

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
No. 63-2731**

Notice is hereby given that J.R. Simplot Co. of P.O. Box 1059, Caldwell, ID 83605 has applied to the Department of Water Resources for a change of the point of diversion of the water of a groundwater source.

The right sought to be changed is evidenced by Water Right License 63-2731 and is recorded as follows:

Amount: 10.52 cfs Priority: 11/4/1948

Point(s) of Diversion: NESE, Sec. 19, T4N., R3W

The water is used for Industrial purposes from 1/1 to 12/31 within the SE 1/4 Sec 19 T4N R3W.

TO BE CHANGED AS FOLLOWS

Amount: 10.52 cfs

Point(s) of Diversion: NESE Sec 19 and NWSW Sec 20 T4N R3W

The water will be used for Industrial purposes 1/1 to 12/31 within the SE 1/4 Sec 19 T4N R3W.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Statehouse, Boise, ID 83720 on or before September 9, 1985.

KEN DUNN
Director

August 22, 29, 1985

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)

) ss.

County of Canyon)

Debra Martin del Campo

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two times

in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

August 22, 29, 1985

Debra Martin del Campo
Subscribed and sworn to before me this

29th

day of

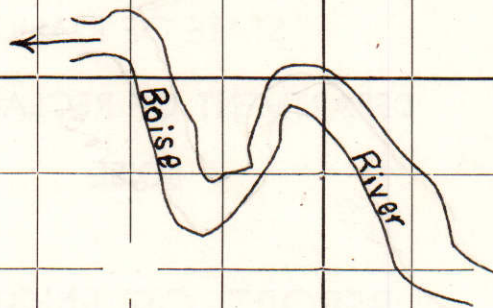
August

19 85

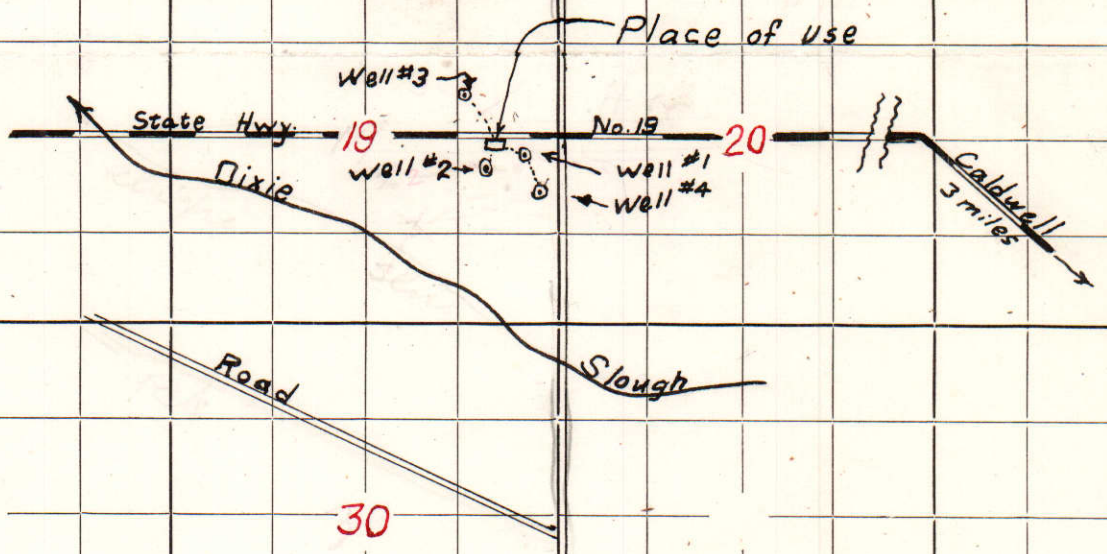
Janne Lusk
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1991

MICROFILMED



T. 4 N., R. 3 W.



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

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

APPROVED

Name of applicant J. R. Simplot Co. Phone 459-0071

Post Office address P. O. Box 1059 Caldwell, ID 83605

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree No. _____ Decreed to J. R. Simplot Co.
(Name)
in case of _____ vs _____
dated in 11-4-48 in _____ county of _____
(Name of court)
- b. License No. 20735 (63-2731) issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired _____

3. Source of water Well tributary to _____

4. Date of priority 11-4-48

5. Water is used for the following purposes:

amount	<u>10.52 CFS</u>	for	<u>Industrial Processing</u>	purposes from	<u>1/1</u>	to	<u>12/31</u>
amount	_____	for	_____	purposes from	_____	to	_____
amount	_____	for	_____	purposes from	_____	to	_____

(month/day — both dates inclusive)

6. Total amount of water under right: a. 10.52 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NE % of SE % of Section 19
Township 4N Range 3W, B.M., in Canyon County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	3W	19													X	X	X	X	

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described above _____
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? NO If yes, describe in item D, REMARKS.

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omit part B).

b. _____ acre feet per annum

acre feet per annum

acre feet per annum

2. Point of diversion

2. Point of diversion _____ 1/4 _____ 1/4, Section _____

Range _____

Range _____, B.M., _____ County _____

Additional points

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼			
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%
TOTALS			NE%				NW%				SW%				SE%			

Total number of acres to be irrigated

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

1. General Information

a. Amount of water to be diverted

10.52

C.F.S. 8/or

acre feet

b. Description of diverting works -

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466
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c. Describe the reasons for the proposed changes

To have a sand free well

2. Change in point of diversion

Point of diversion

MR

7/1

MS

1/4, Section

20

Township

Nb

Range _____ 3W

MS

B.M.,

ਪੰਨਾ ੧

County

Additional points -

NESE SEC. 19 JAN 1964

3. Change in place of use

a. Are the lands from which you propose to transfer the water right subject to any liens, deeds or trust,

mortgages, or contracts/ Yes NO NO. If yes, provide a notarized statement from the holder of

the lien, deed of trust, mortgage or contract agreeing to the proposed change.

b. Describe the affect on the land and how irrigated if the place or use is changed pursuant to this transfer

c. Describe the lands & place of use to which the right will be transferred:

[illegible]

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. _____
5. 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 4N B 3W

Old well
IX

New well
XI

Section 19

Section 20

SCALE: 2 inches equal 1 mile. Draw plan in ink.

MICROFILMED

D. REMARKS

I hereby assert that no one will be injured by such change and that 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.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Don Martin
 (Signature of Applicant)
 Materials Manager

Subscribed and sworn to before me this 25th day of July, 19 85

Shirley F. Rife
 (Notary Public)

My commission expires 2-13-91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 63-2731 and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 17th day of September, 19 85

J. Glen Saxton
 Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>mm</u>	Date <u>7-26-85</u>	Protest filed by _____
Prelim. check by <u>chs</u>	Fee <u>50.00 36129</u>	_____
Receipted by <u>fp</u>	Date <u>8/12/85</u>	_____
Published in <u>Press-Tribune</u>	Copies of protest forwarded by _____	
Pub. dates <u>8/22 & 8/29/85</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on _____	Recommended for <u>approval</u> denial	
_____ rec'd. _____	by <u>DRT Jim</u>	

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)

) ss.

