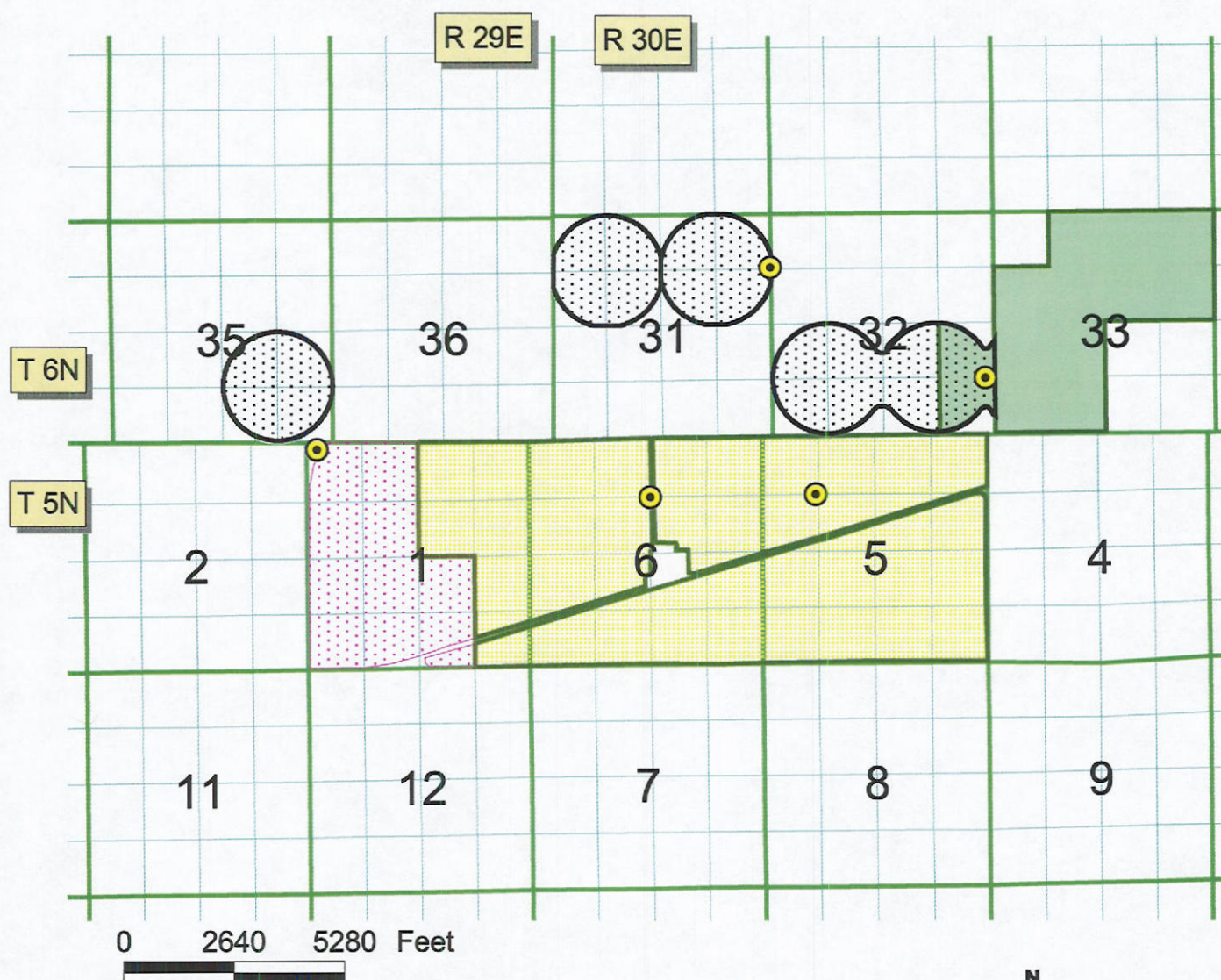
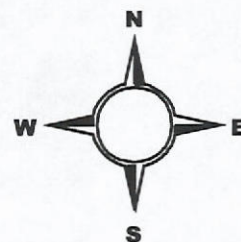


Idaho Department of Water Resources

Simplot Farms Recommendation Summary



- Wells
- Permits
- Permissible Place of Use
- 33-2125
- 33-2119

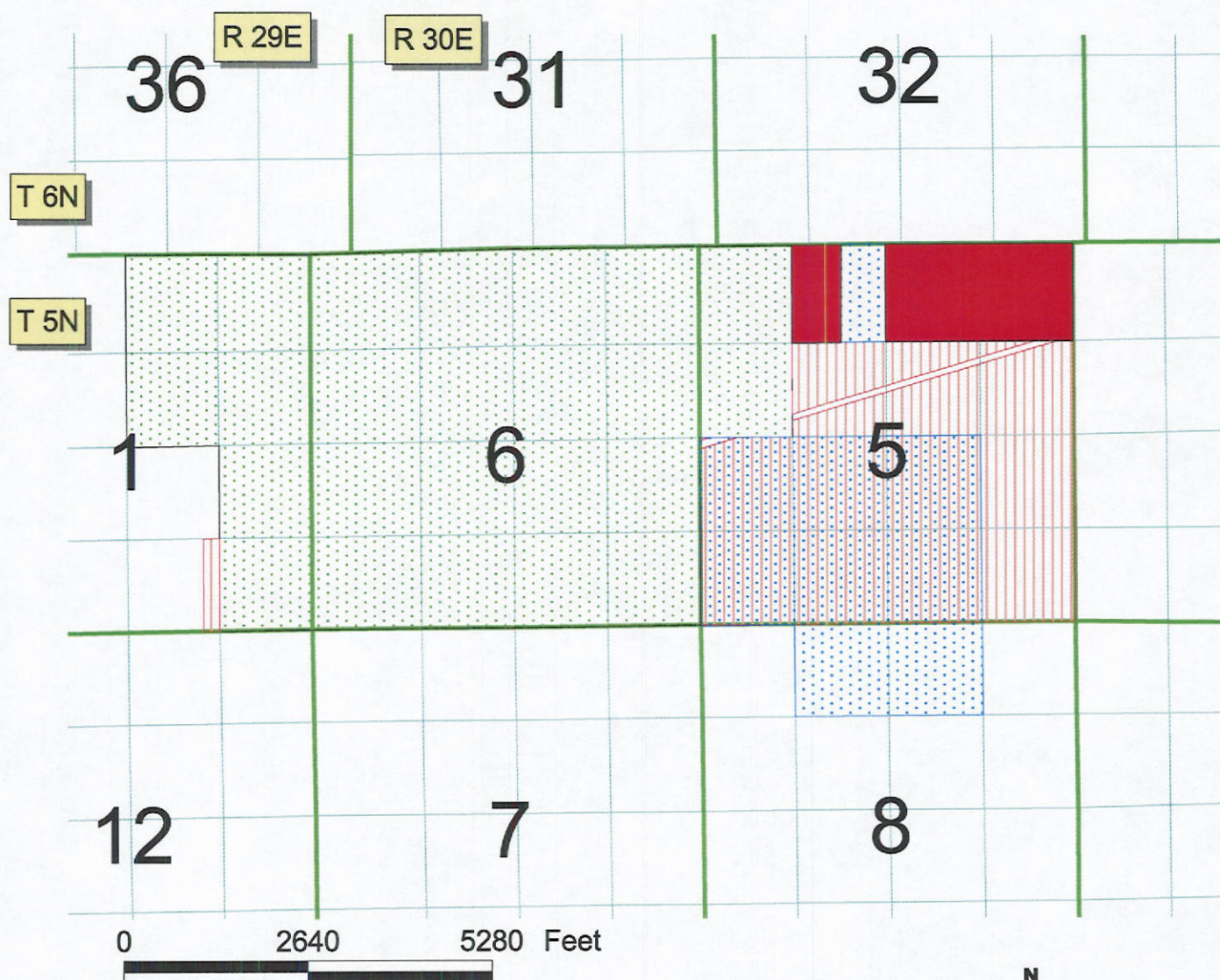


MICROFILMED
NOV 10 1999

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by Bryce A. Contor
August, 1999

Idaho Department of Water Resources

Simplot Farms Middle Block Original Licenses



- 2076B
- 7007
- 2054, 2075, 2076A
- No Water Right

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NOV 10 1999

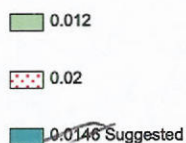
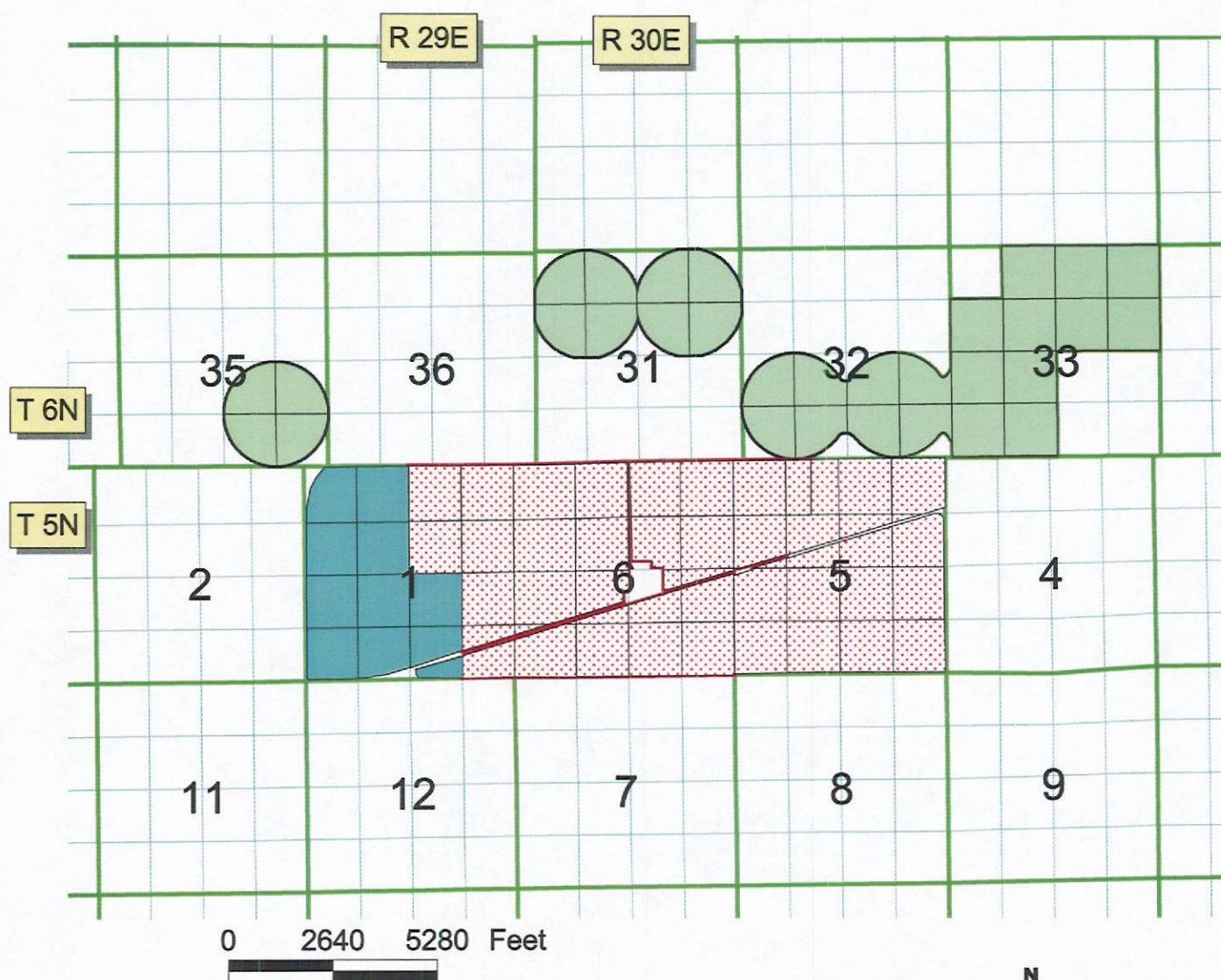
GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by Bryce A. Contor
August, 1999

Idaho Department of Water Resources

Diversion Rate Per Acre

Overall Licensed = 0.0146

Overall Capacity = 0.012



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NOV 10 1999

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by Bryce A. Contor
August, 1999

T S O U R 29 Section 1



Support Doc for
33-07053 & 33-07061

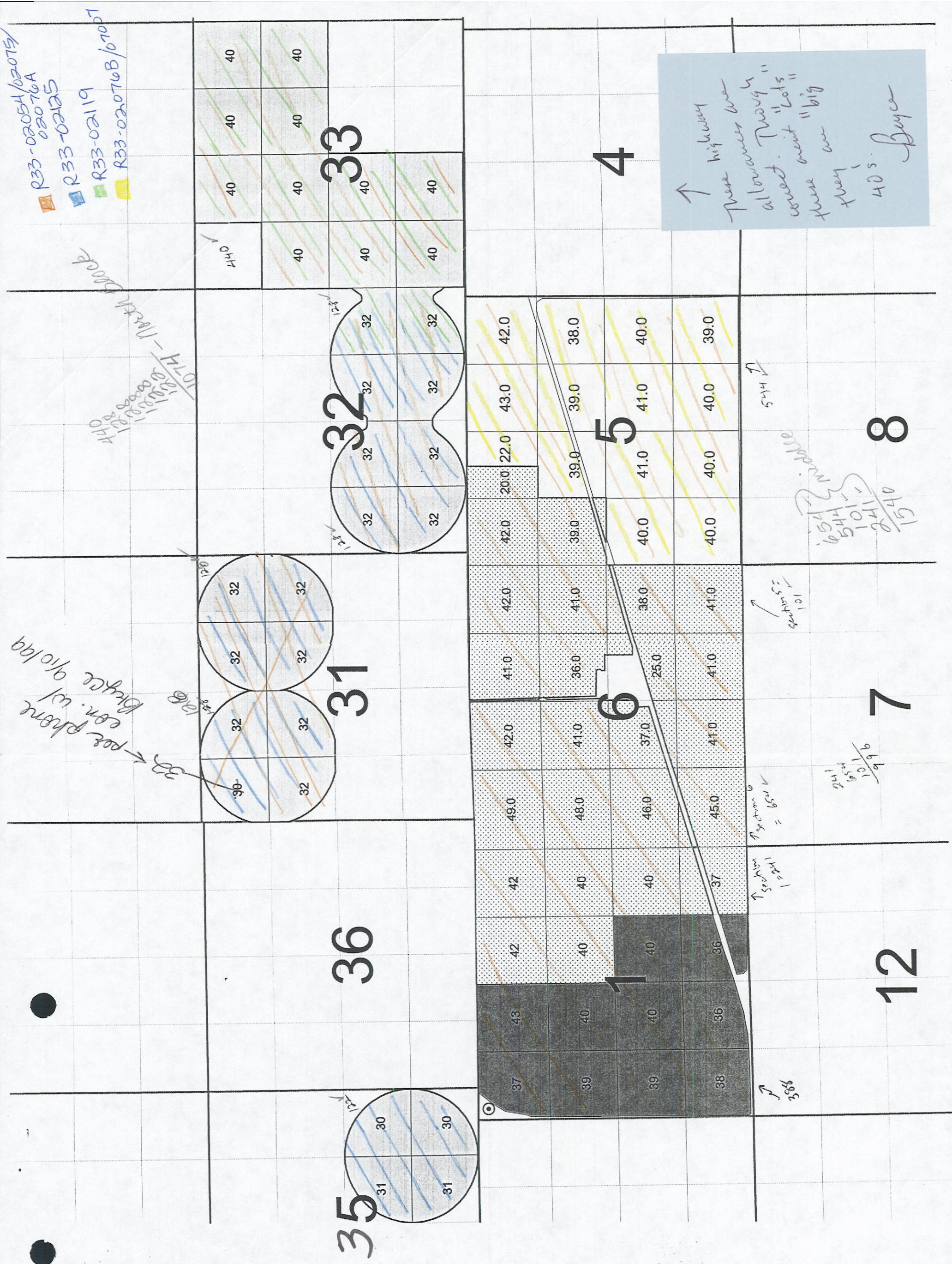
North Bk = 1074
Middle Bk = 1540
West Bk = 388

