

TOTAL NO. OF ACRES 160

4. Remarks

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

SIMPLOT INDUSTRIES, INC.

By Ronald H. Jones
Its (Signature of applicant) Secretary

Subscribed and sworn to before me this 31st day of January, 1980.

Dickie Kay Kelley
(Notary public)

My commission expires lifetime

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 29-4088
and said application is hereby approved, subject to the following limitations and conditions:
(1) Approval of this Transfer does not validate items set forth in the claim.

Witness my hand this 8TH day of April, 19 80.

Norman C. Young
NORMAN C. YOUNG
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

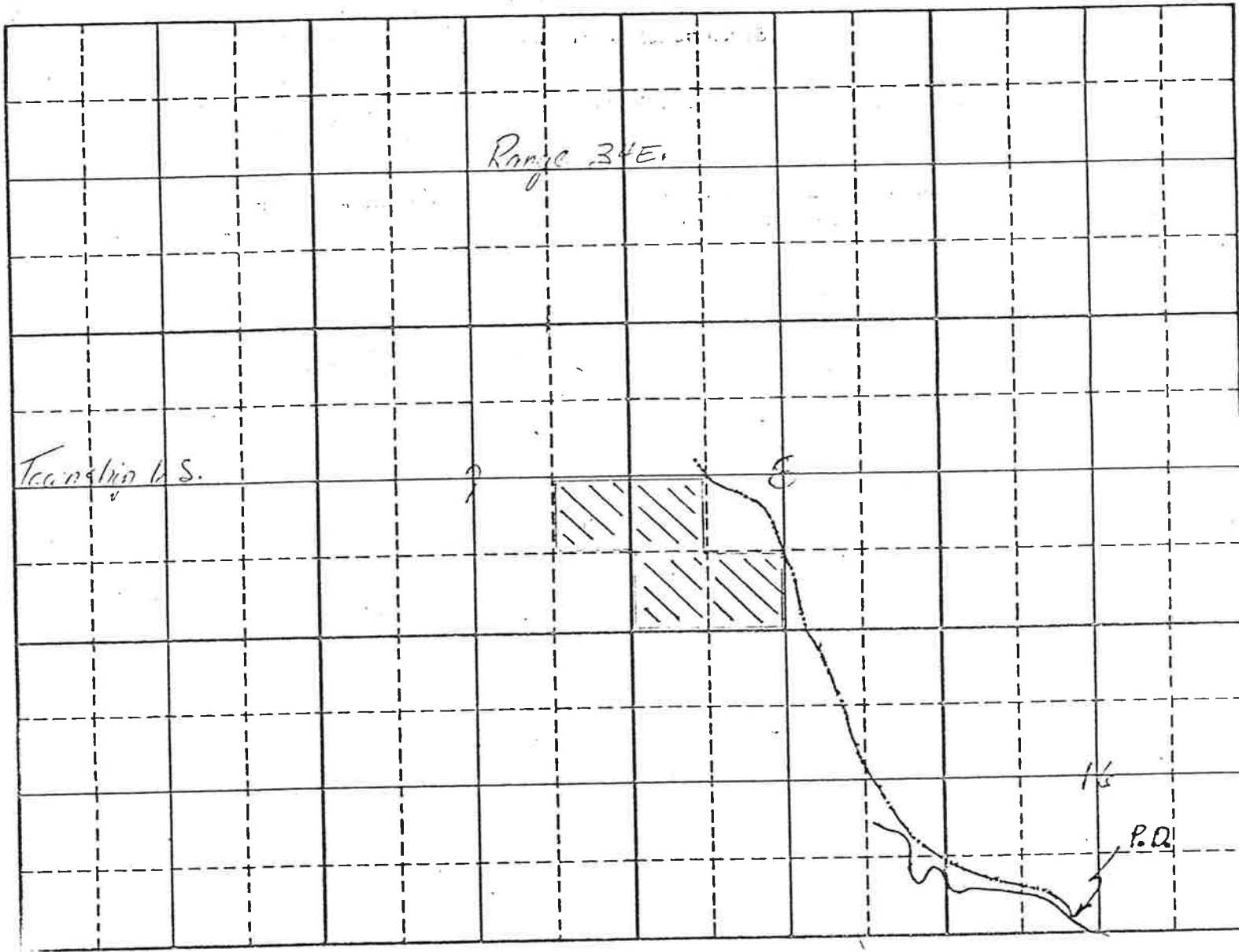
Received by <u>DRT</u>	Date <u>2/4/80</u>	Protest filed by _____
Prelim. check by <u>ERC</u>	Fee <u>20.00</u>	_____
Received by <u>EC</u>	Date <u>2/5/80 #15568</u>	_____
Published in <u>Idaho State Journal</u>	Copies of protest forwarded by _____	_____
Pub. dates <u>2/28 & 3/6/80</u>	Hearing held by _____	Date _____
Watermaster recommendation requested on _____	Recommended for <u>approval</u>	denial
_____ rec'd.	by <u>ERC</u>	<u>Jim W</u>