County of Canyon)

Debra Martin del Campo

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

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Two times

in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

August 22, 29, 1985

Debra Martin del Campo

Subscribed and sworn to before me this

29th

day of

August

19 85

Janet Lusk
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1991

MICROFILMED

State of Idaho
License and Certificate of Water Right

Water License No. 20735

Amount 10.52 second feet

Water District No.

Priority November 4, 1948

THIS IS TO CERTIFY that

J. R. SIMPLOT COMPANY

of Caldwell, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 4, 1948; that Permit No. 20735 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 10.52 second feet, was issued thereunder on March 4, 1950, showing that said works were completed on the 6th day of January, 1949; and that on the 6th day of January, 1949,

J. R. SIMPLOT COMPANY

of Caldwell, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of four wells, a tributary of _____, for the purpose of manufacturing and fire protection, under Use Permit No. 20735 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume _____ of Licenses at page 4510 on the 4th day of March, 1950:

The right hereby confirmed dates from November 4, 1948:

The Points of Diversion ~~is~~ located in the SE ~~NE~~ end

in the NE ¼ SE ¼, Sec. 19, Twp. 4 N., R. 8 W., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 10.52 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
				Manufacturing and processing plant of J. R. Simplot Company, located in the Southeast Quarter of Section 19, Township 4 North, Range 3 West, B.M.	

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

4th day of March, 1960.

MARK R. KULP
State Reclamation Engineer

(SEAL)

63 2551

N^o 20735
63-2731

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 28376
PERMIT No. 20735
DISTRICT No.

R. I. Troxell & C. R. Donaldson
Continental Bank Bldg., Boise, Idaho

1. Name of Applicant: J. R. SIMPLOT COMPANY

Postoffice address: Caldwell

County: Canyon

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(b) Treasury stock:

(d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 10.52

cubic feet per second.

3. Source of water supply: Subterranean flow (4 wells) which is a tributary of
Well # 1-2.25 c.f.s. Well # 2- 3.77 c.f.s. Well # 3-2.25 c.f.s. Well # 4-2.25 c.f.s.

4. Location of point of diversion: See Remarks feet distant from the

corner of Section , T. , R. , B.M., and is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$

of Section 19 , T. 4 N. , R. 3 W. , B.M., County of Canyon

5. Water is to be used for Manufacturing purposes and fire protection

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: See Remarks feet distant from corner of Section

T. , R. , B.M., in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19 , T. 4 N. , R. 3 W. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to Adjacent drain ditch at a point feet

distant from the corner of Section , T. , R. , B.M., in the NE $\frac{1}{4}$ SE $\frac{1}{4}$
of Section 19 , T. 4 N. , R. 3 W. , B.M.

7. Estimated cost of works: \$ 16,000.00

8. Kind of works: Wells, deep well turbine pumps and casing

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is years. Wells have been completed and
water has already been applied to a beneficial use. See Remarks.

13. The time required for the complete application of the water to the proposed use is additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

16. (a) Is reservoir to be used? ☐ No ☐ If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

J. R. SIMPLY COMPANY *Applicant.*

By W. Grant Kilbourne
Secretary *Agent.*

Date of first receipt at Department of Reclamation: 9:50 A. M. November 4, 1948

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20735

Recorded in Book 74 Page 20735 Approved November 5, 1948

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before Completed and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before - - -

The whole of said work to be completed on or before February 5, 1949

Beneficial use of water appropriated in accordance herewith, to be made on or before February 5, 1949

WITNESS My hand this 5th day of November, 1948

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS

Governor of the State of Idaho.

and J. D. "CY" PRICE

Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 5th

day of November 19 48.

STATE OF IDAHO

Countersigned:

(SEAL)

By J. D. "CY" PRICE

By _____ C. A. ROBINS

Governor.

Secretary of State,

REMARKS: 4 & 6(a)- Location of wells: Well # 1- Begin at NE corner SE $\frac{1}{4}$, Section 19, Twp. 4 North, Range 3 West, thence South 63 ft., thence West 272 $\frac{1}{2}$ ft. Well # 2- Begin at NE corner SE $\frac{1}{4}$ of said section, thence South 285 ft., thence West 768 ft. Well # 3- Begin at NE corner SE $\frac{1}{4}$ of said section, thence West 1333 ft., thence North 677 ft. Well # 4- begin at NE corner SE $\frac{1}{4}$ of said section, thence South 659 ft., thence West 277 ft.

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
REMARKS (Continued)			SIZE AND DESCRIPTION: Well # 1- Depth 325 ft., flowing well, 325 ft. of solid casing to the bottom. Well # 2- Depth 187 ft., 95 ft. of solid casing, the rest perforated casing to the bottom. Well # 3- Depth 140 ft., 45 ft. of solid casing, the rest perforated casing to the bottom. Well # 4- Depth 117 ft., 67 ft. of solid casing, the rest perforated casing to the bottom.																
	12 and 13:		Well # 1-	The water of the well was first appropriated for a beneficial use October, 1942.															
			Well # 2-	The water of the well was first appropriated for a beneficial use July, 1943.															
			Well # 3-	The water of the well was first appropriated for a beneficial use April, 1944															
			Well # 4-	The water of the well was first appropriated for a beneficial use August, 1947.															
			Permit No. 20735																
			CERTIFICATE OF COMPLETION OF WORKS																
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that J. R. SIMPLOT COMPANY of Caldwell, County of Canyon, and State of Idaho, the holder of Permit No. 20735, issued upon Application No. 28376 bearing date of priority of November 4, 1948, authorizing the diversion of 10.52 second feet of the waters of subterranean flow from four wells, County of Canyon, State of Idaho, for manufacturing and fire protection purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 10.52 second feet of the waters of said wells; that the points of diversion of said waters are located in the SE¼ NE¼ and NE¼ SE¼ Section 19, Township 4 North, Range 3 West, B.M. and that the place of use of said waters is at the applicant's manufacturing and processing plant in the Southeast Quarter of Section 19, Township 4 North, Range 3 West, B.M.																			
Witness my hand this 4th day of March, A. D. 1950.																			
Proof of Completion of Works made January 6, 1950.																			
Certificate of Completion of Works issued March 4, 1950.																			
10.52 SEC. FT.																			
7-4510																			

WRR100
63-2731

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
14-NOV-1985 19:40:30

01 WATER RIGHT NUMBER - 63-2731 02 OLD (D) NUMBER - 20735

LAST NAME
03001 - J. R. SIMPLOT CO.