3002. total
over

→ pos phone
con. w/
Bryce 9/10/99

$\frac{1074}{1000} = 1.074$

 R33-02054/02075/
 R33-02125
 R33-02119
 R33-02076B/02075



6N-30E

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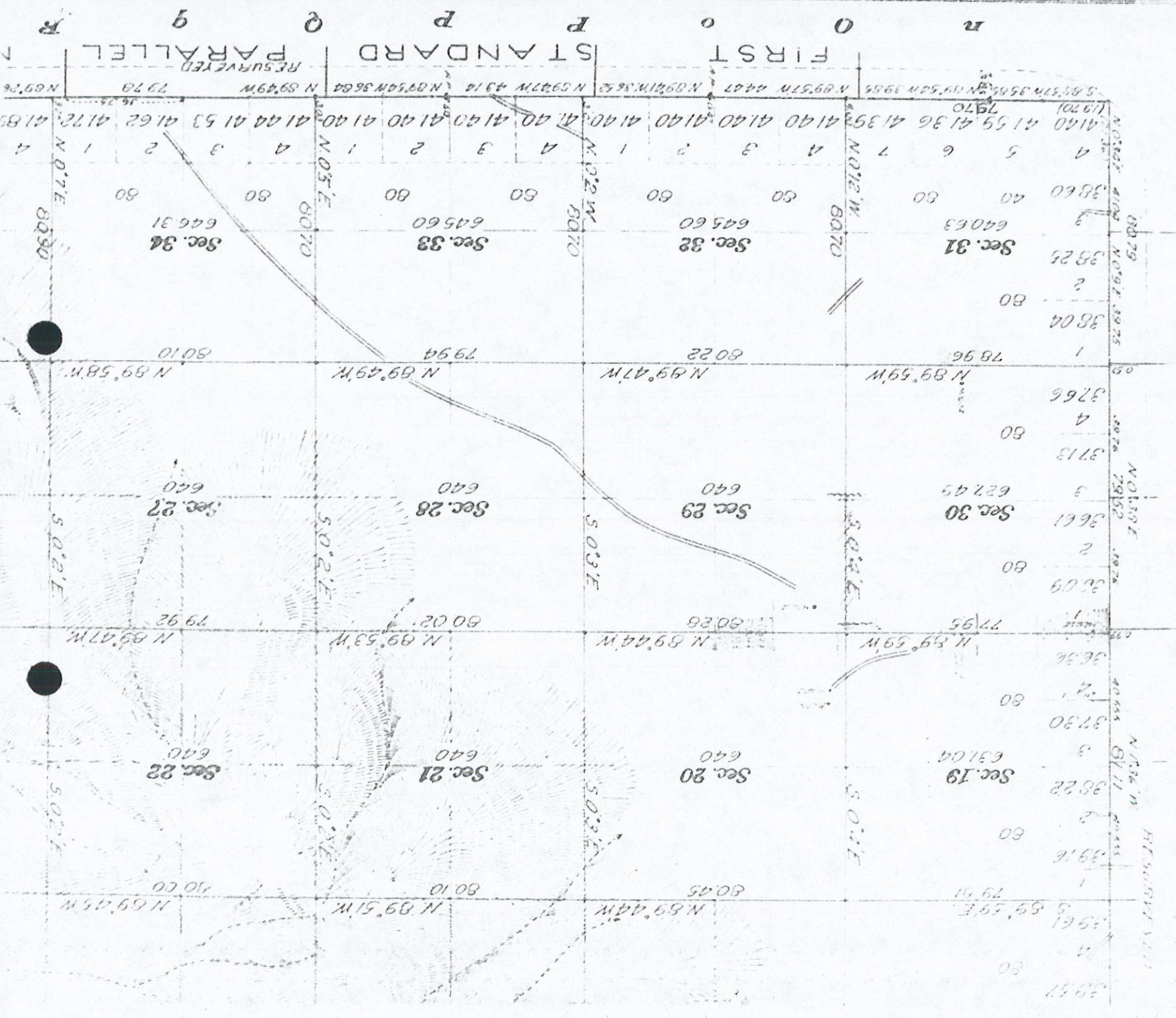
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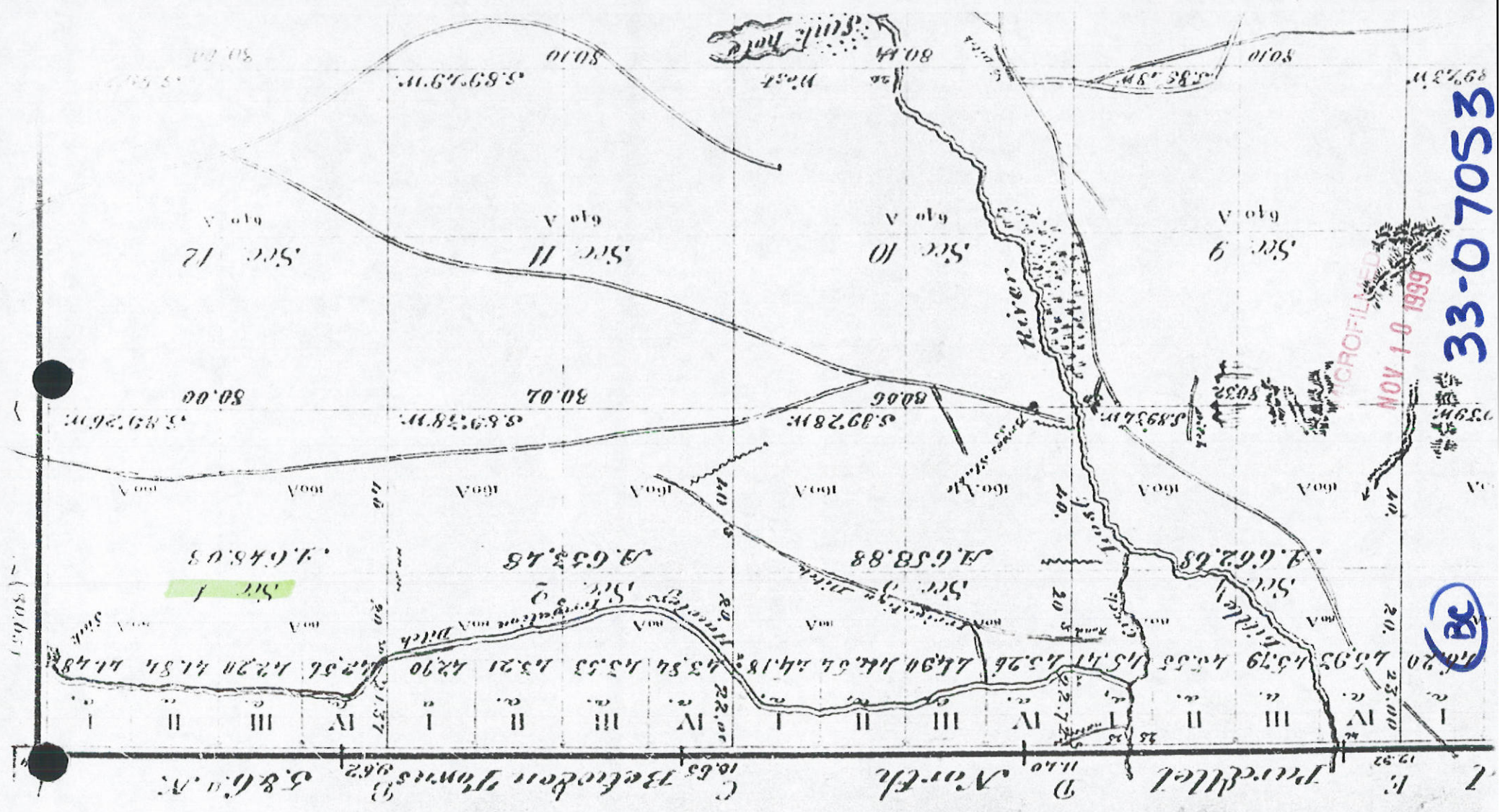
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North Range No. 29 East, of the Boise Meridian.



33-07053

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3

33-07053

R29E R30E
Lot 7

33-7053

(4)

Lot 6
(46)

Lot 5
(47)

Lot 4
(47)

(29)

(40)

(40)

Lot 3

R30E
T5N

POINT OF
DIVERSION

PLACE OF USE
(also see Aerial Photo #2)
Lot 1

132.4

118.1

See X-16

N 57-1

SEE MAP#

NOV 10 1999

42.9 36 37 23.0



SEE MAP #2

R29E
R30E
S Place of Use

29-1

LOT 1

LOT 2

LOT 3

Lot 4
House Farms

Simpson
1-350

39

41

41

40

40

40

40

40

39

36

36

15

26

125.4

18.0

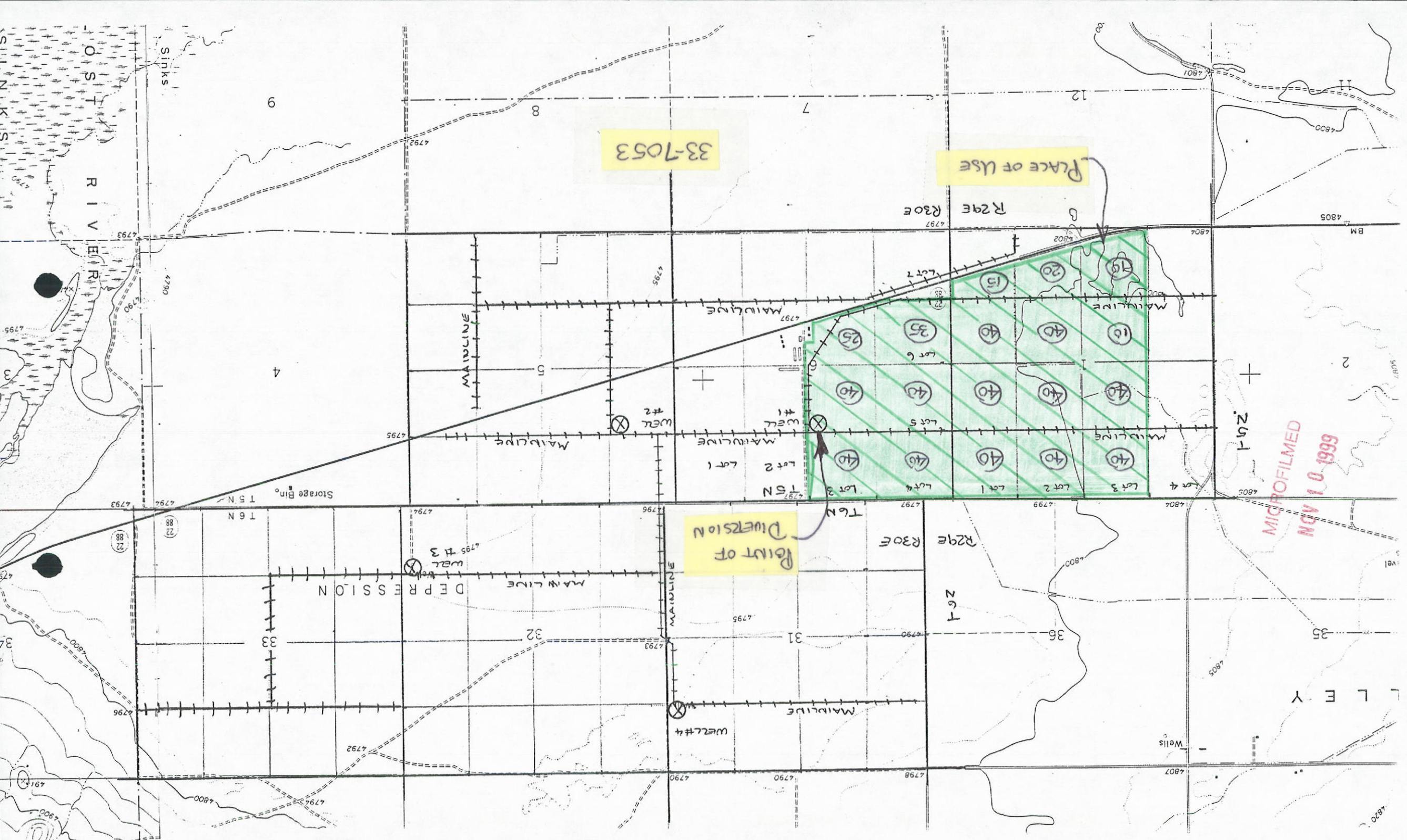
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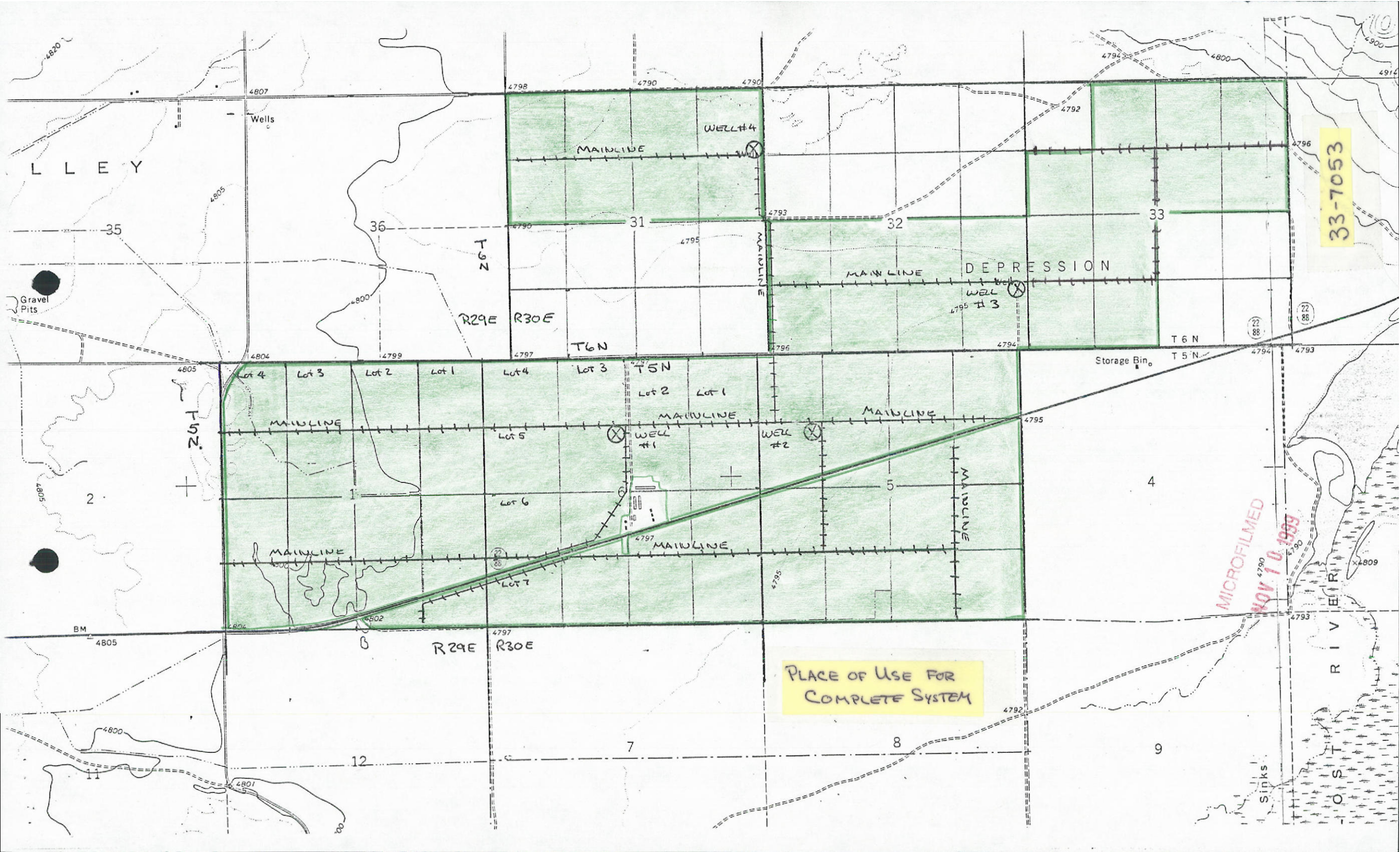
59.2