Section 42-225a, Idaho Code

AMENDED

J. R. SIMPLOT COMPANY

(8) Remarks. SEE ATTACHED SHEETS



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 Adair) ss.

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 affiants knowledge.

Sworn to before me this 21st day of July, 1978.

X Ronald H. Graves
(Claimant) Secretary
Paula J. Holbrook
Notary Public
Residing at Boise, Idaho

My commission expires 11-23-81

For Department Use Only

Received by BP Date 7-27-78
Prelim. check by EMC Date 7-27-78
\$10.00 fee received by N.A. Date _____
Approved for publication by [Signature]
Published in Idaho State Journal
Dates Aug 10 & 17-1978

Exception filed by: _____ Date _____
Forwarded to claimant by: _____ Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 22 1978

Department of Water Resources

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that J. R. SIMPLOT COMPANY
(name of claimant)
of P. O. Box 27, Boise, Idaho 83707, claims a right to the diversion and beneficial use of
(mailing address)

the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Portneuf River, tributary to, S Snake River
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount <u>3.2 cfs</u>	Use <u>Irr.</u>	Period of Use: From <u>April 1</u> To <u>November 1</u>
Amount _____	Use _____	Period of Use: From _____ To _____
Amount _____	Use _____	Period of Use: From _____ To _____
(cfs, gpm or a/f)	(dom., irri., stock, etc.)	(both dates inclusive)

- (3) Total quantity of water claimed: 3.2 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) June 18, 1902

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NW ¼ NE ¼, Sec. 16 Twp. 7S 6E Rge. 34E B. M. County of Bannock
 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. Canal - length two miles

- (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.