FIRST NAME
04001 -

ORIG. OWNER
05001 - C

06 ADD LINE 1 - P.O. BOX 1059

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - CALDWELL

10 STATE - ID

11 ZIP - 836050000

12 STAGE - U LICENSE

13 STATUS -

SOURCE
14001 - GROUNDWATER

TRIBUTARY OF
15001 -

16 DIVERSION MEANS -

17 COUNTY - 27 CANYON

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - 10.520

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

----- DIVERSION POINTS -----													
TRACT	SEC	TWN	RNG	LOT	RFLG	S T R E A M I N D E X F I E L D S							
22001 - NESE	23001 - 19	24001 - 04N	25001 - 03W	26001 -	27001 -								
				28001 - 0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0
22002 - NWSW	23002 - 20	24002 - 04N	25002 - 03W	26002 -	27002 -								
				28002 - 0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0

29 NON-IRRIGATION USE - I/PROCESSING PLANT.

----- PLACE OF USE -----							
USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT	
30001 - 07 INDUSTRIAL	31001 - 04N	32001 - 03W	33001 - 19	34001 - NESE	35001 -	36001 -	
30002 - 07 INDUSTRIAL	31002 - 04N	32002 - 03W	33002 - 19	34002 - NWSE	35002 -	36002 -	
30003 - 07 INDUSTRIAL	31003 - 04N	32003 - 03W	33003 - 19	34003 - SWSE	35003 -	36003 -	
30004 - 07 INDUSTRIAL	31004 - 04N	32004 - 03W	33004 - 19	34004 - SESE	35004 -	36004 -	

TOTAL ACRES: 0

----- WATER USE -----					
PERIOD FROM	PERIOD TO	USE CODE / USE	DIVERSION RATE	DIVERSION VOLUME	
37001 -	38001 -	39001 - 07 INDUSTRIAL ✓	40001 - 10.520 ✓	41001 -	0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS
44001 - TRANS. 3194.

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

----- D A T E S -----				----- D A T E S -----				----- F L A G S -----			
47 PRIORITY	-	4-NOV-1948		55 LICENSE	-	28-AUG-1979		63 TRANSFER/AMENDED	-	T	
48 PROOF DUE	-			56 APPL RECEIVED	-			64 DLE/CAREY ACT	-		
49 PROOF MADE	-			57 FIELD EXAM MADE	-			65 FLAG_1	-		

WRR100
63-2731

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
14-NOV-1985 19:40:30

- - - - - D A T E S - - - - - D A T E S - - - - - F L A G S - - - - -

50 APPROVE/DENIED-
51 PROTESTED -
52 HEARING -
53 VERIFIED -
54 LAST UPDATE - 14-NOV-1985

58 DECREE -
59 START WORK -
60 ORDER SHOW CAUSE -
61 DATE_1 -
62 DATE_2 -

66 FLAG_2 -
67 FLAG_3 -

UNRECORDED SRC



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

September 20, 1985

RE: Transfer of Water Right No. 63-2731

J.R. Simplot Co.
Box 1059
Caldwell, ID 83605

Gentlemen:

Enclosed is a copy of the approved Application for Transfer of the above referenced water right (Transfer No. 3194).

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: 6LS

1. Right number 63-2731 Applicant J. R. Simplot Co.
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - ☒ All of right.
 - ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - ☒ Check description of point(s) of diversion.
 - ☒ Check description of place of use.
 - ☒ Check map (shows p.d. and p.u. after transfer).
 - ☒ Check for correct signature, notarization, and fee.
 - ☒ Check proof of ownership of right &/or land from which water is transferred.
 - ☒ Check for expansion in use of right. Comments _____
- ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) 63-4968-5037-5039-5036-5038 all for Ind. & Irr
for the Simplot Complex
- ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

- ☒ Watermaster recommendation requested on _____ Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No trans. filed 5/30/29
8/22/85 8/29/85
 3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* _____

MICROFILMED

RECEIVED

4. By DRT Date 9/10/85 SEP 11 1985

9-17-85
* All uses within Watermaster Districts require special conditions.

Department of Water Resources

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
No. 63-2731

Notice is hereby given that J. R. Simplot Co.
of P. O. Box 1059, Caldwell, ID 83605 has applied to the Department of Water
Resources for a change of the point of diversion of the water of a groundwater
source.

The right sought to be changed is evidenced by Water Right License 63-2731
and is recorded as follows:

Amount: 10.52 cfs Priority: 11/4/1948

Point(s) of Diversion: NESE, Sec 19, T4N., R3W

The water is used for Industrial purposes from 1/1 to 12/31 within the
SE1/4 Sec 19 T4N R3W.

TO BE CHANGED AS FOLLOWS

Amount: 10.52 cfs

Point(s) of Diversion: NESE Sec 19 and NWSW Sec 20 T4N R3W

The water will be used for Industrial purposes 1/1 to 12/31 within the
SE1/4 Sec 19 T4N R3W.

Any protest against approval of the proposed change of water right
application must be filed with the Department of Water Resources, Statehouse,
Boise, ID 83720 on or before September 9, 1985.

Ken Dunn
Director

Published in the Press-Tribune
on August 22 and August 29, 1985

MICROFILMED

3/83

IDENT. NO. 63-2731

transfer

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT NUMBER 63-2731

OWNER LAST NAME - J. R. SIMPLOT CO.

FIRST NAME - ORIG OWNER -

ADDRESS LINE 1 - C/O CHARLES R. DONALDSON

ADDRESS LINE 2 - CONTINENTAL BANK BLDG.

ADDRESS LINE 3 -

CITY - BOISE

STATE - ID ZIP CODE - 83702

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 11-04-1948

COUNTY - CANYON

TOTAL DIV. RATE -

10.5200 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SENE 19 04N 03W LOT

REDIV -

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

NESE 19 04N 03W LOT

REDIV -

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

FROM - TO -

USE - INDUSTRIAL

USE DIV. RATE -

10.5200 CFS

USE DIV. VOLUME -

.00 AFA

FROM - TO -

USE - FIRE

PROTECTION

USE DIV. RATE -

.0000 CFS

USE DIV. VOLUME -

.00 AFA

USE - INDUSTRIAL

PLACE OF USE - TWN 04N RNG 03W SEC 19

TRACT NESE LOT

AC

TRACT NWSE LOT

AC

TRACT SWSE LOT

AC

TRACT SESE LOT

AC

DATE -

TOTAL ACRES

0

DECREE NAME -

REMARKS - 4 P/D IN SENE & NESE, SEC. 19, T4N, R3W.