18.3

33-7053

MICROFILMED
NOV 10 1999





Affidavit of Publication

I, Lella Cammack
of the Arco Advertiser, a weekly newspaper of
general circulation, published weekly at Arco,
Idaho, since March, 1909, do solemnly swear that
a copy of this notice, per clipping attached, was
published weekly in the regular and entire issue
of said newspaper, and not in any supplement
thereof,

for 2 consecutive weeks, commencing with

the issue dated 6-16-77

and ending with the issue dated 6-23-77

Lella Cammack

Subscribed and sworn to before me this

20 day of July, 19 77

Charles H. Jones

Notary Public

Residence: Arco, Idaho
My commission expires 5/14, 19 78

RECEIVED

JUL 22 1977

Department of Water Resources
Eastern District Office

PUBLIC NOTICE

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Simplot Industries, Inc., Boise,
Idaho, has on 6-07-77 submitted
Application No. 33-7053 for a permit
to appropriate 6.00 cubic feet per
second of water from a ground-
water source by means of well and
pump within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6,
T. 5N, R. 30E, B.M., Butte County;
to be used from Apr. 1 to Sept. 1 for
the irrigation of 595 acres within the
NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 6, T. 5N, R.
30E; E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$, Sec. 1, T. 5N, R.
29E, B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of the
permit must be filed with the Idaho
Department of Water Resources,
1515 Lincoln Road, Idaho Falls,
Idaho, 83401 on or before July 5,
1977.

C. STEPHEN ALLRED
Director

Published in the Arco Advertiser,
Arco, Idaho, on June 16 and June 23,
1977.

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 33-07053

Priority: June 7, 1977

Maximum Diversion Rate:

6.00 CFS

Maximum Diversion Volume:

2189.8 AF

This is to certify, that JR SIMPLOT CO

PO BOX 27

BOISE ID 83707

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 7, 1977; and has submitted Proof of Beneficial Use on June 15, 1982. An examination indicates that the works have a diversion capacity of 43.680 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
-----------------------	----------------------	--------------------------	----------------------

IRRIGATION	04/15 to 10/15	6.00 CFS	2189.8 AF
------------	----------------	----------	-----------

LOCATION OF POINT(S) OF DIVERSION: Lot 4 (NWNW), Sec. 1, Township 05N, Range 29E
SWNW , Sec. 5, Township 05N, Range 30E
SENW , Sec. 6, Township 05N, Range 30E
NENE , Sec. 31, Township 06N, Range 30E
Lot 1 (SESE), Sec. 32, Township 06N, Range 30E
BUTTE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	29E	1	Lot 1 (NENE) 42	Lot 2 (NWNE) 42	SWNE 40	
			SENE 40	Lot 3 (NENW) 43	Lot 4 (NWNW) 37	
			SWNW 39	SENW 40	NESW 40	
			NWSW 39	SWSW 38	SESW 36	
			NESE 40	NWSE 40	SWSE 36	
			SESE 37			629
30E	5	Lot 1 (NENE) 42	Lot 2 (NWNE) 43	SWNE 39		
		SENE 38	Lot 3 (NENW) 42	Lot 4 (NWNW) 42		
		SWNW 39	SENW 39	NESW 41		
		NWSW 40	SWSW 40	SESW 40		
		NESE 40	NWSE 41	SWSE 40		
		SESE 39				645
	6	Lot 1 (NENE) 42	Lot 2 (NWNE) 41	SWNE 36		
		SENE 41	Lot 3 (NENW) 42	Lot 4 (NWNW) 49		
		Lot 5 (SWNW) 48	SENW 41	NESW 37		
		Lot 6 (NWSW) 46	Lot 7 (SWSW) 45	SESW 41		
		NESE 38	NWSE 25	SWSE 41		
		SESE 41				654

Total number of acres irrigated: 1928

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NOV 10 1999

State of Idaho
Department of Water Resources**Water Right License**

WATER RIGHT NO. 33-07053

CONDITIONS OF APPROVAL AND REMARKS

1. Rights 33-07061, 33-02054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125 and 33-07007 are also diverted from the points of diversion described above.
2. Rights 33-02054, 33-02075, 33-02076A, 33-02076B, 33-07007, 33-07053 and 33-07061 when combined shall not exceed a total diversion rate of 30.78 cfs, a total annual maximum diversion volume of 6748 af at the field headgate, and the irrigation of 1928 acres.
3. Rights 33-02054, 33-02075, 33-02076A, 33-02076B, 33-07007, 33-02119, 33-02125, 33-07053 and 33-07061 when combined shall not exceed a total diversion rate of 43.68 cfs, a total annual maximum volume of 10507 af at the field headgate, and the irrigation of 3002 acres.
4. Rights 33-07053 and 33-07061 when combined are limited to the irrigation of 388 acres within the place of use described above in a single irrigation season.
5. This right is limited to the irrigation of 388 acres within the place of use described above in a single irrigation season.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 22ND day of

OCTOBER, 1999.


KARL J. DREHER, Director

MICROFILMED

NOV 10 1999

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 33-07053

Date of Priority: June 7, 1977

Maximum Diversion Rate: 6.00 CFS

Maximum Diversion Volume: 2189.8 AF

Comes now JR SIMPLOT CO
PO BOX 27
BOISE ID 83707

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 33-07053, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	6.00 CFS	2189.8 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 4 (NWNW), Sec. 1, Township 05N, Range 29E
SWNW, Sec. 5, Township 05N, Range 30E
SENE, Sec. 6, Township 05N, Range 30E
NENE, Sec. 31, Township 06N, Range 30E
Lot 1 (SESE), Sec. 32, Township 06N, Range 30E
BUTTE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
05N	29E	1	Lot 1 (NENE)	42	Lot 2 (NWNE)	42	SWNE	40	
			SENE	40	Lot 3 (NENW)	43	Lot 4 (NWNW)	37	
			SWNW	39	SENE	40	NESW	40	
			NWSW	39	SWSW	38	SESW	36	
			NESE	40	NWSE	40	SWSE	36	
			SESE	37					629
30E	5	Lot 1 (NENE)	42	Lot 2 (NWNE)	43	SWNE	39		
		SENE	38	Lot 3 (NENW)	42	Lot 4 (NWNW)	42		
		SWNW	39	SENE	39	NESW	41		
		NWSW	40	SWSW	40	SESW	40		
		NESE	40	NWSE	41	SWSE	40		
		SESE	39						645
		6 Lot 1 (NENE)	42	Lot 2 (NWNE)	41	SWNE	36		
		SENE	41	Lot 3 (NENW)	42	Lot 4 (NWNW)	49		
		Lot 5 (SWNW)	48	SENE	41	NESW	37		
		Lot 6 (NWSW)	46	Lot 7 (SWSW)	45	SESW	41		
		NESE	38	NWSE	25	SWSE	41		
		SESE	41						654

Total number of acres irrigated: 1928

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NOV 10 1999

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 33-07053

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Boise, Idaho, this 14th day of October, 1999.

J.R. Simplot Company

By:

Ronald N. Graves
(Signature)

Ronald N. Graves, Secretary

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NOV 10 1999

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 33-07053

FOR DEPARTMENT USE ONLY

Preliminary check by SNK Fee = 50.00 Received by JM # C046902 Date 10-18-99

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 33-07053 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. Rights 33-07061, 33-02054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125 and 33-07007 are also diverted from the points of diversion described above.
2. Rights 33-02054, 33-02075, 33-02076A, 33-02076B, 33-07007, 33-07053 and 33-07061 when combined shall not exceed a total diversion rate of 30.78 cfs, a total annual maximum diversion volume of 6748 af at the field headgate, and the irrigation of 1928 acres.
3. Rights 33-02054, 33-02075, 33-02076A, 33-02076B, 33-07007, 33-02119, 33-02125, 33-07053 and 33-07061 when combined shall not exceed a total diversion rate of 43.68 cfs, a total annual maximum volume of 10507 af at the field headgate, and the irrigation of 3002 acres.
4. Rights 33-07053 and 33-07061 when combined are limited to the irrigation of 388 acres within the place of use described above in a single irrigation season.
5. This right is limited to the irrigation of 388 acres within the place of use described above in a single irrigation season.

Witness my hand this 22ND day of OCTOBER, 1999.


KARL J. DREHER, Director

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NOV 10 1999

RECEIVED

AUG 1 1985

FILED
IN THE OFFICE OF THE
SECRETARY OF STATE OF
STATE OF NEVADA

CERTIFICATE OF OWNERSHIP AND MERGER
INCLUDING ARTICLES OF MERGER

Department of Water Resources

FEB 27 1985

Merging

SIMPLOT INDUSTRIES, INC.

into

J. R. SIMPLOT COMPANY

(Pursuant to Section 78.486 of the Nevada Revised Statutes
and 16-10-70 of the Utah Business Corporation Act.)

J. R. SIMPLOT COMPANY, a corporation organized and
existing under the laws of Nevada, the parent corporation, does
hereby certify:

FIRST: That this corporation was incorporated on the
28th day of June, 1955, pursuant to the laws of the State of
Nevada.

SECOND: The number of outstanding shares of each
class of SIMPLOT INDUSTRIES, INC., a Utah corporation, and the
number of shares of each class owned by J. R. SIMPLOT COMPANY
are as follows:

<u>Names of Subsidiary</u>	<u>Number of Shares Outstanding</u>	<u>Designation of Class</u>	<u>Number of Shares Owned by J. R. Simplot Company</u>
Simplot Industries, Inc.	10	Common	10

THIRD: That this corporation, by resolution of its
board of directors, duly adopted the following Plan of Merger,
at a meeting held on the 15th day of February, 1985, and deter-
mined to merge into itself said SIMPLOT INDUSTRIES, INC. at the
Effective Time which resolution is in the following words
to-wit:

NOW, THEREFORE, be it resolved that J. R. SIMPLOT COMPANY
merge, and it hereby does merge into itself said SIMPLOT
INDUSTRIES, INC. and assumes all of its obligations, at the
Effective Time; under the following terms and conditions:

A. BE IT RESOLVED that effective as of the close of busi-
ness on the 28th day of February, 1985, (the Effective
Time), SIMPLOT INDUSTRIES, INC. shall be and it is hereby
merged into J. R. SIMPLOT COMPANY, with the effect and
result that the existence of SIMPLOT INDUSTRIES, INC. shall

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cease and J. R. SIMPLOT COMPANY shall continue in existence as the surviving corporation.

B. BE IT RESOLVED that all of the provisions contained in the Articles of Incorporation, as amended, and the By-Laws of J. R. SIMPLOT COMPANY shall remain in force and effect and shall not be deemed altered or amended hereby, and that the laws of the State of Nevada shall continue to govern the surviving corporation.

C. BE IT RESOLVED that the present members of the Board of Directors of J. R. SIMPLOT COMPANY shall continue to hold office during the remainder of the term to which they are elected and until their successors are elected and duly qualified.

D. BE IT RESOLVED that at the Effective Time, all of the property, real, personal or mixed, and all of the assets of SIMPLOT INDUSTRIES, INC. wherever located, shall be deemed automatically transferred to and become vested in J. R. SIMPLOT COMPANY as the surviving corporation, without any further act or deed or instrument of transfer of conveyance for the accomplishment thereof; and whereupon, further, J. R. SIMPLOT COMPANY shall assume and become liable for payment of all of the existing indebtedness and obligations of SIMPLOT INDUSTRIES, INC., including the obligations to perform existing agreements without any special act or assumption of liability for those obligations.

E. BE IT RESOLVED that in as much as SIMPLOT INDUSTRIES, INC. is a wholly-owned subsidiary of J. R. SIMPLOT COMPANY and is being merged into its parent corporation, no additional capital stock of J. R. SIMPLOT COMPANY will be issued upon or as a part of said merger; and after the Effective Time each certificate or certificates theretofore representing issued and outstanding shares of the Capital Stock of SIMPLOT INDUSTRIES, INC. shall be deemed cancelled.

F. BE IT RESOLVED that notwithstanding any action taken with respect to the merger by the Directors of J. R. SIMPLOT COMPANY or SIMPLOT INDUSTRIES, INC. or both, and notwithstanding anything herein or elsewhere to the contrary, the merger may be abandoned at any time prior to the filing thereof by the adoption of a resolution providing for such abandonment by the Board of Directors of J. R. SIMPLOT COMPANY.

G. BE IT RESOLVED that the Executive Vice President and Secretary of this corporation be and they hereby are directed to make and execute, under the corporate seal of this corporation, a certificate of ownership and merger setting forth a copy of the resolution to merge said SIMPLOT INDUSTRIES, INC. and assume its liabilities and obligations, and to file the same in the office of the Secretary of State of Nevada and the Secretary of State of Utah; and

H. BE IT FURTHER RESOLVED that the officers of this corporation be and they hereby are authorized and directed to do all acts and things whatsoever, whether within or without the States of Nevada and Utah which may be necessary or proper to effect said merger.

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FOURTH: That this corporation survive the merger and may be served with process in the States of Nevada and Utah in any proceeding for enforcement of any obligation of SIMPLOT INDUSTRIES, INC. as well as for enforcement of any obligation of the surviving corporation arising from the merger.

FIFTH: The undersigned corporation hereby (a) agrees that it may be served with process in the State of Utah in any proceeding for the enforcement of the rights of a dissenting shareholder of the above-mentioned subsidiary corporation against the surviving corporation; (b) irrevocably appoints the Secretary of State of Utah as its agent to accept service of process in any such proceeding; and (c) agrees that it will promptly pay to the dissenting shareholders of such domestic corporation the amount, if any, to which they shall be entitled under the provisions of the Utah Business Corporation Act with respect to the rights of dissenting shareholders.

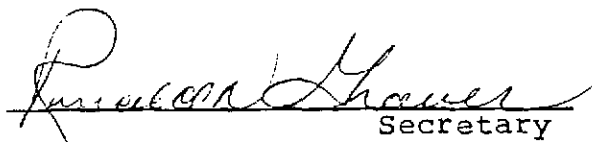
SIXTH: The mailing of Notice of said Plan and Agreement of Merger was waived by the shareholders of SIMPLOT INDUSTRIES, INC. on February 15, 1985.

IN WITNESS WHEREOF, said J. R. SIMPLOT COMPANY has caused its corporate seal to be affixed and this certificate to be signed by Scott R. Simplot, its Executive Vice President and Ronald N. Graves, its Secretary this 15th day of February, 1985.

J. R. SIMPLOT COMPANY

By 
Its Executive Vice President

ATTEST:


Secretary

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STATE OF IDAHO)
) ss
County of Ada)

I, Laurel J. Walker, a notary public, do hereby certify that on this 15th day of February, 1985, personally appeared before me Scott R. Simplot, who, being by me first duly sworn, declared that he is the Executive Vice President of J. R. SIMPLOT COMPANY, that he signed the foregoing document as Executive Vice President of the Corporation, and that the statements therein contained are true.