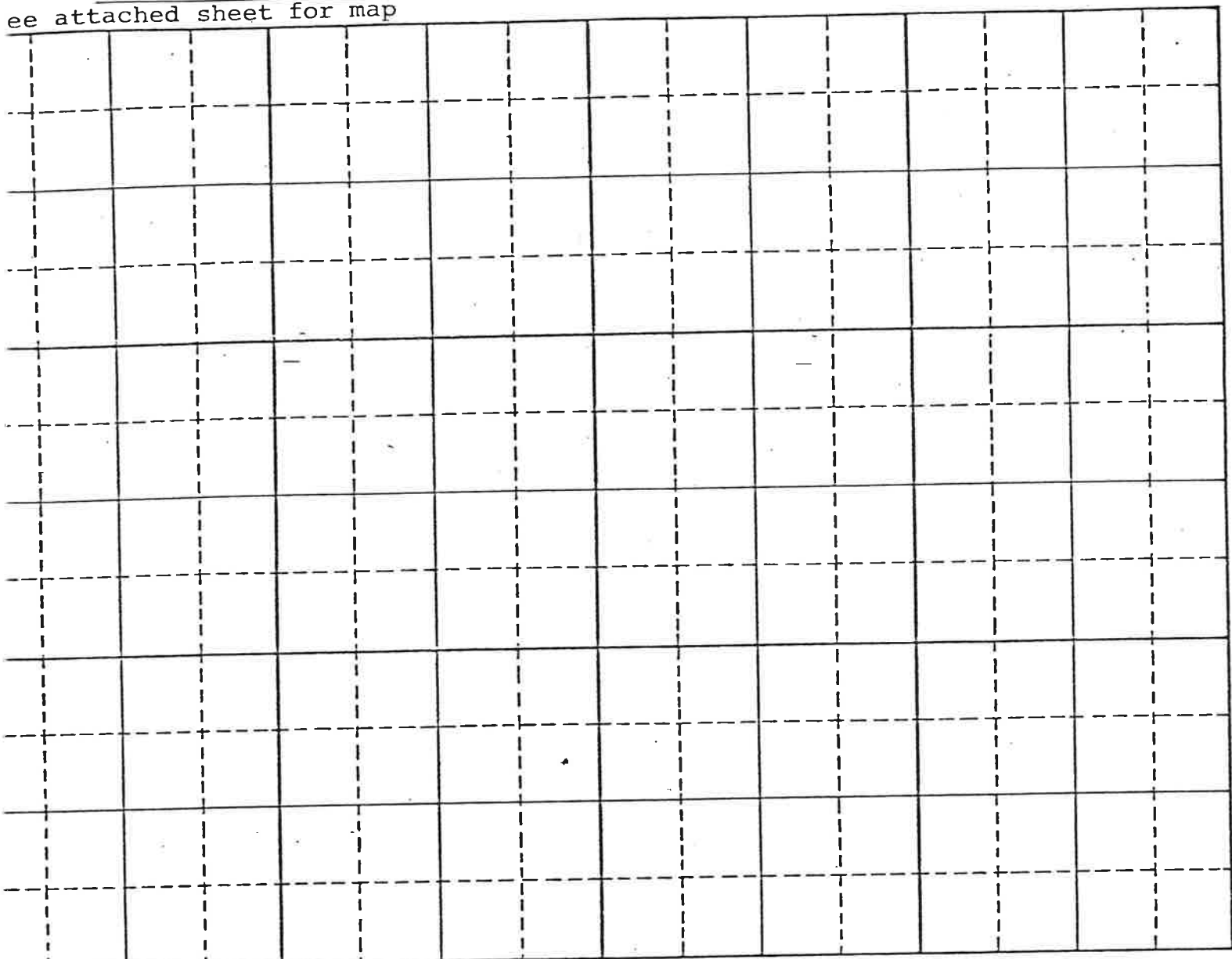
[illegible]

Total No. of acres 160

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____
- _____
- _____
- (7) If you are claiming water as a member of an organization, list name of organization: _____
- J. R. SIMPLOT COMPANY

SEE ATTACHED SHEETS

ee attached sheet for map

A grid of 10 columns and 10 rows of squares, with dashed lines indicating the grid boundaries. The grid is used for mapping.

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.

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 affiants knowledge.

J. R. SIMPLOT COMPANY

By [Signature] (Claimant) Secretary

(5) 22 711 22 22 22 22

Residing at Boise, Idaho

For Department Use Only

Received by <u>(W)</u>	Date <u>2-09-78</u>	Exception filed by: _____	Forwarded to _____	Date _____
Prelim. check by <u>ARK</u>	Date <u>Jan-15-78</u>	_____	claimant by: _____	_____
\$10.00 fee received by <u>W</u>	Date <u>2-09-78</u>	_____	_____	_____
Approved for publication by <u>W</u>	Date <u>3-2-78</u>	<u>#9821</u>	_____	_____
Published in <u>Dakota State Journal</u>	_____	_____	_____	_____
Dates <u>1-16 + 23 1978</u>	_____	_____	_____	_____

WATER RIGHT BOOK 2
PAGE 156

NOTICE OF WATER RIGHT LOCATION.

To Whom it May Concern:

Notice is hereby Given, That Theodore Swanson and S.C. Winters of Pocatello, County of Bannock State of Idaho has this 18 day of June 1902 appropriated and hereby claim the use of the waters of Portneuf River to the extent of Fifty cubic feet per second, flowing at the point of intended diversion, which said point of intended diversion is particularly described as follows, to-wit: being a point on the Portneuf River Four hundred and fifty five rods up said river from the south-east corner of the South west quarter of section Eight Township Seven South of Range Thirty four East B.M. in Bannock County, Idaho.

That the special purpose or purposes for which said water is claimed is for irrigation, mining, manufacturing and Domestic purposes. The place of its intended use is in the north east quarter of the south east quarter of section seven west half of the south west quarter of section eight South east quarter of south west quarter section eight Township Seven, South of range Thirty-four East Boise Meridian in Bannock County Idaho. That the general course of the proposed canal or conduit is a northwesterly direction. The length of said proposed canal or conduit is two miles.

That it is intended to complete the works for the diversion and use of said water as aforesaid within Two Years.