NON IRRIG USE - I/PROCESSING PLANT.

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 20735

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

VERIFIED JDC

WATER RIGHT NUMBER 63-2731

WATER RIGHTS EDIT REPORT

08/23/79

PAGE 222

ACT
ION

N OWNER LAST NAME - J. R. SIMPLOT CO.

CITY - CALDWELL

STATE - ID

N SOURCE - GROUNDWATER

N STAGE - LICENSE

PRIORITY - 11-04-1948 COUNTY - CANYON

TOTAL DIV. RATE - 10.5200CFS

N DIVERSION POINT - SENE 19 04N 03W

NESE 19 04N 03W

N USE - INDUSTRIAL

USE DIV. RATE - 10.5200CFS

N USE - FIRE PROTECTION

N REMARKS - P/U IN SE1/4, S19, T4N, R3W.

N NON IRRIG USE - I/PROCESSING PLANT.

OLD NO. - 20735

3/79

IDENT. NO. 63-2731

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 20735 163-2731
 Old No. New No.

Record

1. Original Owner: J. A. Simplot Co.

Present Owner: _____

2. Address:

3. City: Caldwell State: ID Zip: _____

4. A. Source of Water: fw
 B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): L
 B. Status (D,L,R,C,A,I,F - leave blank if valid):
 C. Priority Date: 11-4-1948
 D. County: 27
 E. Total Diversion Rate: 10.52
 F. Total Diversion Volume:
 G. Transfer/Amendment (P,T of A or blank):
 H. Water District:
 I. DLE/Carey Act (D,C or blank):
 J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SENE</u>	<u>19</u>	<u>4N</u>	<u>3W</u>		
	<u>NESE</u>	<u>19</u>	<u>4N</u>	<u>3W</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for I purposes. Amount 10.52
 (cfs or AC-FT/yr)
 from _____ to _____ for F purposes. Amount _____
 from _____ to _____ for _____ purposes. Amount _____
 from _____ to _____ for _____ purposes. Amount _____
 from _____ to _____ for _____ purposes. Amount _____
 from _____ to _____ for _____ purposes. Amount _____

8. Use Code: See Remarks

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. *plu in SE 1/4, S19, T4N, R3W.*
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

\$/processing plant.

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 20735

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval:

14. Diversion Means (brief narrative):

Well No.3

North 677.0 ft.

NOTE: All measurements originate at NE cor. of SE $\frac{1}{4}$ of Sec. 19, T.4 N., R.3 W.

West 1333.0 ft.

Well No. 1 West 272.5 ft.

J. R. SIMPLOT

Well No. 2

West 768.0 ft.

South 63.0 ft.
South 285.0 ft.
South 659.0 ft.

PLANT

West 277.0 ft.

Well No. 4



T.4 N., R.3 W.

19 20
30 29

Permit Map No. 20735
As Approved
MARK F. WOLF
State Reclamation Engineer

20735

J. R. SIMPLOT COMPANY~ BOISE, IDAHO			
MAP OF SIMPLOT WELLS TO ACCOMPANY APPLICATION FOR PERMIT			
Drawn by: FW Leonard		Scale: 1"=200'	
Checked by:		Date: Oct. 28, 1948	
Approved by:			

✓
March 8, 1950

Re: Permit No. 20735

Mr. Charles R. Donaldson
Continental Bank Building
Boise, Idaho

Dear Mr. Donaldson:

We enclose Certificate of Completion of Works, also License and Certificate of Water Right issued under Permit No. 20735 in the name of the J. R. Simplot Company, confirming their right to the use of 10.52 second feet of subterranean water from four wells located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, Township 4 North, Range 3 West, B.M. with priority of November 4, 1948 for manufacturing and fire protection use at the manufacturing and processing plant of J. R. Simplot Company, located in the Southeast Quarter of said Section 19, Township 4 North, Range 3 West, B.M.

We also enclose Departmental Receipt No. 22118 for the \$10.00 fees paid in connection with these proofs.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bb
Enc.

20735

LAW OFFICES OF
ROBERT I. TROXELL

CONTINENTAL BANK BUILDING

BOISE, IDAHO

March 3, 1950

CHARLES R. DONALDSON

RECEIVED
MAR 4 1950
Department of Reclamation
Department of Reclamation

Department of Reclamation
Mr. Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

Re: Permit No. 20735

Dear Mr. Kulp:

Enclosed please find a check
for \$10.00 for issuance of License.

Very truly yours,



CHARLES R. DONALDSON

CRD:r

20735

✓
February 28, 1950

Re: Permit No. 20735

J. R. Simplot Company
C/o Charles R. Donaldson
Continental Bank Building
Boise, Idaho

Dear Mr. Donaldson:

We now have on file the report of our Field Engineer on examination for Completion of Works and Beneficial Use under Permit No. 20735.

Therefore, upon receipt of the statutory fee of \$10.00, or \$5.00 for each proof, Certificate of Completion of Works and License will be issued for 10.52 second feet of water from four wells located in Section 19, Township 4 North, Range 3 West, B.M. for manufacturing and fire protection purposes.