Laurel J. Walker
Notary Public for Idaho
Residing at Boise, Idaho
My Commission Expires: 5/30/87

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DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. **33-7053**

Name(s) of Permit Holder: **Simplot Industries, Inc.**

Post Office Address: **P.O. Box 27, Boise, Idaho 83707**

Tel. No. **(208) 336-2110**

Source of Water: **Ground water: SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 6 T5N R30E B.M.**

Extent of Use:

☐ Domestic		(number of households)
☐ Stockwater		(number and type of stock)
☒ Irrigation	595	(acres)
☐ Other		

Measuring Device: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

Access Port: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

Simplot Industries, Inc.

June 14, 1982

Date

MICROFILMED

By:

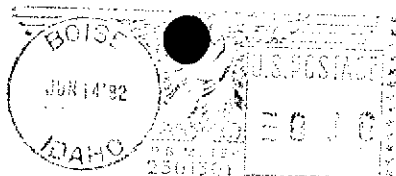
Signature of Permit Holder

Simplot Industries, Inc.

P.O. Box 27

Boise, Idaho 83707

RECEIVED
JUN 15 1982



RECEIVED

JUN 15 1982

Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 33-7053

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows:

"The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 1st day of June 1981.

Glen Saxton

GLEN SAXTON
Chief, Operations Bureau

MICROFILMED

Identification No. 33 7053

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant SIMPLIT INDUSTRIES, INC. Phone: 336-2110
post office address P. O. Box 27, Boise, ID 83707 - ATTN: Ronald N. Graves
2. Source of water supply Subterranean which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 6 Township 5 North
Range 30 East B.M. Butte County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into ground at a point in SE $\frac{1}{4}$
of NW $\frac{1}{4}$ of Section 6 Township 5 North Range 30 East B.M. _____
4. Water will be used for the following purposes:
Amount 6 cfs for irrigation purpose from April 1 to September 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 6 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Water pumped by 500 HP pump and 150 HP
booster through 1200' 16" steel line, 1200' 14" steel line, 1200' 12" steel line
and 1600' 10" steel line.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 26 inches; proposed depth of well is 615 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 150,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

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Howe

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	30E	6					40	40	40	40	25	35							220
5N	29E	1	40	40	40	40	40			40	10			10	40	40	20	15	375

595

Total number of acres to be irrigated _____

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

9. a. Who owns the property at the point of diversion Simplot Industries, Inc.

b. Who owns the land to be irrigated or place of use Simplot Industries, Inc.

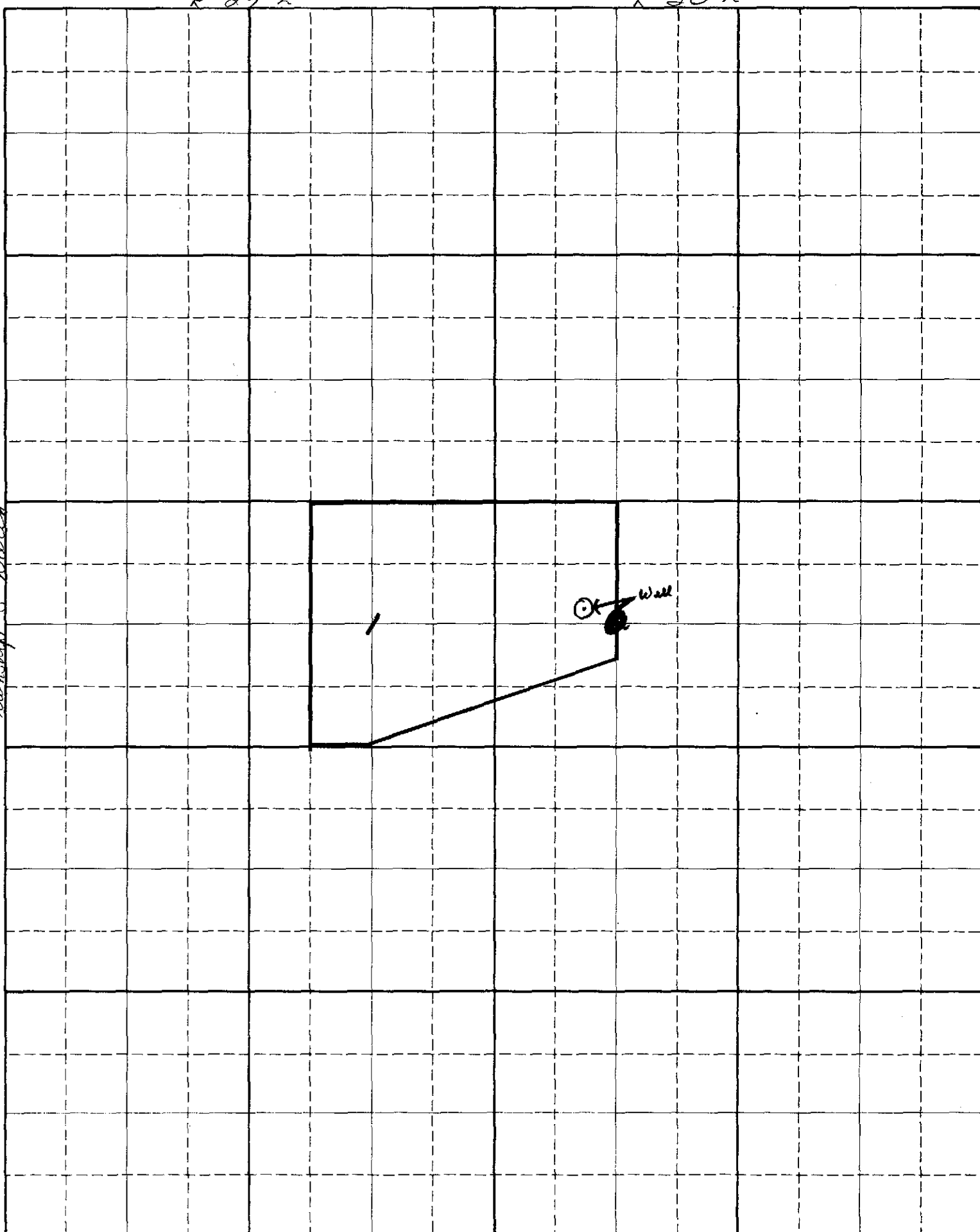
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

R 29 E

R 30 E



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

SIMPLOT INDUSTRIES, INC.

By: [Signature]
(Applicant) ts Senior Vice President

Proposed Priority 6/ 7/77

Received by aw Date 6-07-77 Time 10:50 A.
Preliminary check by aw Date 6/2/77 Fee \$ 15.00
Receipted by aw Date 6-08-77 # 2350
Publication prepared by aw Date 6-10-77
Published in Idaho Advertiser
Publication dates June 16 & 23-1977
Publication approved me Date July 22, 1977
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval, denial by Emc jg

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 33-7053, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 82.
- c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.

Witness my hand this 22 day of August, 19 77.


Deputy Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

October 22, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JR SIMPLOT CO
PO BOX 27
BOISE ID 83707

RE: WATER RIGHT NO. 33-07053

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

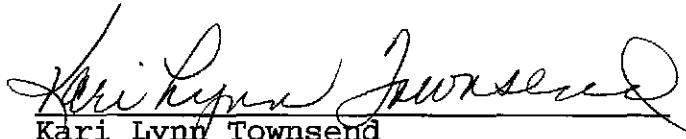
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NOV 10 1999

CERTIFICATE OF MAILING

I hereby certify that on the 22nd day of October, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 33-07053

JR SIMPLOT CO
PO BOX 27
BOISE ID 83707


Kari Lynn Townsend
Secretary

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NOV 10 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

Memorandum

To: Files 33-07053 & 33-07061

From: Kay Walker

Date: 10/21/99

Re: Licensing Recommendations
.....

These rights when combined cannot exceed the irrigation of 388 acres within a permissible place of use of 1928 acres. Right No. 33-07053 is recommended for 6.0 cfs which would be enough water to irrigate the entire 388 acres at 0.015 cfs per acre. Right No. 33-07061 only adds 0.2 cfs to this system. I recommend we limit this right to the irrigation of 12 acres in any irrigation season which would be 0.016 cfs per acre. This adjustment to my prior recommendations is made in case these rights are ever involved in a transfer situation in the future where the right holder wants to utilize them individually.

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NOV 10 1999



J.R. SIMPLOT COMPANY ONE CAPITAL CENTER 999 MAIN STREET SUITE 1300
P.O. BOX 27 BOISE, IDAHO 83707-0027 (208) 336-2110 FAX (208) 389-7515

CORPORATE HEADQUARTERS

OCT 18 1999

October 15, 1999

Shelley W. Keen
Water Rights Supervisor
State of Idaho
Department of Water Resources
P. O. Box 83720
Boise, ID 83720-0098

Re: IDWR Water Right Permit Nos. 33-07061 and 33-07053.

Dear Shelley:

Enclosed are the signed original applications to amend the above referenced permits. I am also enclosing a \$100.00 check to cover your fees for filing the above amendments.

Sincerely,

Vic Conrad
Simplot Land and Development

Enclosures

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NOV 10 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

September 17, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JR SIMPLOT CO
PO BOX 27
BOISE ID 83707

RE: WATER RIGHT NO. 33-07053

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the point(s) of diversion and place(s) of use developed are in locations other than what was described on your permit. Therefore, before a license can be issued, your permit must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment form depicts the point(s) of diversion and place(s) of use and other information as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

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10-12-99
per phone conversation
w/ Vic Conrad amendment
will be coming in
mail - KW

LICENSE REVIEW CHECKLIST

Permit No. 33-07053 Date: 9-15-99 Reviewer: Kay Walker

Change/OK

Name/Address changed to D.E. standards

Source OK Does change clarify original intended source? If no, void permit.

Point of Diversion: add Change (P39/P47) Add (P45/P42) Feds (P43)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use change Change (P41/P47) Add (P41/P42) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): NO pu overlaps - just pld
File reviewed ☒ Profile reports printed ☒

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion: Permitted rate 6.0 cfs
Fee Limit Not Reg'd cfs Recommended Total Diversion Rate 6.0
Measured _____ cfs
Theoretical _____ cfs

Water Uses OK Change (P46)

Irrigation 6.0 cfs 1358 af
Stockwater _____ cfs _____ af
Domestic _____ cfs _____ af
_____ cfs _____ af
_____ cfs _____ af
Total 6.0 cfs 1358 af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)
supp. Gw (WB7/065/079)
overlap spec combined rts (W35)
<1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (081/R07)
Payette - (W22/047/27A)

Volume Determination
6.0 cfs x 1.9835 x 184 days = 2189.8 af

388 acres x 3.5 (FHR) = 1358 af ←

P47

Remarks: _____

Additional Conditions _____ Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust (052/R55 – remove 051)
Non-trust (048/049)

Advance Priority? _____ yes If yes, explain why below.
_____ no

SRBA Claim? YES

Adjust memo _____

Amend Letters ~~P45, P41~~
P37, P38

for W35

$$V_1 = 1928 \text{ ac} \times 3.5 = 6748.0 \text{ AF} \leftarrow$$

$$V_2 = 30.78 \text{ cfs} \times 1.9835 \times 184 = 11233.6 \text{ AF}$$

$$V_1 = 3002 \text{ ac} \times 3.5 = 10507.0 \text{ AF} \leftarrow$$

$$V_2 = 43.68 \text{ cfs} \times 1.9835 \times 184 = 15941.6 \text{ AF}$$

Water Right Numbers		Rate	Volume	Acres	Remarks
	MIDDLE BLOCK - 1540 acres				
R33-02054		2.32	828	1540	
R33-02075		10.12	3486	1540	
R33-02076A		7.50	2677	1540	
R33-02076B		6.80	1190	1540	These rights not to exceed 10.84 cfs on "R"
R33-07007		4.68	1420	1540	30.78 cfs/1540 acres = 0.019 cfs/acre
	WEST BLOCK - 388 acres				
L33-07053		6.00	1358	388	
L33-07061		0.20	73	388	30.78 cfs/1928 acres = 0.016 cfs/acre
	NORTH BLOCK - 1074 acres				
R33-02119		10.08	1764	504	These rights not to exceed 12.9 cfs per transfer.
R33-02125		10.00	2219	634	12.9 cfs/1074 acres = 0.012 cfs/acre
TOTAL	3002 acres	57.70	15015		Recommended diversion rate of entire system is 43.68 cfs

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NOV 10 1999

kw
9/15/99

Shelley Keen

To: Simplot Howe Farms Adjudication File
Fr: Bryce Contor
Date: August 16, 1999

Bryce A. Contor

Simplot's Adjudication Claims are filed as a permissible place of use for all water rights, diverted from five wells, on a 3029 acre place of use. There is also a separate small claim for domestic use and lawn irrigation. The claims are based upon licenses, permits, and beneficial use:

Licenses

33-02054
33-02075
33-02076A
33-02076B
33-02119
33-07007

33-02125

RECEIVED

AUG 20 1999

Department of Water Resources

Permits

33-07053
33-07061

Beneficial Use

33-10092

I. Points of Diversion

Claim 33-10092 is for domestic use and 1.5 acres of irrigation from the domestic well at the farmstead. All the other claims are for irrigation wells on an interconnected system.

Original water rights 33-02054, 33-02075, 33-02076A, and 33-02076B were for points of diversion in a well orchard located in the northwest part of 06N 29E. The water was conveyed to the places of use via a canal. Current points of diversion are located on the places of use:

Well #1	05N 30E 06 SENE
Well #2	05N 30E 05 SWNW
Well #3	06N 30E 32 SESE
Well #4	06N 30E 31 NENE ✓
Well #5	~~06N 29E 35 SESESE~~

5N 29E 1 NWNW

↑ original location

A 1990 well log in file 33-02075 documents a 1990 accomplished transfer of Well #5 to the current location at 06N 29E 35 SESESE (a few hundred feet from the original location). Transfers 3722 and 3192 and the original claims list Well #5 in 05N 29E 1, the amended claims place it in 06N 29E 35.

Because the accomplished transfer occurred after 1987, Well #5 is recommended in the original location rather than the new (current) location. The water user will need to file a formal transfer to the new location.

Water rights 33-02119 and 33-02125 are recommended to be diverted from Well #3, Well #4, and Well #5, based upon transfer 3722 (1991).

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Water rights 33-02054, 33-02075, 33-02076A, 33-02076B, and 33-07007 are recommended to be diverted from all five wells, based upon:

- 33-07007 original license.
- Keith Wilson's 1983 exam showing Wells #1 through #4 on an interconnected system.
- Transfer 3192 (1985) which implies Well #5 would be added to the combined system and authorizes diversion of 33-02075 from Well #5.
- 1987 claims indicating a combined delivery system.

I suggest licensing permits 33-07053 and 33-07061 for all five points of diversion, because the delivery system is interconnected.

II. Places of use

The clear intent of the claims was for all water rights to be recommended for the entire farm, as a permissible place of use. However, transfer 3722 post-dates the Adjudication Claims and assigns 33-02119 and 33-02125 to specific places of use. Furthermore, licenses have not been issued for permits 33-07053 and 07061. In reviewing licenses, transfers, permits, and overlaps, it appears best to recommend three separate places of use as illustrated in the attachment:

1) North Block.

Water rights 33-02119 and 33-02125 are recommended as per transfer 3722. 33-02119 is recommended for 504 acres and 33-02125 is recommended for 634. There is an overlap of 64 acres, so irrigated lands for these two rights total 1074 acres.

2) Middle Block

Water rights 33-02054, 33-02075, 33-02076A, and 33-02076B are recommended for a permissible place of use covering the farmed acres in 05N 30E sections five and six, and parts of 05N 30E 01.