A copy of this notice was duly posted at or near the point of intended diversion on the 17th day of June 1902.

Witness my hand at Pocatello County of Bannock State of Idaho, this Idaho day of 18th June 1902.

Appropriator and Claimant.
State of Idaho,)
(SS.
County of Bannock.)

(Theodore Swanson,
(S.C. Winters.

Theodore Swanson being first duly sworn, depose and say that he is of lawful age and one of the appropriators and claimants of the Water Right described in the within and foregoing notice and whose name is subscribed thereto. That the statements in said notice are true, and that the original notice of which the foregoing is a true copy, was posted in a conspicuous place at or near the point of intended diversion at 2.30 o'clock P.M., the 18th day of June 1902.

Subscribed and Sworn to before me this 23rd day of June 1902.
(SEAL)

Theodore Swanson,
Fred G. Caldwell, Notary Public.
J.S. Campbell, Recorder.

Recorded at request of R.C. Sneed, at 1.05 o'clock P.M. June 24th, 1902
By D.N. Campbell, Deputy. Fee 80¢

STATE OF IDAHO

Section 42-225a, Idaho Code

AMENDED

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Simplot Industries, Inc.
(name of claimant)
of P. O. Box 27, Boise, Idaho 83707, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Portneuf River
_____, tributary to, Snake River

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

Amount <u>3.2 cfs</u>	Use <u>irrigation</u>	Period of Use: From <u>Apr. 1</u> To <u>Nov. 1</u>
Amount _____	Use _____	Period of Use: From _____ To _____
Amount _____	Use _____	Period of Use: From _____ To _____
(cfs, gpm or a/f)	(dom., irri., stock, etc.)	(both dates inclusive)

- (3) Total quantity of water claimed: 3.2 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) June 18, 1902

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
SE ¼ SW ¼, Sec. 16 Twp. 6S Rge. 34 E, B.M. County of Bannock
 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. Canal - length two miles

- (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.

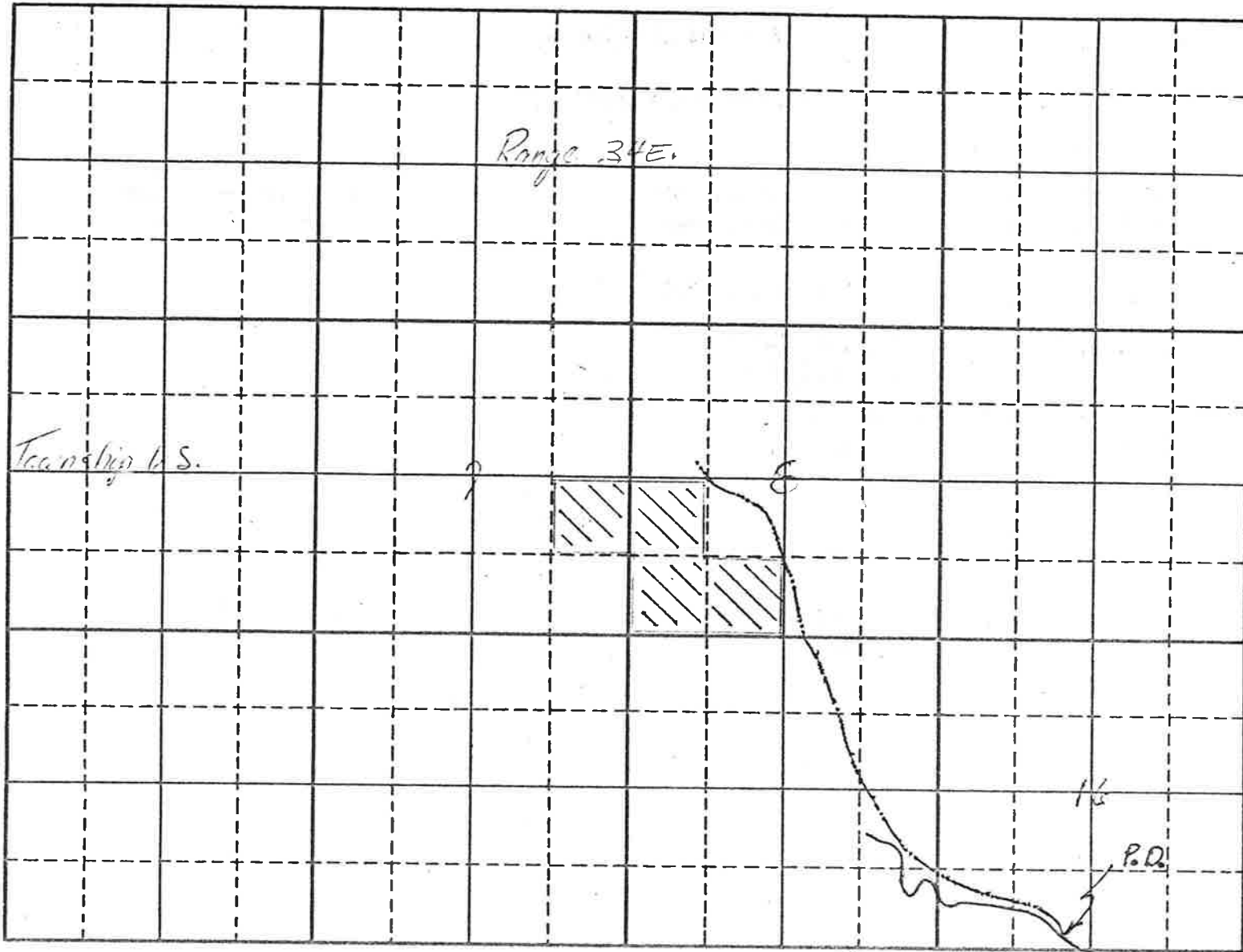
[illegible]