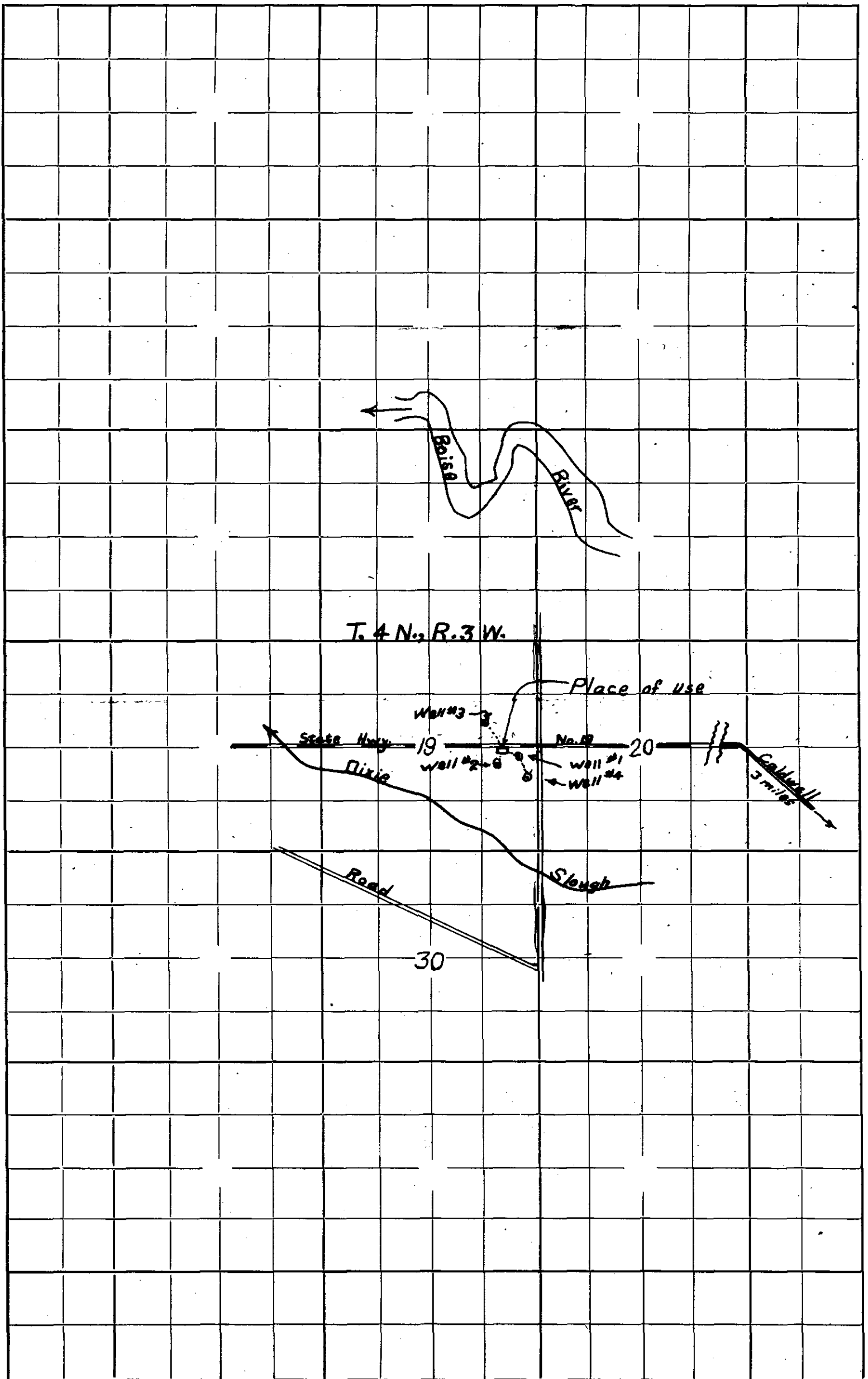
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

20725



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 20735

REPORT ON PROOF OF Completion of works and Beneficial use

app. 10.52 cfs

10.52 cfs
max

J. R. Simplot Company
Caldwell, Idaho

Permit No. 20735

Examination for Completion of works
and Beneficial use
County.....Canyon

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
 6. Give general characteristics of soils, topography, and crops raised.
-

RECEIVED
FEB 25 1950
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 20735This proof is for Completion of works and beneficial use In Water District No. _____1. Name of applicant J. R. Simplot Company, Caldwell, Idaho2. Source of water supply: Subterranean (four wells)All3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19T. 4 N. R. 3 W. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same:

Well #1. 30 H.P., 3 phase, 1760 R.P.M., 78/39 amps., 50 cycles, 220 volts.
1750 " 71.2/35.6 60 " 440 "Well #3. Pomona 15 H.P., 20.5 amps., full load 1755 R.P.M., 60 cycles, 220/440 volts, 6" discharge.
Flow - 125 miners inches, 13' to water table, & 13' drawdown after 24 hrs. of pumping.Well #4. 40 H.P., 3 phase, 1710 R.P.M., 98.4/49.2 amps. 60 cycles, 220 volts.
1470 " 104.2/52.1 " 50 " 440 "Well #2. Pomona 75 H.P., 220 volts, 3 phase, 60 cycles, 178 amps per terminal at full load, 1770 R.P.M., 8" outlet.5. Water is used for: manufacturing and fire protection6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Place of use at the manufacturing and processing plant of the company
in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, Twp. 4 North, Range 3 West, B. M.

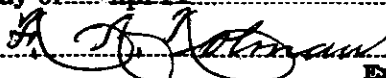
(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? None

Remarks:

Well #1. 325 ft. deep, solid casing.Well #2. 187 ft. deep, 95 ft. of solid casing, 92 ft. of perforated casing.Well #3. 140 ft. " 45 ft. " " " 95 ft. " " "Well #4. 117 ft. " 67 ft. " " " 50 ft. " " "This examination was made on the 11 th day of April, 19 49

(Signed)



Examiner.

20735

✓
January 14, 1949

Re: Permit No. 20735

Mr. Charles R. Donaldson
Continental Bank Building
Boise, Idaho

Dear Mr. Donaldson:

We have placed on file the depositions of the holder and two witnesses in proof of completion of works and beneficial use under Permit No. 20735 in the name of J. R. Simplot Company.

Before final action is taken in the matter the law requires that a field examination be made by and Engineer from this Department.

We are unable to say just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

However, Mr. Tolman, Field Engineer for this Department, will try and contact a representative of the company at the time he makes the examination in order that he may show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

20735

NATIONAL REPRESENTATIVE
WEST-HOLLIDAY CO. INC.

CANYON COUNTY'S OLDEST NEWSPAPER
PUBLISHED IN CALDWELL COUNTY SEAT OF CANYON COUNTY

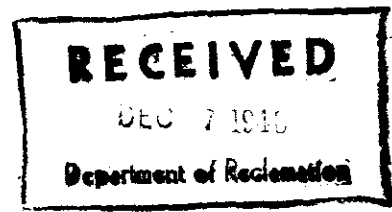
ASSOCIATED PRESS
FULL LEASED WIRE NEWS SERVICE

THE CALDWELL NEWS-TRIBUNE

J. T. LaFOND, Manager

CALDWELL, IDAHO
December 6, 1948

State of Idaho
Department of Reclamation
Boise, Idaho



Gentlemen:

This will acknowledge receipt for publication of permit number 20735. Publication dates will be December 11, 18, 24, 1948, and January 1, 1949. A copy of the first publication will be mailed you.

Very truly yours,

THE CALDWELL NEWS TRIBUNE

By

H. G. Cochran

20735

Affidavit of Publication

STATE OF IDAHO,

SS.