Licenses 33-02054, 33-02075, and 02076A cover virtually the same original place of use. None of the other original water rights cover this place of use, and the three rights sum to approximately 0.02 cfs/acre.

License 33-07007 was issued for 4.68 cfs on 442 acres, which is approximately 0.011 cfs/acre. License 33-02076B was issued for 6.80 cfs on 340 acres (0.02 cfs/acre). There is an overlap of approximately 240 acres which was not considered in the analysis of 33-07007. Considering overlaps, the original licenses authorize irrigation of a total of 544 acres. There is no other overlap on these acres.

Recommended accomplished transfers include:

- Move approximately 20 acres of 33-02054, 33-02075, and 33-02076A from the farmstead and waste areas to unlicensed lands in 05N 30E 05.

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- Move seven acres of 33-07007 from 05N 29E 01 to unlicensed lands in 05N 30E 05.
- Move 80 acres of 33-02076B from 05N 30E 08 to unlicensed lands in 05N 30E 05.

Note that the unlicensed places of use in section five are not included in the authorized places of use for the two permits.

Apparent clerical errors resulted in the electronic records for 33-02076A and 33-02076B each being one 40-acre tract short of the original licenses. These were restored in the recommendations.

The middle block as recommended contains 1540 acres, which is the full acreage authorized by the original licenses.

3) West Block

When the original water rights are allocated as above, 388 acres of unlicensed place of use remain on the west side of 05N 29E 01. These places of use are approved for irrigation under permits 33-07053 and 33-07061.

The licensing examiner's recommendation for these two permits is for a permissible place of use of 595 acres. However, this includes an overlap of about 200 acres with 33-02054, 33-02075, and 33-02076B, which already authorize a full 0.02 cfs/acre.

I propose licensing the two permits with a permissible place of use of only the 388 acres not covered by other licenses. This is illustrated in an attached GIS map.

While these recommendations do not preserve the claimant's desire to make the whole farm a permissible place of use, they honor the post-claim transfers and perhaps make the licensing of the permits more straightforward. After the licenses and partial decrees are issued, the claimant could file a transfer to make the entire farm a permissible place of use for all the rights.

III. Rate of Diversion – Existing Licenses

North Block

Rights 33-02119 and 33-02125 have individual licensed rates of 10.08 and 10.00 cfs respectively, based on 1976 measurements of Well #3 and Well #4. The original licenses limit the combined diversion rate to 12.9 cfs. This amounts to approximately 0.012 cfs/acre. Per transfer 3722, these are recommended at the licensed rates, with the combined limitation.

Middle Block

Rates of diversion for 33-02054, 33-02075, and 33-02076A are based on measurements of the well orchard. They sum to approximately 0.02 cfs/acre and are recommended at the licensed rates:

- | | |
|-------------|-----------|
| • 33-02054 | 2.32 cfs |
| • 33-02075 | 10.12 cfs |
| • 33-02076A | 7.50 cfs |

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Rate of diversion for 33-02076B is based upon measurements of the well orchard, and the rate for 33-07007 is based upon a 1982 reading of an installed flow meter at Well #2. These rights are recommended at the original licensed rates, which sum to 11.48 cfs. Due to the 240 acre overlap, the recommendations include a combined limitation of 10.88 cfs, which is 0.02 cfs/acre on 544 acres.

The middle-block recommendations will include a combined limitation of 30.80 cfs, which is 0.02 cfs/acre on the permissible place of use.

IV. Rates of Diversion – Permits

The licensing examiner's recommendation was for a combined limitation of 6.49 cfs on the two permits, based on measurements of Well #1.

Because the system is interconnected, I suggest using total per-acre capacity to derive authorized diversion rates for the permits. Existing licenses imply an original system capacity of 43.70 cfs, and the attached analysis shows that current system capacity is no greater. Transfer 3722 allocates 12.9 cfs of the total to the north 1074 acres. This leaves 30.80 cfs for the southern part of the farm. These lands total 1928 acres.

Based on the above, I suggest licensing the two permits for a total of $(30.80/1928) * 388 = 6.20$ cfs, with a condition limiting the combined diversion rate of the permits and the "middle block" licenses to 30.80 cfs.

V. Summary

These recommendations divide the place of use into three blocks, with water rights assigned to each block based on post-claim transfers and original licenses. The north block is authorized for 0.012 cfs/acre based upon transfer 3722 and the original licenses. The middle block is recommended for 0.02 cfs/acre based upon the original licenses. The west block is suggested at 0.016 cfs/acre, based upon system capacity.

Wells # 3, 4, and 5 are recommended as points of diversion for the north block, based upon the transfer. All five wells are recommended or suggested for the other rights, based upon the fact that the system has been fully interconnected since at least 1983.

These recommendations allow irrigation of all 3002 farmed acres identified in a GIS analysis of the claimed place of use.

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Analysis of Simplot System Capacity

Pumps 1 through 4 have been measured at some point in the past, and on August 10 I timed power meter disks and recorded operating pressures to do theoretical calculations on all the pumps. The farm manager told me that last winter when pump #2 was pulled, the static water level was 306 feet. Based on these measurements and data, approximate system capacity is:

Well #1	1983 measurement	6.49 cfs
	Theoretical - '83 data	6.8 cfs
	Theoretical - '99 data	6.6 - 7.3 cfs
Well #2	1982 measurement	4.68 cfs
	Theoretical - '82 data	6.8 cfs
	Theoretical - '99 data	6.7 - 7.4 cfs
Well #3	1977 measurement	5.46 cfs
	Theoretical - '99 data	6.0 - 6.6 cfs
Well #4	1997 measurement	7.44 cfs
	Theoretical - '99 data	6.3 - 6.9 cfs
Well #5	Theoretical - '99 data	6.5 - 7.2 cfs

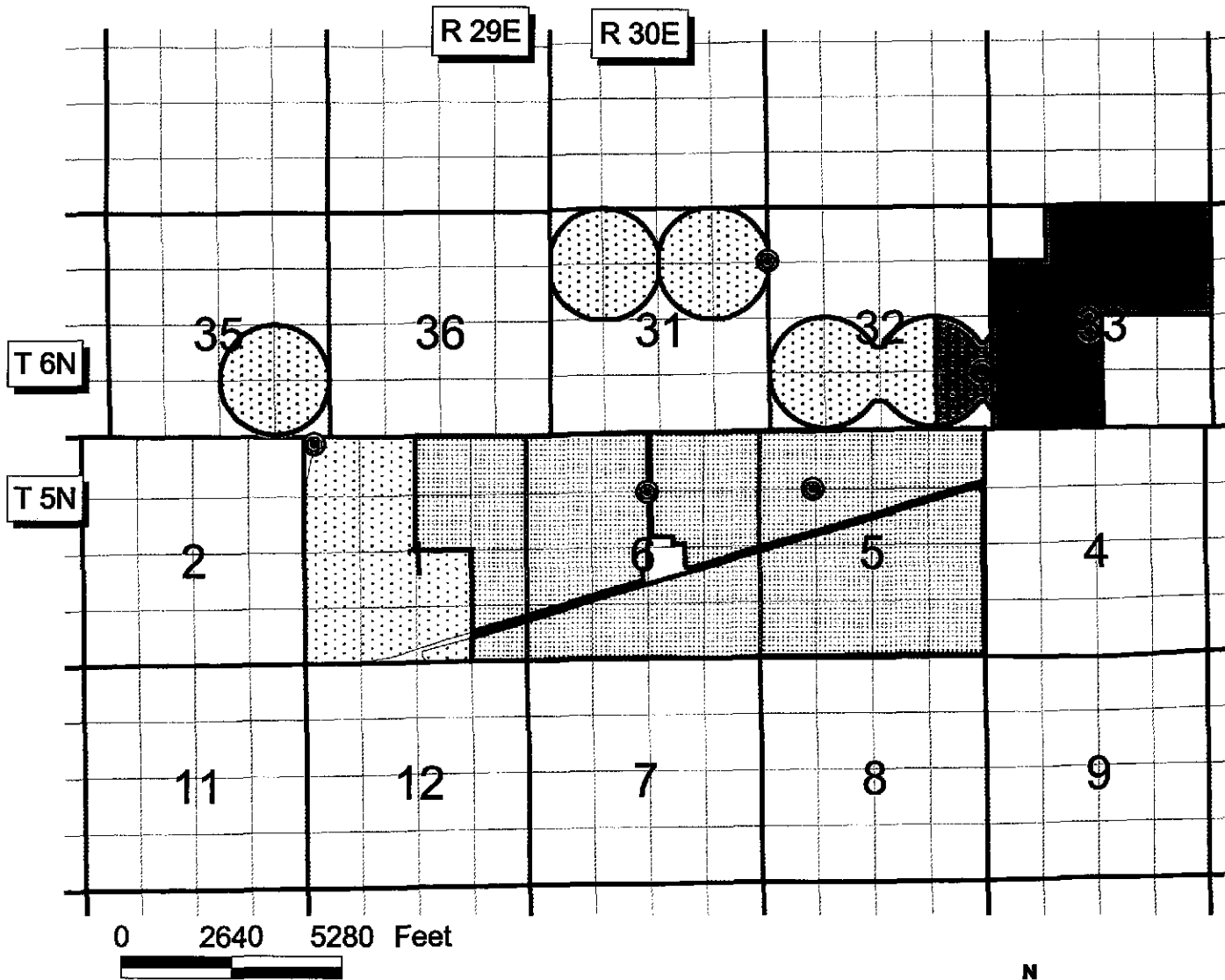
Using the most generous value for each well gives an approximate current capacity of 35 cfs.

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Idaho Department of Water Resources

Simplot Farms Recommendation Summary



version

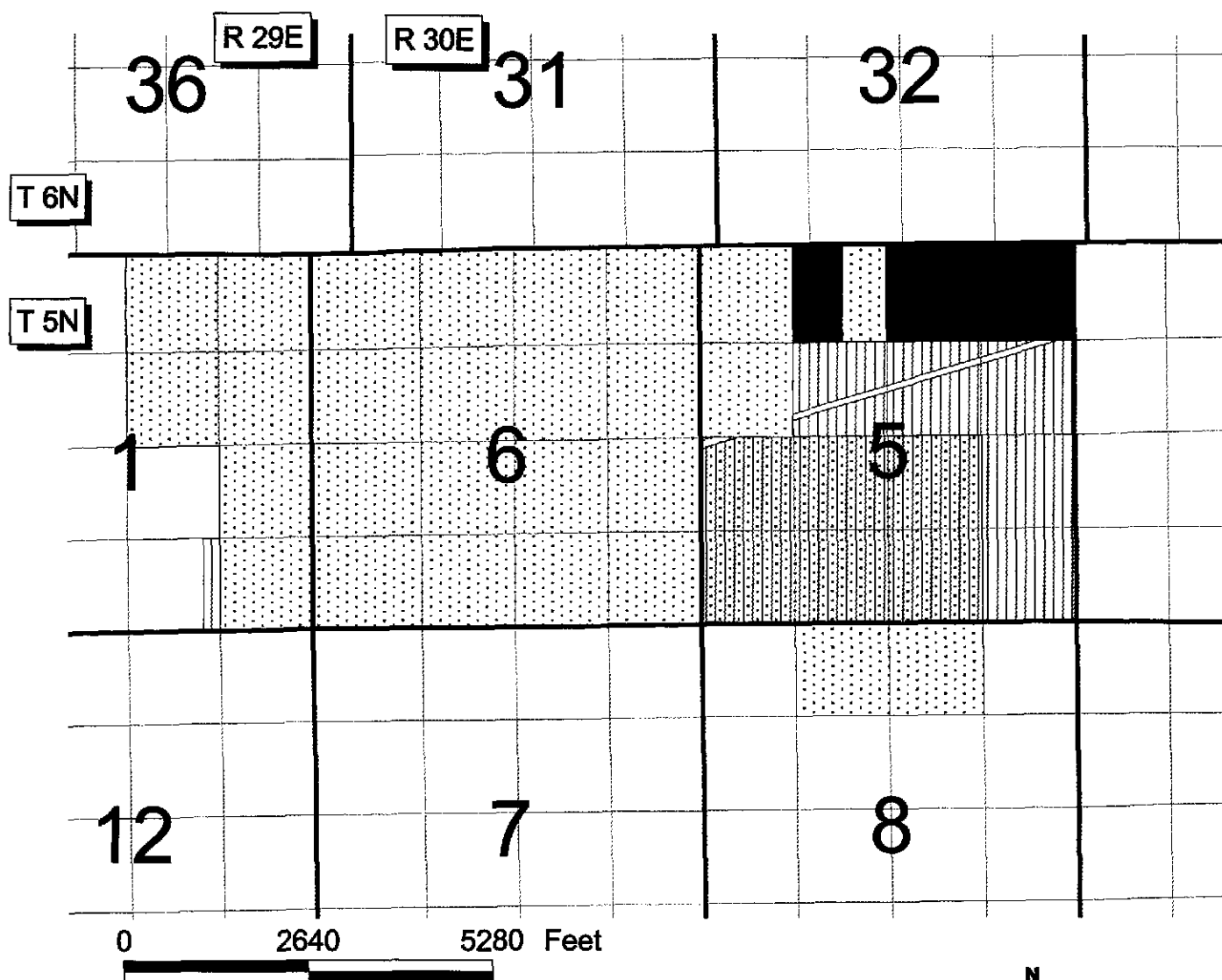
- Wells
- ▤ Permits
- ▤ Permissible Place of Use
- ▤ 33-2125
- ▤ 33-2119

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NOV 10 1999

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by Bryce A. Contor
August, 1999

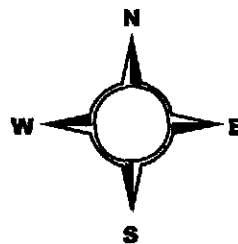
Idaho Department of Water Resources

Simplot Farms Middle Block Original Licenses



- 2076B
- 7007
- 2054, 2075, 2076A
- No Water Right

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NOV 10 1999



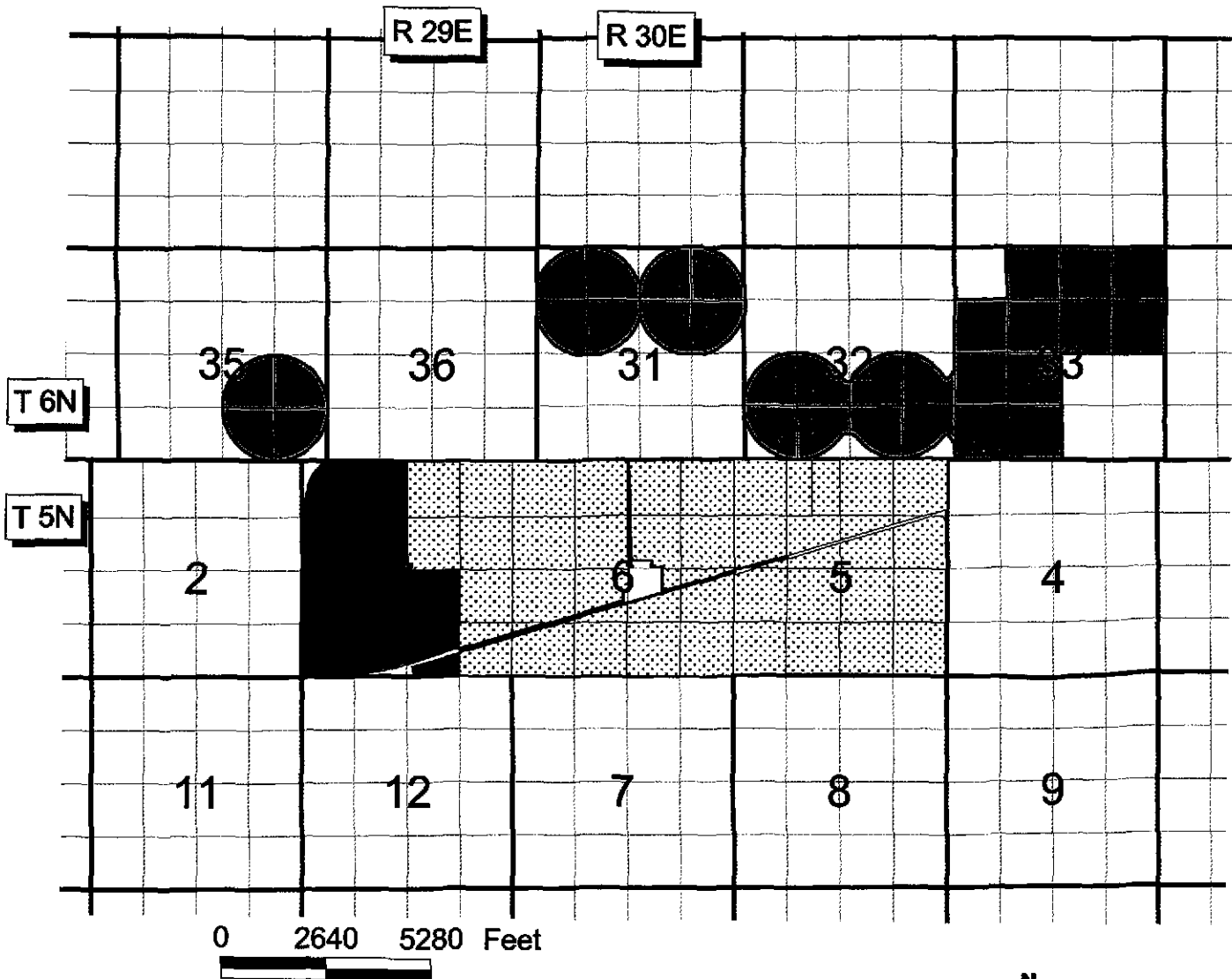
GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by Bryce A. Contor
August, 1999