Total No. of acres 160

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

- (7) If you are claiming water as a member of an organization, list name of organization: J. R. SIMPLOT COMPANY

3) Remarks SEE ATTACHED SHEETS



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 Adair) ss.

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 affiants knowledge.

Sworn to before me this 21st day of July, 1978.

X Ronald J. Graves
(Claimant) Secretary
Paula L. Holbrook
Notary Public
Residing at Boise, Idaho

My commission expires 11-23-81

For Department Use Only

Received by <u>BP</u>	Date <u>7-27-78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>EMC</u>	Date <u>7-27-78</u>		claimant by:	
\$10.00 fee received by <u>N.A.</u>	Date			
Approved for publication by <u>[Signature]</u>				
Published in <u>Idaho State Journal</u>				
Dates <u>Aug 10 - 17-1978</u>				



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

September 14, 1978

Simplot Industries, Inc.
P. O. Box 27
Boise, Idaho 83707

Dear Sirs:

RE. Amended Claim to Water Right No. 29-4088

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions or if this office can be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Regional Supervisor

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 12 1978

Section 42-225a, Idaho Code

Department of Water Resources

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that J. R. SIMPLOT COMPANY
(name of claimant)
of P. O. Box 27, Boise, Idaho 83707
(mailing address), claims a right to the diversion and beneficial use of
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Portneuf River, tributary to, Snake River
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount	3.2 cfs	Use	Irr.	Period of Use:	From	April 1	To	November 1
Amount		Use		Period of Use:	From		To	
Amount		Use		Period of Use:	From		To	
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)					(both dates inclusive)

- (3) Total quantity of water claimed: 3.2 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) June 18, 1902

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NW ¼ NE ¼, Sec. 16 Twp. 7S 6S Rge. 34E B. M. County of Bannock
 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. Canal - length two miles

- (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.

[illegible]

Total No. of acres 160

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____
- _____
- _____
- (7) If you are claiming water as a member of an organization, list name of organization: _____
- _____ J. R. SIMPLOT COMPANY

(8) Remarks SEE ATTACHED SHEETS

See attached sheet for map

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) ss.

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 affiants knowledge.

J. R. SIMPLOT COMPANY

By Ronald L. Graves
ITS (Claimant) Secretary

Sworn to before me this 10th day of January, 19 78.