County of Canyon

L. L. Shepherd

, being first duly sworn, deposes and says:

That he is the *foreman* of CALDWELL NEWS-TRIBUNE, INC., publisher of THE CALDWELL NEWS-TRIBUNE, a daily newspaper published at Caldwell, Idaho, within the meaning of Chapter 154 of the 1933 Session Laws of Idaho; published six consecutive days a week except legal holidays. And that the publisher of said THE CALDWELL NEWS-TRIBUNE, a daily newspaper, has all the time since the 5th day of July, 1933 and in each issue thereof, at the head of the editorial column of said newspaper, announced the day of the week to-wit: Saturday, on which legal notice required by law or by order of any Court of competent jurisdiction to be published weekly, will be published; that the said paper is in general circulation in Canyon County, Idaho and has been for a period of seventy-eight weeks preceding the first publication of this advertisement, a copy of which is attached hereto, and by reference thereto made a part

of this affidavit, and was published in the regular

NOTICE OF PROOF OF COMPLETION OF WORKS

and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11:00 a. m. on the 6th day of January, 1949, at Caldwell, County of Canyon, State of Idaho, before G. G. Miller, Notary Public, proof will be submitted of the completion of works for the diversions of 10.52 cubic feet per second of water of subterranean flow from four wells and of the application to beneficial use of said water, in accordance with the terms and condition of Permit No. 26735 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are J. R. Simplot Company, Caldwell, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of use, in accordance with the plans accompanying the application for such permit, is 10.52 cubic feet per second.

3. The use to which said water has been applied is Manufacturing & Fire Protection purposes, and the amount applied to beneficial use is 10.52 cubic feet per second.

4. The place where said water is used is the manufacturing and processing plant of the permit holder located in the Northeast quarter of the Southeast quarter of Section 19, Township 4 North, Range 3 West, Boise Meridian.

5. The date of priority which said user is prepared to establish is November 4, 1948.

MARK R. KULP
State Reclamation Engineer
No. 237—Dec. 11-18-24-31.

Legal issue of THE CALDWELL NEWS-TRIBUNE for *4* consecutive weeks

beginning with the issue of *Dec 11*,

194 *8* and ending with the issue of *Dec*.

31, 194*8*.

L. L. Shepherd

Subscribed and sworn to before me this *4*

day of *Jan*, 194*9*.

Jerri D. Walker
Notary Public for Idaho
Residing at Caldwell, Idaho.

26735

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. 20735

Proof of Completion of Works**DEPOSITION OF WITNESS**

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Name: Orville English; Residence: 1900 Ash, Caldwell, Idaho;
 Occupation: Production Manager for J. R. Simplot Company; Post Office
 Address: Post Office Box 51, Caldwell, Idaho.

Ques. 2. Are you acquainted with J. R. Simplot Company, the
 holder of Permit No. 20735, authorizing the diversion of 10.52 second-feet of the
 waters of Subterranean flow at NE $\frac{1}{4}$ SE $\frac{1}{4}$ & SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19, Twp. 4 N. R. 3 W. B.
 manufacturing and fire protection
 for purposes? How long have you known him, and where does he reside?

I have known J. R. Simplot Company since 1941. J. R. Simplot
 Ans. Company is an Idaho corporation, with principal place of business
 at Caldwell, Idaho.

Ques. 3. Have you read or heard read said Permit No. 20735, and are you familiar
 with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to
 be irrigated under said permit? If so, describe same, state its character, and give your
 estimate of the amount of water required for its profitable cultivation.

Ans.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to con-
 vey the entire amount of water set out in the permit from point of diversion to place of use?

Works will safely convey 10.52 cubic feet per second. I have
 Ans. seen the works convey 10.52 cubic feet per second.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of
 their capacity. Works of Diversion: Well #1, Depth 325 feet of solid casing to
 the bottom. Well #2, depth 187 feet, 95 feet of solid casing, re-

Ans. mainder perforated casing to the bottom. Well #3, depth 140
 feet, 45 feet of solid casing, remainder perforated casing. Well #4,
 depth 117 feet, 67 feet of solid casing, remainder perforated casing.
 Pumps are used on all wells. Amount of Water: Well #1: 2.25 cubic
 feet per second; Well #2: 3.77 cubic feet per second; Well #3: 2.25
 cubic feet per second; Well #4: 2.25 cubic feet per second. Water
 conducted to place of use by pipes.

(Sign here.)

Orville English

I hereby certify that the foregoing testimony was read to the above subscriber before
 its signing, that I believe him to be the person he represents himself to be, and that said
 testimony was subscribed and sworn to before me, at my office in Caldwell

County of Canyon, State of Idaho, on this 6th
 day of January, A. D. 1948.

[Signature]
 Notary Public
 My Commission Expires Feb. 21, 1952

20735

Permit No. 20735

Proof of Completion of Works**DEPOSITION OF WITNESS**

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Name: James Bunt; Residence: Route #5, Caldwell, Idaho;
 Occupation: Foreman at J. R. Simplot Company; Post Office Address: Post
 Office Box 51, Caldwell, Idaho.

Ques. 2. Are you acquainted with J. R. Simplot Company, the
 holder of Permit No. 20735, authorizing the diversion of 10.52 second-feet of the
 waters of Subterranean flow at NE $\frac{1}{4}$ SE $\frac{1}{4}$ & SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19, Twp. 4N.R. 3 W.B.M.
 for manufacturing and fire protection purposes? How long have you known him, and where does he reside?

I have known J. R. Simplot Company since 1941. J. R. Simplot
 Ans. Company is an Idaho corporation, with principal place of business
 at Caldwell, Idaho

Ques. 3. Have you read or heard read said Permit No. 20735, and are you familiar
 with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to
 be irrigated under said permit? If so, describe same, state its character, and give your
 estimate of the amount of water required for its profitable cultivation.

Ans.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to con-
 vey the entire amount of water set out in the permit from point of diversion to place of use?

Works will safely convey 10.52 cubic feet per second. I have
 Ans. seen the works convey 10.52 cubic feet per second.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of
 their capacity. Works of Diversion: Well #1, Depth 325 feet of solid casing
 to the bottom. Well #2, depth 187 feet, 95 feet of solid casing, re-

Ans. mainder perforated casing to the bottom. Well #3, depth 140
 feet, 45 feet of solid casing, remainder perforated casing. Well #4,
 depth 117 feet, 67 feet of solid casing, remainder perforated casing. Pumps
 are used on all wells. Amount of Water: Well #1: 2.25 cubic feet per
 second; Well #2: 3.77 cubic feet per second; Well #3: 2.25 cubic feet per
 second; Well #4: 2.25 cubic feet per second. Water conducted to place
 of use by pipes.

(Sign here.)

James Bunt

I hereby certify that the foregoing testimony was read to the above subscriber before
 its signing, that I believe him to be the person he represents himself to be, and that said
 testimony was subscribed and sworn to before me, at my office in Caldwell
 County of Canyon, State of Idaho, on this 6th
 day of January, A. D. 19 49.

[Signature]
 Notary Public
 My Commission Expires Feb. 21, 1950

20735

PERMIT NO. 20735

RECEIVED

Proof of Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name; residence, occupation and postoffice address.