Idaho Department of Water Resources

Diversion Rate Per Acre

Overall Licensed = 0.0146

Overall Capacity = 0.012



0.012

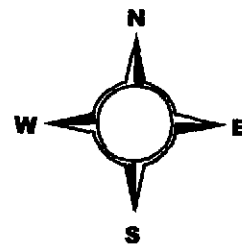
0.02

0.0146 Suggested

0.016

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NOV 10 1999

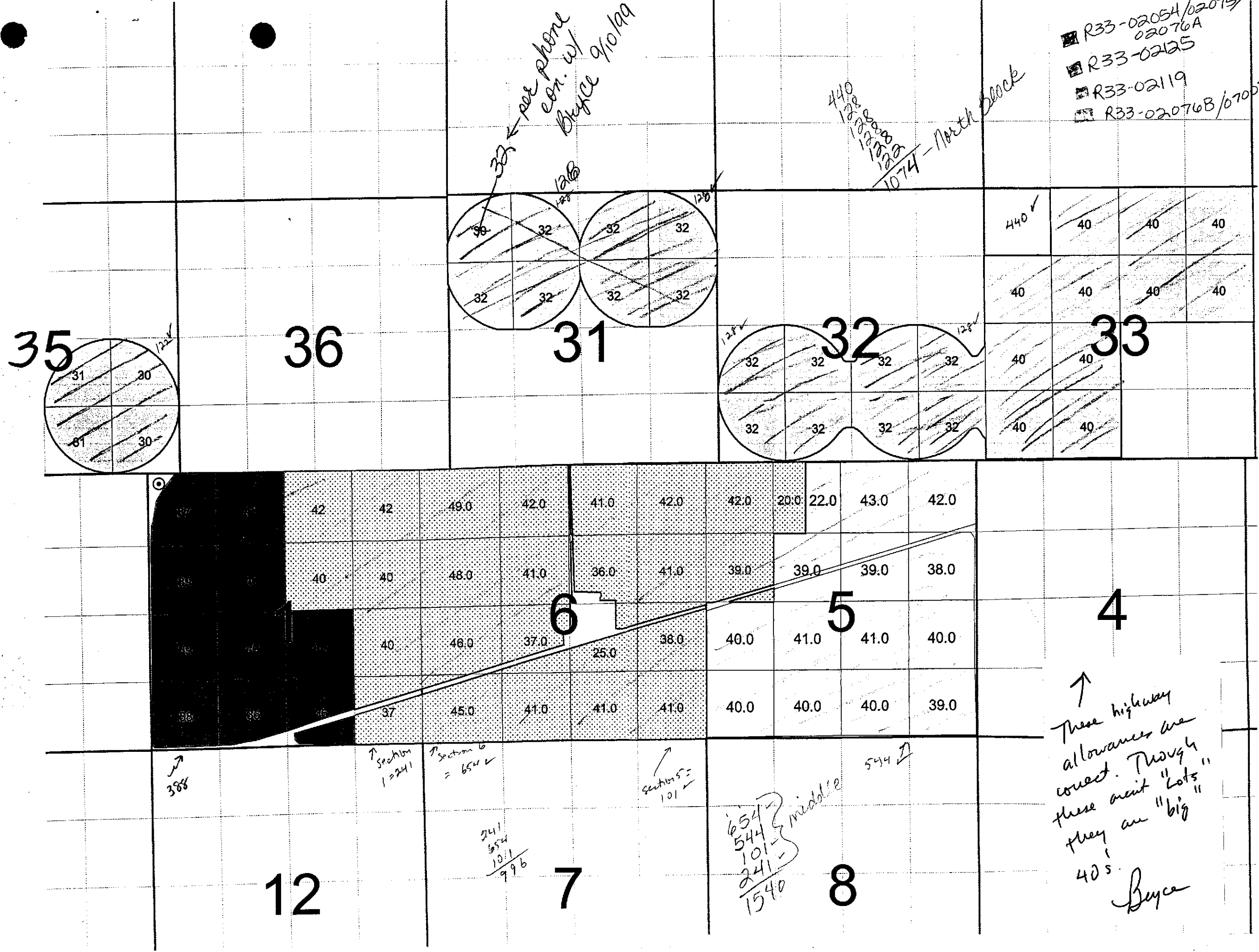


GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by Bryce A. Contor
August, 1999

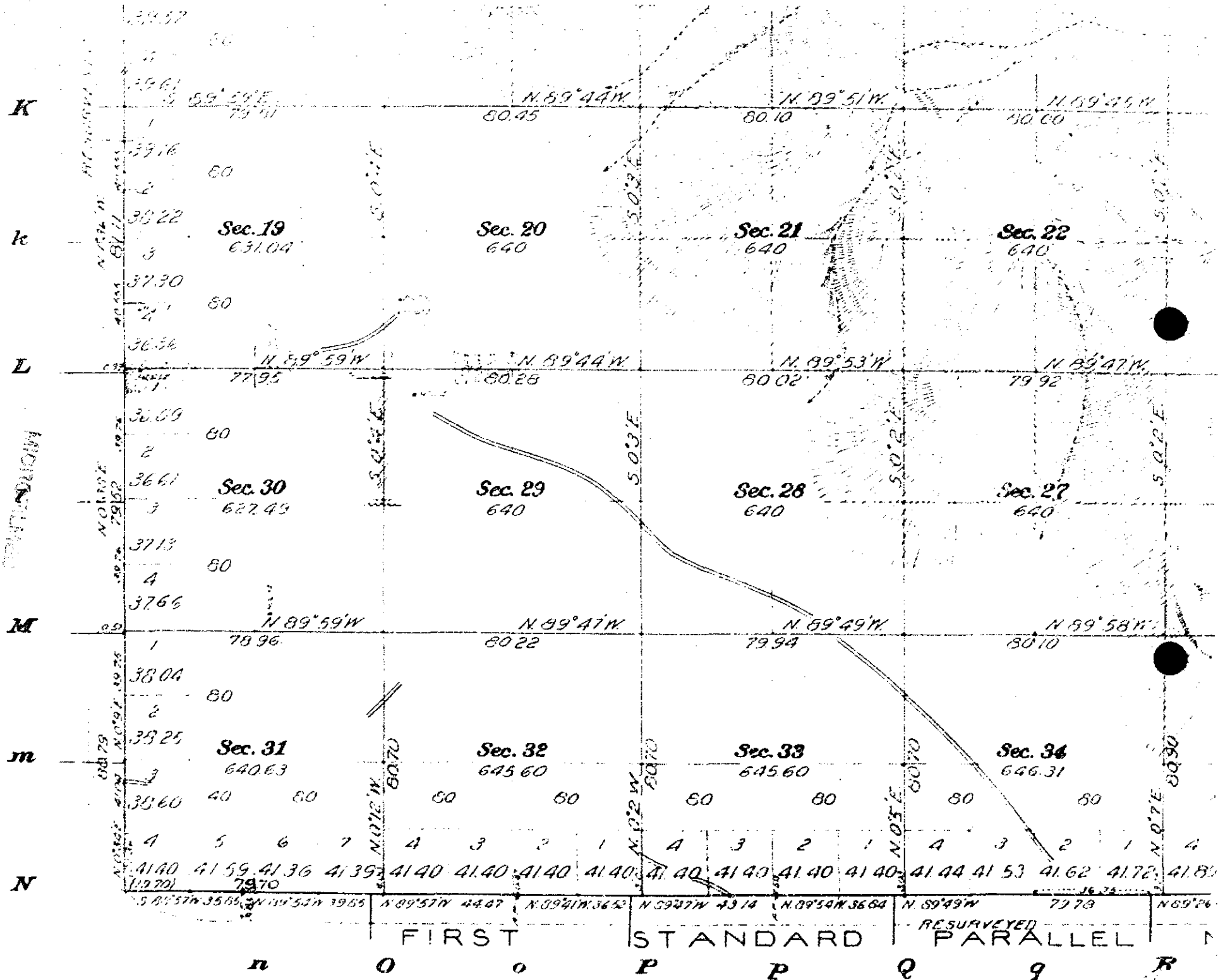
29

0 1999

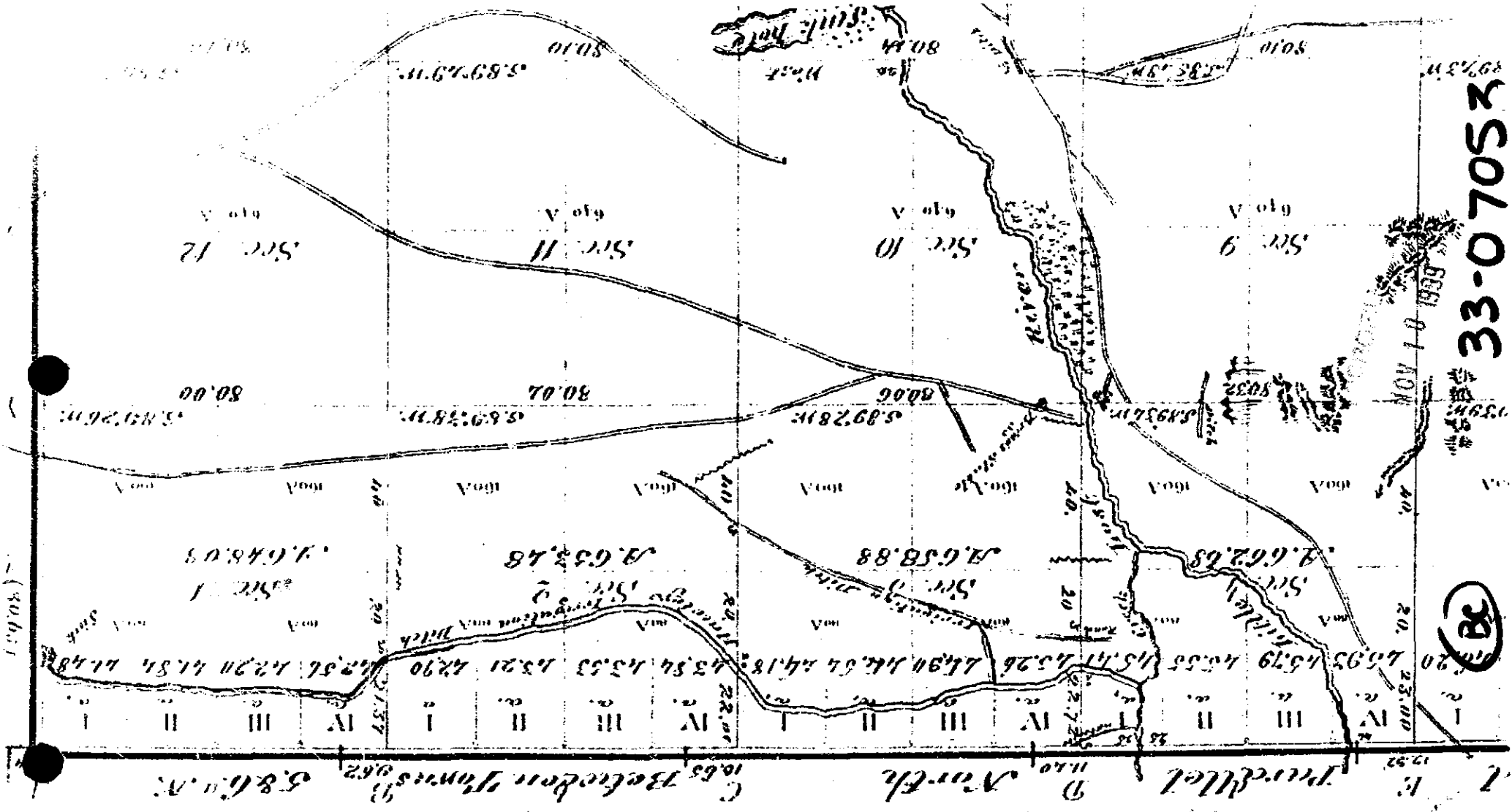
North Blk = 1074
 Middle Blk = 1540
 West Blk = 388
3002. total
 acres



1999



North Range No. 29 East, of the Boise Meridian.