John M. W. W. W.
Notary Public

Residing at Boise, Idaho

My commission expires May 29, 1979

For Department Use Only

Received by AW Date 2-09-78 Exception filed by: Forwarded to Date
Prelim. check by ARK Date 1-18-78 claimant by:
\$10.00 fee received by AW Date 2-09-78
Approved for publication by AW 3-2-78 #9827
Published in Idaho State Journal
Dates Feb. 16 + 27, 1978

To Whom it May Concern:

Notice is hereby Given, That Theodore Swanson and S.C. Winters of Pocatello, County of Bannock State of Idaho has this 18 day of June 1902 appropriated and hereby claim the use of the waters of Portneuf River to the extent of Fifty cubic feet per second, flowing at the point of intended diversion, which said point of intended diversion is particularly described as follows, to-wit: being a point on the Portneuf River Four hundred and fifty five rods up said river from the south-east corner of the South west quarter of section Eight Township Seven South of Range Thirty four East B.M. in Bannock County, Idaho.

That the special purpose or purposes for which said water is claimed is for irrigation, mining, manufacturing and Domestic purposes. The place of its intended use is in the north east quarter of the south east quarter of section seven west half of the south west quarter of section eight South east quarter of south west quarter section eight Township Seven, South of range Thirty-four East Boise Meridian in Bannock County Idaho. That the general course of the proposed canal or conduit is a northwesterly direction. The length of said proposed canal or conduit is two miles.

That it is intended to complete the works for the diversion and use of said water as aforesaid within Two Years.

A copy of this notice was duly posted at or near the point of intended diversion on the 17th day of June 1902.

Witness my hand at Pocatello County of Bannock State of Idaho, this Idaho day of 18th June 1902.

Appropriator and Claimant.

(Theodore Swanson,
(S.C. Winters.

State of Idaho,)

(ss.

County of Bannock.)

Theodore Swanson being first duly sworn, depose and say that he is of lawful age and one of the appropriators and claimants of the Water Right described in the within and foregoing notice and whose name is subscribed thereto. That the statements in said notice are true, and that the original notice of which the foregoing is a true copy, was posted in a conspicuous place at or near the point of intended diversion at 2.30 o'clock P.M., the 18th day of June 1902.

Theodore Swanson,

Subscribed and Sworn to before me this 23rd day of June 1902.

(SEAL)

Fred G. Caldwell, Notary Public.

Recorded at request of R.C. Sneed, at 1.05 o'clock P.M. June 24th, 1902

By D.N. Campbell, Deputy. Fee 80¢

J.S. Campbell, Recorder.

WATER RIGHT BOOK 2
PAGE 156

(8) Remarks SEE ATTACHED SHEETS

See attached sheet for map

Scale: 2 inches equal 1 mile.

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County of Ada) ss.

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J. R. SIMPLOT COMPANY
By Ronald J. Graves
Its (Claimant) Secretary

Sworn to before me this 10th day of January, 19 78.

Garth L. Brown
Notary Public

Residing at Boise, Idaho

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For Department Use Only

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\$10.00 fee received by <u>AW</u>	Date <u>2-09-78</u>			
Approved for publication by <u>AW</u>	Date <u>3-2-78</u>			
Published in <u>Idaho State Journal</u>				
Dates <u>Feb. 16 + 23, 1978</u>				

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That it is intended to complete the works for the diversion and use of said water as aforesaid within Two Years.

A copy of this notice was duly posted at or near the point of intended diversion on the 17th day of June 1902.

Witness my hand at Pocatello County of Bannock State of Idaho, this Idaho day of 18th June 1902.

Appropriator and Claimant.

(Theodore Swanson,
(S.C. Winters.

State of Idaho,)
(SS.
County of Bannock.)

Theodore Swanson being first duly sworn, depose and say that he is of lawful age and one of the appropriators and claimants of the Water Right described in the within and foregoing notice and whose name is subscribed thereto. That the statements in said notice are true, and that the original notice of which the foregoing is a true copy, was posted in a conspicuous place at or near the point of intended diversion at 3.30 o'clock P.M., the 18th day of June 1902.

Subscribed and Sworn to before me this 23rd day of June 1902.

(SEAL)

Fred G. Caldwell, Notary Public.

Recorded at request of R.C. Sneed, at 1.05 o'clock P.M. June 24th, 1902

By D.N. Campbell, Deputy. Fee 80¢

J.S. Campbell, Recorder.

WATER RIGHT BOOK 2
PAGE 156

Section 42-225a, Idaho Code

AMENDED

Notice is hereby given that Simplot Industries, Inc.

