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R6E

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.

SIMPLIT LIVESTOCK CO.

By: [Signature]  
Its (Claimant) Vice President

11, 1977  
Jean M. Weaver

Residing at Boise

For Department Use Only

Received by JD Date 5-2-77 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
 Prelim. check by JD Date 5-2-77 claimant by: \_\_\_\_\_  
 \$10.00 fee received by RTW Date 5-2-77 #7810  
 Approved for publication by CS 5-5-77  
 Published in Owyhee Nugget  
 Dates May 12, 1977 + May 19, 1977



# PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 12 day of May, 1977, and the last publication being on the 19 day of May, 1977;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes  
PUBLISHER

Subscribed and sworn to before me this 19 day of May, 1977.

Laura L. Hove  
NOTARY PUBLIC

My commission expires 9-10-80

(SEAL)

## NOTICE OF CLAIM TO A WATER RIGHT NO. 51 - 4010

Notice is hereby given that SIMPLOT LIVESTOCK CO., P. O. Box 27, Boise, ID has filed a claim to a water right established by diversion and application to beneficial use of 80 gallons per minute of water from Last Chance Spring, tributary to Bruneau River with the point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$  Sec. 35, NE $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 34, T16S - R6E B. M., Owyhee County.

The water is claimed to be used from Mar. 1 to Nov. 30 for stockwater purposes with a priority date of 1901; the place of use is within the NW $\frac{1}{4}$ NW $\frac{1}{4}$  Sec. 35, NE $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 34, T16S - R6E, B. M.

Any exception to this claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705.

C. STEPHEN ALLRED,  
Director.

Published in the Owyhee Nugget, Marsing, ID on May 12, 1977 and May 19, 1977.

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5-23-77  
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RECEIVED  
MAY 23 1977

Department of Water Resources  
Western Regional Office

## STATE OF IDAHO

## 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 SIMPLOT LIVESTOCK CO.  
(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) Last Chance Spring  
\_\_\_\_\_, tributary to, Bruneau 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>80 gpm</u>        | Use | <u>livestock</u>             | Period of Use: | From | <u>March 1</u> | To | <u>November 30</u>     |
| Amount | _____                | Use | _____                        | Period of Use: | From | _____          | To | _____                  |
| Amount | _____                | Use | _____                        | Period of Use  | From | _____          | To | _____                  |
|        | (cfs, gpm<br>or a/f) |     | (dom., irri,<br>stock, etc.) |                |      |                |    | (both dates inclusive) |
- (3) Total quantity of water claimed: \_\_\_\_\_ cubic feet per second, or \_\_\_\_\_ acre feet  
per annum, and/or 80 gallons per minute.
- (4) Date of filing of this claim: \_\_\_\_\_ 1901

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 NW ¼, Sec. 35 Twp. 16S Rge 6E B. M County of Owyhee  
 Additional points of diversion: NE¼NE¼ of Sec. 34, T16S, R6EBM, Owyhee County

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 reservoir - 20' wide (dam) by 5' high

- (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 \_\_\_\_\_

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible.  
Livestock water for 400 cattle or 2000 sheep for the period  
March 1 to November 30  
If you are claiming water as a member of an organization, list name of organization: N/A

### (8) Remarks

A hand-drawn sketch on a grid background. The sketch shows a horizontal line with a vertical line intersecting it. The vertical line is labeled "R6E" and the horizontal line is labeled "T 165". There are also some small handwritten marks and numbers like "34" and "35".

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 )  
 ) ss.  
County of Ada )

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

By: [Signature] Vice President  
Its (Claimant)

Sworn to before me this 21<sup>st</sup> day of April, 1977

Notary Public

Residing at Boise

My commission expires May 29, 1979

**For Department Use Only**

Received by JD Date 5-2-77 Exception filed by: \_\_\_\_\_ Date \_\_\_\_\_  
 Prelim. check by \_\_\_\_\_ Date 5-2-77 claimant by: \_\_\_\_\_  
 \$10.00 fee received by RTW Date 5-2-77 # 7810  
 Approved for publication by CS 5-5-77 \_\_\_\_\_  
 Published in Evening Budget \_\_\_\_\_  
 Dates May 12, 1977 + May 13, 1977 \_\_\_\_\_

# PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

s.s.