[illegible]

③

33-07053

JUN 13 1990

Department of Water Resources
Permit No. 33-7053
Phone No. 336-2110

1. Owner: J.R. Simplot Company Phone No. 336-2110
Current Address: P.O. Box 27 Boise Idaho 83707
2. Accompanied by: Dee Newman / Ron Robatson / Jim Hoover EXAM. DATE: 30 Aug 1983
Address: % Howe Farms Howe Id 83224 Phone No. 767-3424 and
Relationship to Permit Holder: Farm Managers 15 April 1988
3. Source: GROUNDWATER tributary to _____

Well/Diversion* No.	Motor Make	HP.	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1	U.S. Electric	500	C523345-2-2875	Singer Well line	45441
			85-03249		
Booster	GE	150	NKJ1218171	Layne and Bowler	45442

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
well #1 is mainline to laterals with sprinklers used in conjunction with
three other wells connected into a common system

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
FLOW INDICATOR	Eagle Eye Meter	Dieterich	#67C	091473	10-80"	4/25/83
FLOW METER STATION	Annubar	Dieterich	7517-316-55 ~~#191166~~	191166	13.25	

7. Measurements 16" with 13.25" annular ☐ Additional data/computation sheets attached

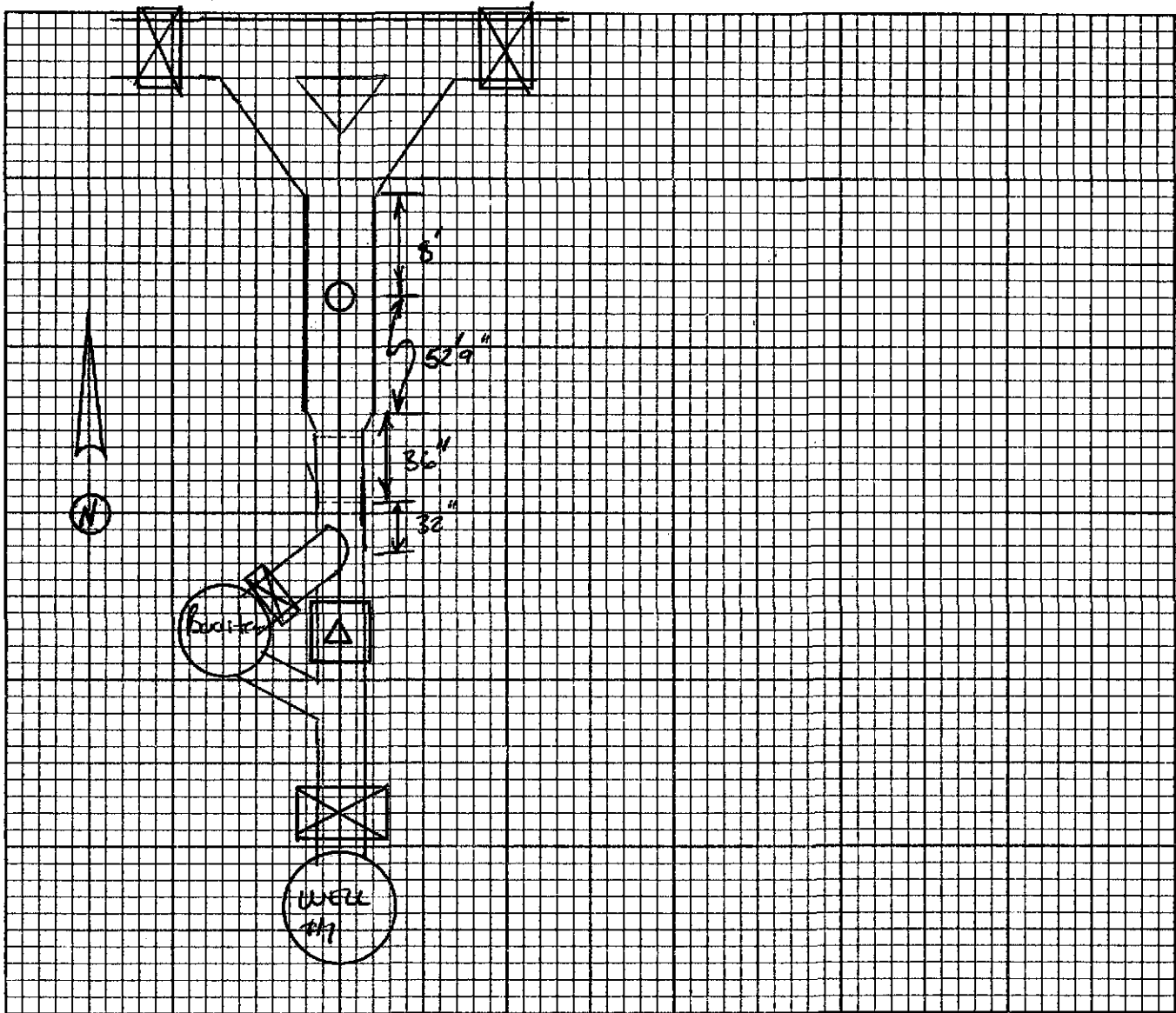
- | 8. Point(s) of Diversion: | Indicate Method of Determination |
|---------------------------|----------------------------------|
|---------------------------|----------------------------------|

[illegible]

9. **Place(s) of Use:** Irrigation - give acres served by system at time of exam.
Indicate Method of Determination USGS Map ASCS Aerial

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
			L1	L2			L3	L4											
5N	29E	1	40	41	40	40	41	39	39	40	40	39	36	36	40	40	26	15	592
							L3	L4	L5			L6	L7	NOT FILMED					
5N	30E	6					40	47	47	40	29	46	4						253
														NOV 10 1999					
Total Acres																			845

10. Other water rights on these lands 33-2054/2075/2076A
11. Other water right diverted from same p.d. 33-7061
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached
- ☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached
14. Remarks R29

15. Recommended Amendments

☐ Change P.D. as reflected above

☐ Change P.U. as reflected above

☐ Add P.D. as reflected above

☐ Add P.U. as reflected above

☒ None

☐ Other
16. Examiner's/Consultant's Signature Keith C. Wilson Date 18 April 88
- Consultant's License Number _____
- IDWR Director's Authorization to Conduct Beneficial Use Examination _____
- Date _____

CONSULTANT SEAL
Steve McLaughlin
510-87
MICROFILMED
NOV 10 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

33-7053
Permit No.

1. **Measurement Calculations**

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

$$Q = \left[\frac{C(1d)^2 \sqrt{\text{inches}}}{448.8} \right] K$$

$$C_{13.25} = 4.01 \quad K = 1.035$$

$$\text{inches} = 16''$$

$$Q = \left[\frac{(4.01)(13.25)^2 \sqrt{16}}{448.8} \right] 1.035 = 6.49 \text{ cfs} = \text{System capacity}$$

$$Q \text{ per acre} = \frac{\text{Total Capacity}}{\text{Total acres}} = \frac{6.49 \text{ cfs}}{845} = 0.0077 \text{ cfs/acre}$$

EXAM for 33-7053 & 33-7061 completed at same time so spread water evenly over entire place of use

$$\text{so } 595 \text{ ac} \times 0.0077 \text{ cfs/acre} = 4.57 \text{ cfs}$$

b) Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (595 \text{ ac})(3.0 \text{ cfs}) = 1785$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 4.57 \text{ cfs} (214) 1.9835 = 1939.8$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1785$$

c) Volume Calculations for Other Uses:

2. **Overlap Review**

a) Other water rights with same place of use: 33-2054 / 2075 / 2076A

b) Other water rights with same point of diversion: 33-7061

c) Analysis: R29

MICROFILMED
NOV 10 1999

RECOMMENDED AMOUNTS

- | | | | | | | |
|----|------------|----------|--------|-----------|----------------------|-----------------|
| 3. | Permit No. | Priority | Amount | App. Date | Date Proof Submitted | System Capacity |
| | 33-7053 | | | | | 6.49 cfs |

4. Permit Holder: _____

Address: _____

5. Source: GROUNDWATER tributary to _____

6. Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
IRRIGATION	4/1	11/1	4.57	1785

Allowable Maximums: 4.57 1785

7. Point(s) of Diversion:

[illegible]

8. Place(s) of Use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
			L1	L2			L3												
5N	29E	1	40	40	40	40	40			40	10			10	40	40	20	15	375
							L3	L4	L5			L6							
5N	30E	6					40	40	40	40	25	35							220
Total Acres <u>595</u>																			

9. Recommended Conditions/Remarks: R29

10. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above. ☐ Add P.U. as reflected above ☐ Other _____

11. Examiner's Signature Keith C. [Signature] Date 18 April 1988

Date 18 April 1988

Date 5 May 1988

Date _____

Approved in State Office by _____ Date _____

MICROFILMED

NOV 10 1999

METER NO. 091473

RANGE 10-80

DATE TESTED 4/25/83

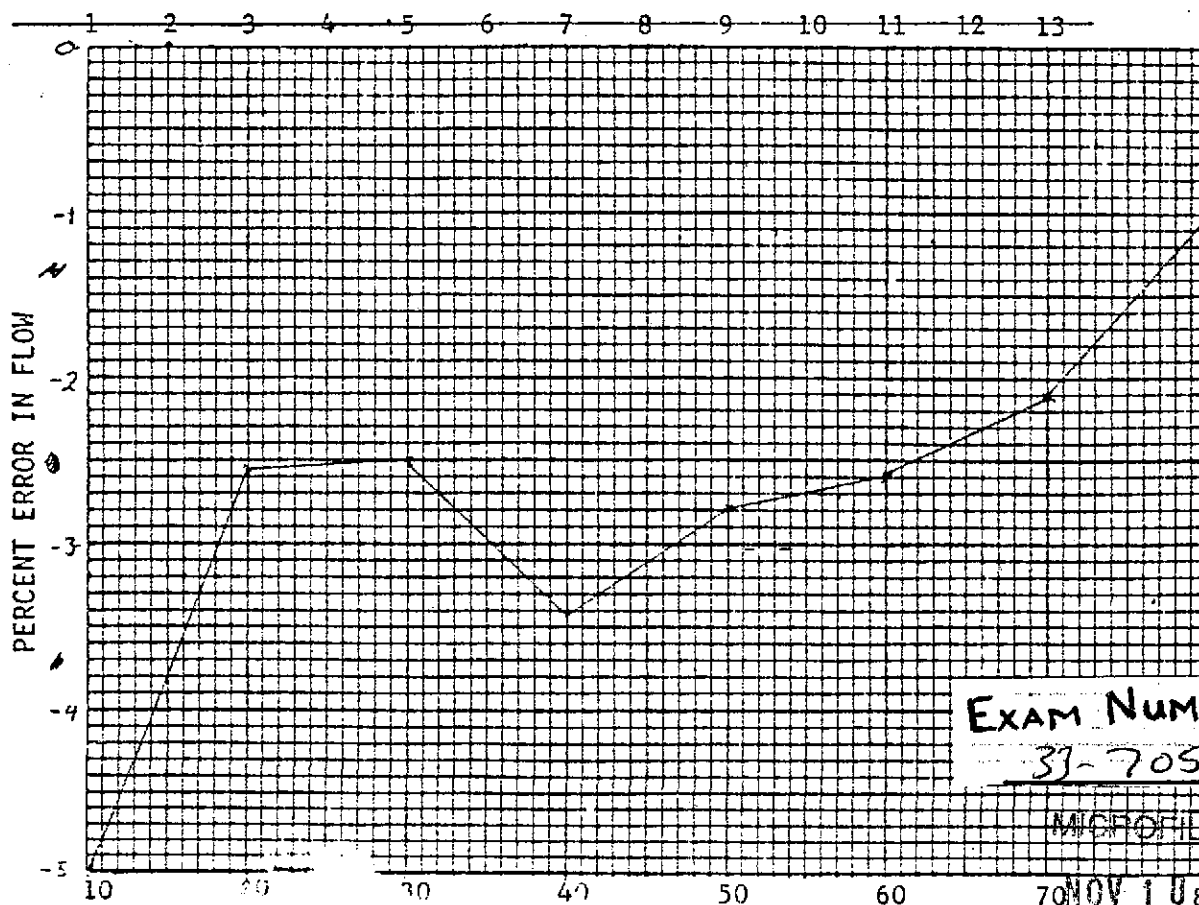
LOH
ADM

APPLIED PRESSURE			METER READING	FLOW ERROR (%)	FLOW CORRECTION FACTOR
UPSCALE	DOWNSCALE	AVERAGE *			
11.29	10.87	11.08	10.0	-5.00	1.050
21.50	20.62	21.06	20.0	-2.55	1.025
32.14	30.97	31.56	30.0	-2.50	1.025
43.47	42.27	42.87	40.0	-3.41	1.034
53.50	52.29	52.90	50.0	-2.78	1.028
63.80	62.63	63.22	60.0	-2.58	1.026
73.47	72.59	73.03	70.0	-2.10	1.021
81.87	81.42	81.65	80.0	-1.01	1.010

1.035

Exam Number

33-7053



7001
 PERMIT NO. 33-7053 (Name) Dee Newman
 Accompanied by:
 EXAMINATION: DATE: 8-30-83 Ren Robertson

Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No.
W. E. M. Co. High Thrust	500	52845-2-21-75 8508249	Singer Well Line	45441
Booster GE	150	NRT1218171	Laynet Boulton	45442

Measuring Device Type:
 Meter #091473 Annubar# 191166 Size # 13.25
 Remarks: well #1

Measurement calculations:

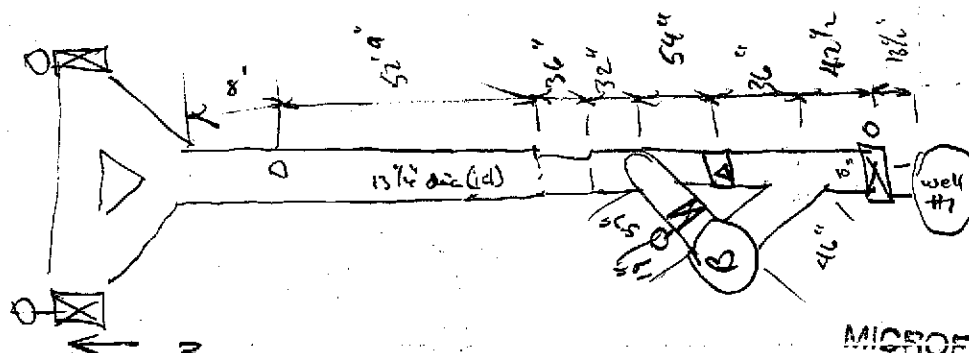
16" w/ 13.25" annubar

$$Q = \left(\frac{4.01}{3.85} \cdot (13.25)^2 \sqrt{16} \right) (1.073) = 6.73 \text{ cfs}$$

448.8

SCHEMATIC DIAGRAM OF SYSTEM

Mainline Diameter _____ gth _____



MICROFILMED

NOV 10 1999

33-7053

R30E
T
S
N

POINT OF
DIVERSION

PLACE OF USE
(also see Aerial Photo #2)

Lot 1

Lot 2

Lot 3

Lot 4

(40)

(47)