The extent and nature of said claim is as follows:

- | | | | | | | | | |
|--------|----------------------|-----|-------------------------------|----------------|------|-------------------|----|------------------------|
| Amount | <u>3.2 cfs</u> | Use | <u>irrigation</u> | Period of Use: | From | <u>Apr. 1</u> | To | <u>Nov. 1</u> |
| Amount | <u> </u> | Use | <u> </u> | Period of Use: | From | <u> </u> | To | <u> </u> |
| Amount | <u> </u> | Use | <u> </u> | Period of Use: | From | <u> </u> | To | <u> </u> |
| | (cfs, gpm
or a/f) | | (dom., irri.,
stock, etc.) | | | | | (both dates inclusive) |

- (4) Priority claimed: (the date water was first applied to beneficial use) June 18, 1902

(5) A) Point of diversion: (give location of point where water is diverted from its source)
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16 Twp. 6S Rge. 34 E, B. M. County of Bannock

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. Canal - length two miles

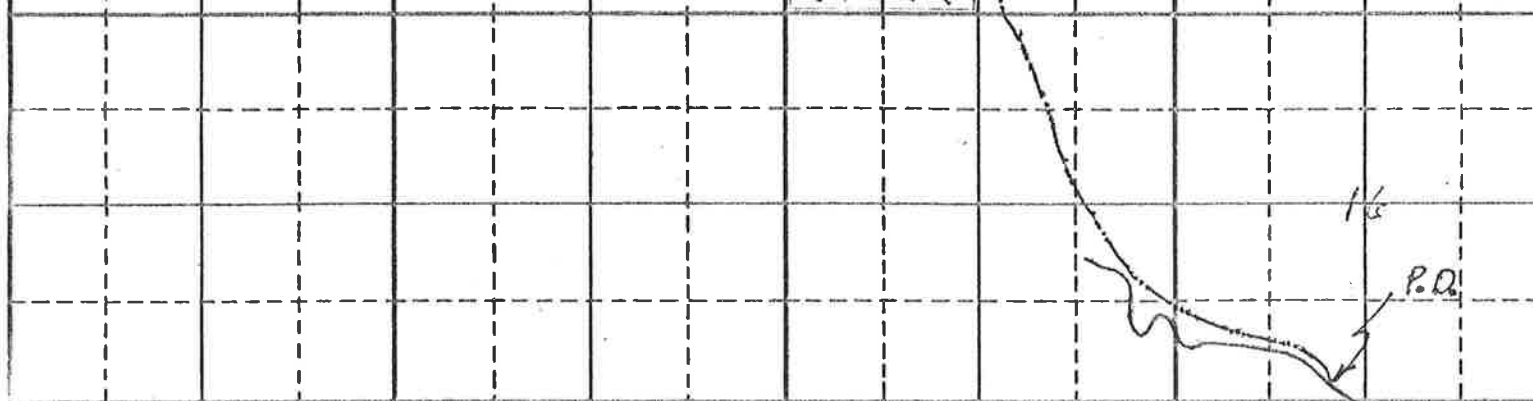
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No. of acres 160

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

- (7) If you are claiming water as a member of an organization, list name of organization: J. R. SIMPLOT COMPANY



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) ss.

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 affiants knowledge.

Sworn to before me this 21st day of July, 1978.