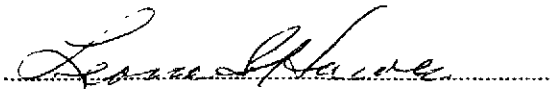
I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 12 day of May, 1977, and the last publication being on the 19 day of May, 1977;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

  
PUBLISHER

Subscribed and sworn to before me this 19 day of May, 1977.

  
NOTARY PUBLIC

My commission expires 9-10-80

(SEAL)

## NOTICE OF CLAIM TO A WATER RIGHT NO. 51-4010

Notice is hereby given that SIMPLOT LIVESTOCK CO., P. O. Box 27, Boise, ID has filed a claim to a water right established by diversion and application to beneficial use of 80 gallons per minute of water from Last Chance Spring, tributary to Bruneau River with the point of diversion in the NW 1/4 NW 1/4 Sec. 35, NE 1/4 NE 1/4 Sec. 34, T16S, R6E, B. M., Owyhee County.

The water is claimed to be used from Mar. 1 to Nov. 30 for stockwater purposes with a priority date of 1901; the place of use is within the NW 1/4 NW 1/4 Sec. 35, NE 1/4 NE 1/4 Sec. 34, T16S, R6E, B. M.

Any exception to this claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705.

C. STEPHEN ALLRED,  
Director.

Published in the Owyhee Nugget, May 12, 1977 and May 19, 1977.

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5-23-77  
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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
WESTERN REGION

Cecil D. Andrus  
Governor

R. Keith Higginson  
Director

92 South Cole Road  
Boise, Idaho 83705  
(208) 384-2190

Re: Claims to a water right Nos. 51-4008, 51-4009, 51-4010, 51-4012

Simplot Livestock Co.  
P. O. Box 27  
Boise, ID 83707

Gentlemen:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, 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 may be of further assistance, please feel free to contact us.

Sincerely,

L. GLEN SAXTON, P.E.  
Western Regional Supervisor

LGS:rf

Enclosure

RECEIVED





# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

WESTERN REGION

Cecil D. Andrus  
Governor

R. Kerth Higginson  
Director

92 South Cole Road  
Boise, Idaho 83705  
(208) 384-2190

May 6, 1977

RE: Notice of Claim to a Water Right No. 51-4012 - Simplot Livestock Co.  
51-4011 - Simplot Livestock Co.  
51-4010 - Simplot Livestock Co.  
51-4009 - Simplot Livestock Co.  
51-4008 - Simplot Livestock Co.

Owyhee Nuggett  
Marsing, Idaho 83639

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

\_\_\_\_\_  
(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before May 30, 1977.

Sincerely,

Bill submitted  
5-23-77  
y

RECEIVED  
MAY 23 1977  
DEPARTMENT OF WATER RESOURCES  
BOISE, IDAHO

NOTICE OF CLAIM TO A WATER RIGHT

NO. 51-4010

Notice is hereby given that SIMPLOT LIVESTOCK CO.

P.O. Box 27, Boise, ID

has filed a claim to a water right established by diversion and application  
to beneficial use of 80 <sup>gallons per minute</sup> ~~cubic feet per second~~ of water

from Last Chance Spring tributary to Bruneau River

with the point of diversion in the NE1/4 Sec 35, NE1/4 Sec 34, T16S-R6E

B.M., Owyhee County

The water is claimed to be used from Mar 1 to Nov 30  
for stockwater purposes

with a priority date of 1901;

the place of use is within the NE1/4 Sec 35, NE1/4 Sec 34, T16S-R6E

B.M.

Any exception to this claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705.

C. STEPHEN ALLRED

Director

Published in the Owyhee Nugget, Marsing, ID  
on May 12, 1977 and May 19, 1977

MICROFILMED