6661 91 A06

132.4

414.4

42.9

36

37

42.9

1

R29E R30E
S Place of Use

25-1

40

LOT 1

41

LOT 2

42

LOT 3
LOT 4
House Farms

Simp Plot
1-350

39

B-110

LOT 4

39

151.3

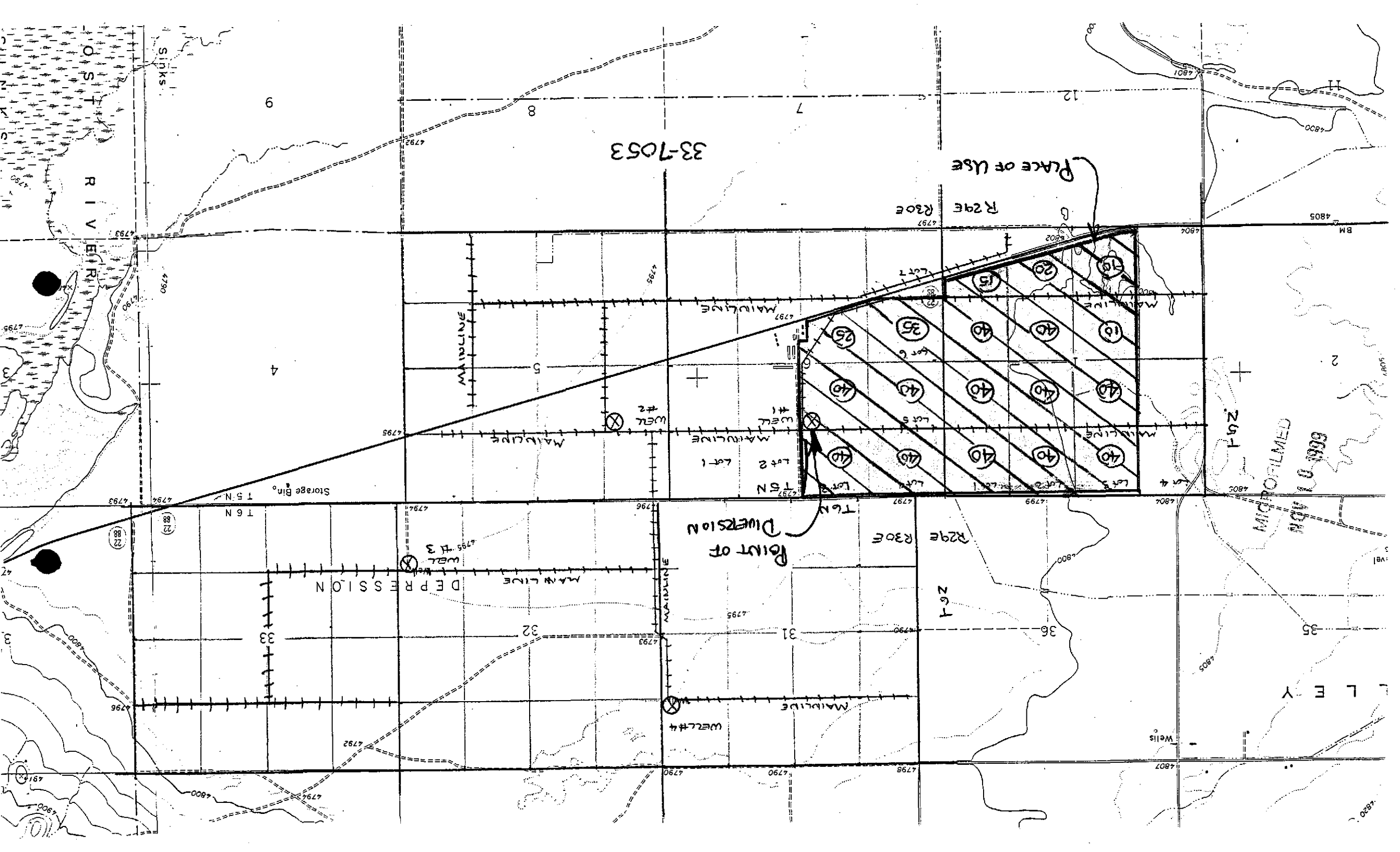
151.3

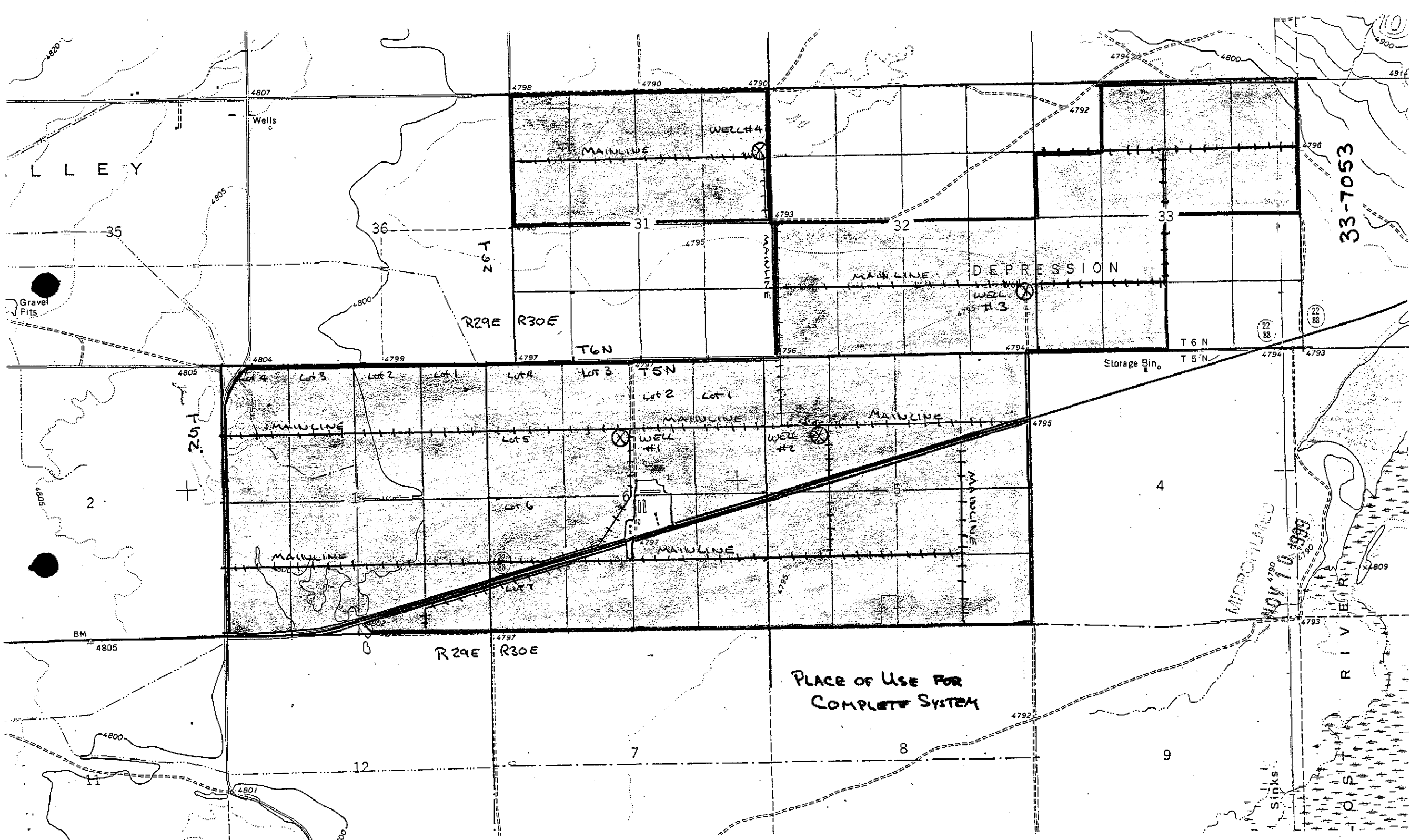
33-7053

MICROFILMED
NOV 10 1999

35 36

2





February 20, 1991

J.R. SIMPLOT CO.
P.O. BOX 27
BOISE, ID 83707

RE: WATER RIGHT NO. 33-07053

Dear Water Right Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right. The draft reflects the actual use of water found by a representative of our department at the time of the field examination. Please review the draft and if you do not concur with the information or if you have any questions, let me know within 10 days.

The claim you filed on this right under the ongoing Snake River Basin Adjudication contains the same information that you listed on the original permit. Before the Department will issue a license reflecting the actual development occurring under this right, you should amend your claim to match the information on the proposed license. Enclosed for your signature is the Amended Claim form with the license information already listed.

Once I receive the signed amended claim, the water right license will be issued and your claim to this right will be included in the Director's Report summarizing the water uses in the Snake River Basin. (See the attached table for a summary of the water appropriation process.)

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

Enclosure

MICROFILMED
NOV 10 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

November 25, 1985

RE: Water Rights in the name of "Simplot Industries, Inc."

J. R. Simplot Company
P.O. Box 27
Boise, ID 83707

Gentlemen:

Please be advised that we are in receipt of the Certificate of Ownership and Merger, merging Simplot Industries, Inc. into J. R. Simplot Company. We have corrected our water right records to show this merger on the below listed water rights.

01-4058	43-4194	65-11119	65-6638	29-7036	43-2575
01-7082	43-4196	65-11120	65-6639	33-7007	43-7056
33-2125	43-4197	65-11121	65-6640	33-7053	43-7068
35-4189	43-4198	65-11122	65-6641	33-7061	45-2746
36-4179	43-4201	65-11123	65-7376	35-8114	51-2160
36-4180	43-7145	65-11124	65-0786	36-7333	61-7067
36-4181	45-4167	65-11125	02-7040	37-0465	63-5273
36-4182	63-9335	65-2477	02-7396	37-0692	63-5274
36-8153	65-10426	65-6063	22-7423	43-2519	63-5286
36-8154	65-10428	65-6637	29-4088	43-2569	63-5297
02-0006	02-0015	02-0076	02-2053	02-2118	02-2139
02-2166	02-2220	02-2221	02-2222	02-2409	
33-2119	65-2805				

We have placed a copy of the merger in all of the files above. If you have any questions regarding this matter, please feel free to contact our office.

Sincerely,

KAY WALKER
Technical Records Specialist

KW:k

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

September 27, 1982

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

RE: Permit No. 33-7053

Dear Sir:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

_____ A field examination of your system has been scheduled for _____.

If this time and date is not convenient for you, please contact this office as soon as possible.

 X A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

COLLEEN WRAY
Adm. Secretary

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

SIMPLOT INDUSTRIES INC.
P.O. BOX 27
BOISE, ID 83707

138024

MAY 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 33-7053 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE AUGUST 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

May 31, 1982

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the regional office nearest to you.

Sincerely,

DAVID R. TUTHILL JR., P. E.

Supervisor, Water Allocations Section

DRT:jg

Enclosures

NORTHERN REGION OFFICE

Route #5, Box 203, Government Way
Coeur d'Alene, Idaho 83814
Telephone 667-6484

EASTERN REGION OFFICE

150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 525-7161

SOUTHERN REGION OFFICE

1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301
Telephone 734-3578

WESTERN REGION OFFICE

92 South Cole Road
Boise, Idaho 83709
Telephone 334-2190

MICROFILMED

September 28, 1977

Re: Permit No. 33-7053

Simplot Industries, Inc.
ATTN: Ronald N. Graves
One Capital Center, Box 27
Boise, ID 83707

Dear Mr. Graves:

We are in receipt of the Application for Amendment submitted in connection with the above referenced permit.

However, the total number of acres that can be amended is the total number that was first applied for, which is 595 acres for this permit. We cannot approve an amendment for additional acreage as that would constitute an expansion of the water right. If you wish to have a filing on the extra 170 acres a new application for permit must be submitted.

We are returning the Application for Amendment along with your check for \$10.00. If you still wish to amend the 595 acres as listed on the permit, please submit an Application for Amendment for that amount of acres.

If you have any questions, or need further assistance, please contact us.

Sincerely,

Jan Grover
Water Rights Supervisor

JG/kaw
Enclosures: Application for Amendment
Check No. 5523 for \$10.00

cc: Kay Weaver
Check # 5523
92-155/1241

MICROFILMED

September 6, 1977

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

RECEIVED

SEP 6 1977

ATTENTION: Bobby D. Fleenor
Chief, Operations Bureau

Department of Water Resources

RE: Permit No. 33-7053

Gentlemen:

Enclosed is an Application for Amendment on the above referenced water permit, which Simplot Industries, Inc. is forwarding for filing in your office. Also enclosed is a check in the amount of \$10.00 covering your filing fee.

If you have any questions regarding the enclosed, please feel free to contact the undersigned.

Sincerely,


RONALD N. GRAVES
Associate General Counsel

jw

Enclosures

MICROFILMED

August 25, 1977

Re: Permit No. 33-7053

Simplot Industries, Inc.
ATTN: Ronald N. Graves
P.O. Box 27
Boise, ID 83707

Dear Mr. Graves:

Enclosed is a copy of your approved Application for Permit No. 33-7053. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to either install and maintain a measuring device at your point of diversion or to provide the Department a certified measurement of the systems diversion capacity prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF/cah

Enclosure

MICROFILMED

Affidavit of Publication

Lella Cammack
of the Arco Advertiser, a weekly newspaper of
general circulation, published weekly at Arco,
Idaho, since March, 1909, do solemnly swear that
a copy of this notice, per clipping attached, was
published weekly in the regular and entire issue
of said newspaper, and not in any supplement
thereof,

for 2 consecutive weeks, commencing with

the issue dated 6-16-77

and ending with the issue dated 6-23-77

Lella Cammack

Subscribed and sworn to before me this

20 day of July, 19 77

Charles H. Hays

Notary Public

Residence: Arco, Idaho
My commission expires 5/14, 19 78

RECEIVED

JUL 22 1977

Department of Water Resources
Eastern District Office

PUBLIC NOTICE

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Simplot Industries, Inc., Boise,
Idaho, has on 6-07-77 submitted
Application No. 33-7053 for a permit
to appropriate 6.00 cubic feet per
second of water from a ground
water source by means of well and
pump within the SE 1/4 NW 1/4, Sec. 6,
T. 5N, R. 30E, B.M., Butte County,
to be used from Apr. 1 to Sept. 1 for
the irrigation of 595 acres within the
NW 1/4, N 1/2 SW 1/4, Sec. 6, T. 5N, R.
30E; E 1/2, E 1/2 W 1/2, Sec. 1, T. 5N, R.
29E, B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of the
permit must be filed with the Idaho
Department of Water Resources,
1515 Lincoln Road, Idaho Falls,
Idaho, 83401 on or before July 5,
1977.

C. STEPHEN ALLRED
Director

Published in the Arco Advertiser,
Arco, Idaho, on June 16 and June 23,
1977.

July 6, 1977

RE: Application for Transfer No. 33-2080 - AMY
Application for Permit No. 33-7053 - SIMPLOT IND.
Application for Permit No. 33-7054 - AMY

Arco Advertiser
Box "C"
Arco, Idaho 83213

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notices were to published in your paper on June 16 and June 23, 1977.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:TH

cc: IDWR - State Office

Microfilm
7-13-77
CW

June 14, 1977

RE: Application for Permit No. 33-7053

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

ATTENTION: Ronald N. Graves

Dear Mr. Graves:

Attached herewith is departmental receipt No. 7350 in the amount of \$75.00 for the above referenced application.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Attachment

MICROFILMED

June 10, 1977

RE: Application for Permit No. 33-7053 SIMPLOT
34-7196 BURKE

Arco Advertiser
Box "C"
Arco, Idaho 83213

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 7-22-77 by CW

RDC:CW

Enc: Legal Notice (2)

MICROFILMED

**PUBLIC NOTICE
NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Simplot Industries, Inc., Boise, Idaho, has on 6-07-77 submitted Application No. 33-7053 for a permit second of water from a permitted water source by means of a ground-pump within the SE1/4NW1/4, Sec. 6, T. 5N, R. 30E, B.M., Butte County; to be used from Apr. 1 to Sept. 1 for the irrigation of 595 acres within the NW1/4, N1/2SW1/4, Sec. 6, T. 5N, R. 30E; E1/2, E1/2W1/2, Sec. 1, T. 5N, R. 29E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before July 5, 1977.

C. STEPHEN ALLRED

Director
Published in the Arco Advertiser,
Arco, Idaho, on June 16 and June 23,
1977.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Simplot Industries, Inc.,
Boise, Idaho

has on 6-07-77 submitted Application No. 33-7053
for a permit to appropriate 6.00 cubic feet per second XXXXXXXXXXXXXXXXXXXX
of water from a ground-water source
by means of well and pump
within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 5N, R. 30E, B.M., Butte County;

to be used from Apr. 1 to Sept. 1
for the irrigation of 595 acres

within the NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 6, T. 5N, R. 30E; E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{2}$, Sec. 1, T. 5N, R. 29E,
B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before _____
July 5, 1977

C. STEPHEN ALLRED

XXXXXXXXXXXXXXXXXXXX
R. KEITH HIGGINSON

Director

Published in the Arco Advertiser, Arco, Idaho
on June 16 and June 23, 1977

MICROFILMED

Handwritten:
The J.
the H.
the C.

RECEIVED

JUN 7 1977

Department of Water Resources
Eastern District Office

May 31, 1977

RECEIVED

Department of Water Resources
Western Regional Office

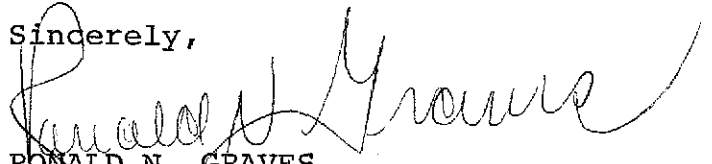
State of Idaho
Department of Water Resources
92 South Cole Road
Boise, Idaho 83704

Gentlemen:

Enclosed is Simplot Industries, Inc.'s Application for Permit, which we are submitting to your office for filing, together with our check in the amount of \$75.00 covering your fee.

If you have any questions regarding the enclosed, please advise.

Sincerely,


RONALD N. GRAVES
Associate General Counsel

RNG/jw

Enclosures

MICROFILMED