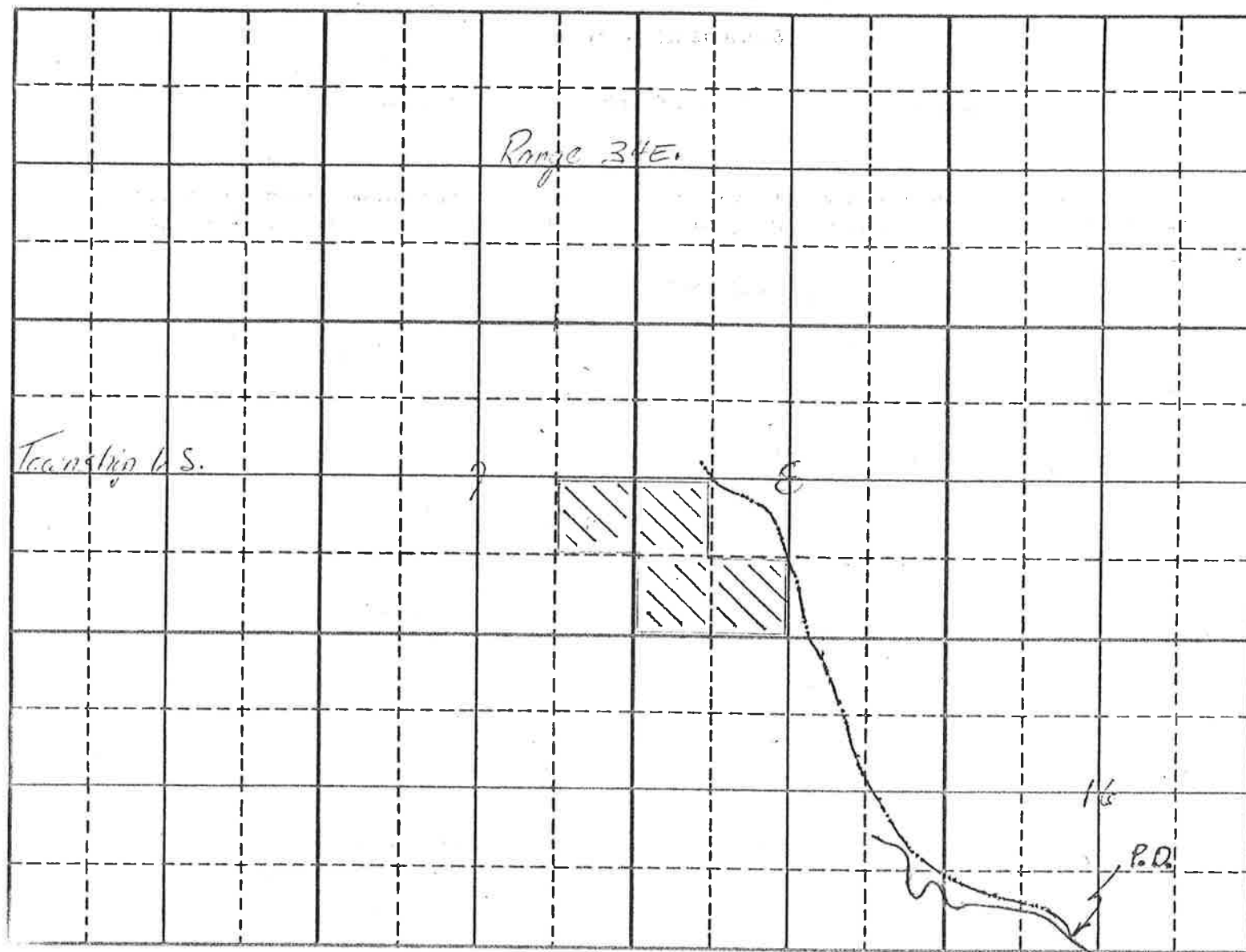
X Ronald Graves (Claimant) Secretary
Paula L. Holbrook
Notary Public
Residing at Boise, Idaho

My commission expires 11-23-81

For Department Use Only

Received by <u>BP</u>	Date <u>7-27-78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>EMC</u>	Date <u>7-27-78</u>		claimant by:	
\$10.00 fee received by <u>N.A.</u>	Date			
Approved for publication by <u>[Signature]</u>				
Published in <u>Idaho State Journal</u>				
Dates <u>Aug 10 & 17-1978</u>				

(8) Remarks SEE ATTACHED SHEETS



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
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 SIMPLOT INDUSTRIES, INC.
(Name of Claimant)

P. O. Box 27, Boise, ID 83707 Telephone No. (208) 336-2110
(Mailing Address) (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) June 18, 1902

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)
Portneuf River tributary to Snake River

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

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>3.2 cfs</u>	Use	<u>irrigation</u>	Period of Use From <u>4/1</u>	To <u>11/1</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 3.2 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ SW ¼, Sec. 16 Twp. 6S Rge. 34E B.M., County of Bannock
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. Pump, pipeline and sprinkler system to replace canal.

(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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	34E	7													26				26
		8									28	36	9	37		1	7		118
		17		9	1		6												16

No. of acres 160

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

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

(7) If you are claiming water as a member of an organization, list name of organization: J.R. SIMPLOT CO.

[illegible]

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.

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.

SIMPLIOT INDUSTRIES, INC.

My commission expires lifetime

Received by _____ Date _____ Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by _____ Date _____
\$20.00 fee received by _____ Date _____
Published in _____
Dates _____