Ans. Name: Leon C. Jones; Residence: 1824 Everett St. Caldwell, Idaho;
Occupation: Vice President and Treasurer of J.R. Simplot Company; Post
Office Address: Box 51, Caldwell, Idaho

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. Name: J. R. Simplot Company; Principal Place of Business:
Caldwell, Idaho; Position: Vice President and Treasurer

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. Permit No. 20735; Date: November 5, 1948; Amount: 10.52
cubic feet per second; Source: subterranean; Point of Diversion:
(see reverse side)

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Manufacturing and fire protection purposes

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. The water is in use. (see reverse side for statement of
time and extent.)

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. yes.

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans.

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. (see reverse side for answer)

J.R. Simplot Co.

(Sign here.) Leon C. Jones Vice Pres.

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, in Caldwell

County of Canyon, State of Idaho, on this 6th
day of January A. D. 1949

Notary Public.

My Commission expires Feb. 21, 1952

20735

Ques. 3. Point of Diversion: Well #1; Begin at NE corner of the SE $\frac{1}{4}$ of Sec. 19, Township 4 North, Range 3 West of Boise Meridian, thence South 63 ft. thence West 272 $\frac{1}{2}$ feet. Well #2: Begin at NE corner of SE $\frac{1}{4}$ of said Section 19, thence South 285 feet, thence West 768 feet. Well #3: Begin at NE corner of SE $\frac{1}{4}$ of said Section 19; thence West 1333 feet, thence North 677 feet. Well #4: Begin at NE corner of SE $\frac{1}{4}$ of said Section 19; thence South 659 feet, thence West 277 feet.

Ques. 5. Well No. 1 - Date of first use, October, 1942; amount, 2.25 cubic feet per second. Well No. 2 - Date of first use, July, 1943; amount, 3.77 cubic feet per second. Well No. 3 - Date of first use, April, 1944; amount, 2.25 cubic feet per second. Well No. 4 - Date of first use; August, 1947; amount, 2.25 cubic feet per second.

Ques. 8. Well No. 1 - depth of 325 feet, solid casing to the bottom. Well No. 2 - Depth, 187 feet, 95 feet of solid casing, remainder perforated casing to the bottom. Well No. 3 - Depth, 140 feet, 45 feet of solid casing, remainder perforated casing to the bottom. Well No. 4 - Depth, 117 feet, 67 feet of solid casing, remainder perforated casing to the bottom. Pumps are installed on each well. Pipe lines have been constructed from each well to the place of use. The capacities of the wells are as stated in the answer to question 5 above. Total cost of all works, \$16,000.00.

J.R. SIMPLOT Co

(sign) Llewellyn Jones Vice Pres

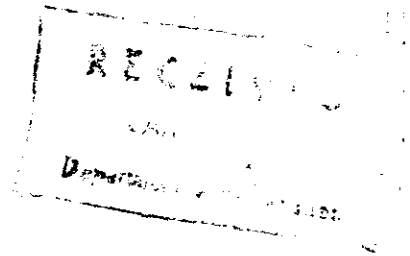
I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Caldwell, County of Canyon, State of Idaho, on this 6th day of January, A. D., 1949.

[Signature]
NOTARY PUBLIC

My commission expires Feb. 21, 1951

20735

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 20735

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Name: Leon C. Jones; Residence: 1824 Everett Street, Caldwell, Idaho;
Occupation: Vice President and Treasurer of J. R. Simplot Company;
Post Office Address: Post Office Box 51, Caldwell, Idaho.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. Name: J. R. Simplot Company, an Idaho corporation; Principal place of business: Caldwell, Idaho. I am Vice President of J. R. Simplot Company.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit No: 20735. Priority dates: Well No. 1-October, 1942; Well No. 2-July, 1943; Well No. 3-April, 1944; Well No. 4-August, 1947.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Source of Water: Subterranean flow. (see reverse side for location of points of diversion)

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. Works of Diversion: Well No. 1. Depth

325 feet of solid casing to the bottom. Well #2, depth 187 feet, 95 feet of solid casing, remainder perforated casing to the bottom. Well #3, depth 140 feet, 45 feet of solid casing, remainder perforated casing. Well #4 depth 117 feet, 67 feet of solid casing, remainder perforated casing. Pumps are used on all wells. Amount of Water: Well #1: 2.25 cubic feet per second; Well #2: 3.77 cubic feet per second; Well #3: 2.25 cubic feet per second; Well #4: 2.25 cubic feet per second. Water conducted to place of use by pipes.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Manufacturing purposes and fire protection. Used in the manufacturing and processing plant of J. R. Simplot Company located on the Northeast Quarter of the Southeast Quarter in Section 19, Township 4 North, Range 3 West of the Boise Meridian.

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. Applied by using deep well turbine pumps, casing and pipes to various places of use.

20735

Not.

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. 10.52 cubic feet per second

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. Permit originally issued to J. R. Simplot Company

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used. Well #1: water was first diverted and used in October, 1942, by digging well, pumping and piping it to place of use; Ans. amount, 2.25 cubic feet per second; Well #2: water first diverted and used in July, 1943, by digging well, pumping and piping water to place of use; amount, 3.77 cubic feet per second. Well #3: water first diverted and used in April, 1944, by digging well, pumping and piping it to place of use; amount 2.25 c.f.s. Well #4: water first diverted and used in August, 1947, by digging pumping and piping to place of use; amount 2.25 C.F.S.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. none

J.R. Simplot Co.

(Sign)

Leah L. James Vice Pres.

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was

subscribed and sworn to before me, at my office in CALDWELL, County of CANYON,

State of Idaho, on this 6th day of JANUARY, A. D. 1949.

My commission expires

Feb. 21, 1952

NOTARY Public

Ques. 4. Answer, Location of Point of Diversion. Well #1; Begin at NE corner of the SE $\frac{1}{4}$ of Sec. 19, Township 4 North, Range 3 West of Boise Meridian, thence South 63 ft. thence West 272 $\frac{1}{2}$ feet. Well #2: Begin at NE corner of SE $\frac{1}{4}$ of said Section 19, thence South 285 feet, thence West 768 feet. Well #3: Begin at NE corner of SE $\frac{1}{4}$ of said Section 19; thence West 1333 feet, thence North 677 feet. Well #4: Begin at NE corner of SE $\frac{1}{4}$ of said Section 19; thence South 659 feet, thence West 277 feet.

(Sign)

J.R. Simplot Co.

Leah L. James Vice Pres.

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn

to before me, at my office in CALDWELL, County of CANYON,

State of Idaho, on this 6th day of JANUARY, A. D., 1949.

My commission expires

Feb. 21, 1952

20735

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20735

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Name: Orville English; Age: 40, Residence: 1900 Ash, Caldwell, Idaho; Occupation: Production Manager for J.R.Simplot Company; Post Office Address: Post Office Box 51, Caldwell, Idaho.

Ques. 2. Are you acquainted with J. R. Simplot Company, the holder of Permit No. 20735? How long have you known him and where does he reside?

Ans. I have known J. R. Simplot Company since 1941. The J. R. Simplot Company is an Idaho corporation with principal place of business at Caldwell, Idaho.

Ques. 3. Have you read or heard read said Permit No. 20735, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Source of Water: Subterranean flow

Place of Diversion: (see reverse side)

Works: Deep well turbine pumps, casing and pipes to place of use.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. Works will safely convey 10.52 cubic feet per second. I have seen the works convey 10.52 cubic feet per second.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Manufacturing purposes and fire protection. Used in the manufacturing and processing plant of J. R. Simplot Company located on the Northeast Quarter of the Southeast Quarter in Section 19, Township 4 North, Range 3 West of the Boise Meridian.

20735

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Applied by using deep well turbine pumps, casing and pipes to various places of use. 10.52 cubic feet per second is being used.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. ~~I have been continuously employed by the permit holder and the~~
~~beneficial user of the water since October, 1942. I~~
~~have seen the entire flow of water from each well, viz. 2.25 cubic feet~~
~~per second used from Well #1, 3.77 cubic feet of water~~
~~per second used from Well #2, 2.25 cubic feet of water~~
~~per second used from Well #3, 2.25 cubic feet per second of water~~
~~used from Well #4, applied and beneficially used for the manufacturing and fire pro-~~
~~tection purposes and requirements of the processing and manufacturing plant~~
~~located on the NE 1/4 of the SE 1/4 Sec. 19, Twp. 4 N.R. 3 W.B.M.~~

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit. I have been continuously employed by the permit holder and beneficial user of the water ever since

Ans. prior to October, 1942. I have seen the entire flow of water from each well, viz. 2.25 cubic feet per second of water used from Well #1, 3.77 cubic feet of water per second used from Well #2, 2.25 cubic feet of water per second used from Well #3, 2.25 cubic feet per second of water used from Well #4, applied and beneficially used for the manufacturing and fire protection purposes and requirements of the processing and manufacturing plant located on the NE 1/4 of the SE 1/4 Sec. 19, Twp. 4 N.R. 3 W.B.M.

(Signed)

Orville English

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Caldwell,

County of Canyon, State of Idaho, on this 6th day of January, A. D. 1949.

[Signature]
Notary Public.

My commission expires Feb. 21, 1952

Ques. 4. Place of Diversion: Well #1; begin at NE corner of SE 1/4 Sec. 19, Twp. 4 N.R. 3 W.B.M, thence South 63 ft. thence West 272 1/2 ft. Well #2, Begin at NE corner of SE 1/4 of said Sec. 19, thence South 285 feet, thence West 768 ft. Well #3: Begin at NE corner of SE 1/4 of said Sec. 19, thence West 1333 feet, thence North 877 ft. Well #4: Begin at NE corner of SE 1/4 of said Sec. 19, thence South 650 ft, thence West 277 ft.

(signed)

Orville English

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Caldwell, County of Canyon, State of Idaho, on this 6th day of January, A. D., 1949.

[Signature]
Notary Public

My commission expires Feb. 21, 1952

20735

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20735

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Name: James Bunt; Age: 35; Residence: Route #5, Caldwell, Idaho; Occupation: Foreman at J. R. Simplot Company; Post Office Address: Post Office Box 51, Caldwell, Idaho

Ques. 2. Are you acquainted with J. R. Simplot Company, the holder of Permit No. 20735? How long have you known him and where does he reside?

Ans. I have known J. R. Simplot Company since 1941. The J. R. Simplot Company is an Idaho corporation with principal place of business at Caldwell, Idaho.

Ques. 3. Have you read or heard read said Permit No. 20735, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Source of Water: Subterranean flow

Place of Diversion: (see reverse side)

Works: Deep well turbine pumps, casing and pipes to place of use.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. Works will safely convey 10.52 cubic feet per second. I have seen the works convey 10.52 cubic feet per second.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Manufacturing purposes and fire protection. Used in the manufacturing and processing plant of J. R. Simplot Company located on the Northeast Quarter of the Southeast Quarter in Section 19, Township 4 North, Range 3 West of the Boise Meridian.

20735

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Applied by using deep well turbine pumps, casing and pipes to various places of use. 10.52 cubic feet per second is being used.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. _____

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit. I have been continuously employed by the permit holder and beneficial user of the water ever since

Ans. prior to October, 1942. I have seen the entire flow of water from each well, viz. 2.25 cubic feet per second of water used from Well #1, 3.77 cubic feet of water per second used from Well #2, 2.25 cubic feet of water per second used from Well #3, 2.25 cubic feet of water per second used from Well #4, applied and beneficially used for the manufacturing and fire protection purposes and requirements of the processing and manufacturing plant located on the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ Sec. 19, Twp. 4 N.R. 3 W.B.M.

(Signed) James Bunt

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Caldwell

County of Canyon, State of Idaho, on this 6th day of January, A. D. 1949.

[Signature]
Notary Public.

My commission expires Feb. 21, 1952

Ques. 4. Place of Diversion: Well #1; begin at NE corner of SE $\frac{1}{4}$ Sec. 19, Twp. 4 N.R. 3 W.B.M, thence South 63 ft. thence West 272 $\frac{1}{2}$ ft. Well #2, Begin at NE corner of SE $\frac{1}{4}$ of said Sec. 19, thence South 285 feet, thence West 768 ft. Well #3: Begin at NE corner of SE $\frac{1}{4}$ of said Sec. 19, thence West 1333 feet, thence North 677 ft. Well #4, Begin at NE corner of SE $\frac{1}{4}$ of said Sec. 19, thence South 659 ft, thence West 277 ft.

(Signed) James Bunt

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Caldwell, County of Canyon, State of Idaho, on this 6th day of January, A. D., 1949.

[Signature]
Notary Public

My commission expires Feb. 21, 1952

70735

✓
December 3, 1948

Re: Permit No. 20735

Mr. Charles R. Donaldson
Continental Bank Building
Boise, Idaho

Dear Mr. Donaldson:

We have sent to the Caldwell News Tribune copy of notice of proof of completion of works and beneficial use to be made on the J. R. Simplot Company's Permit No. 20735 at 11:00 A.M., January 6, 1949, before G. C. Miller, Notary Public at Caldwell, Idaho

The newspaper has been instructed to publish the notice once a week for four consecutive weeks prior to that date and to send the affidavit of publication together with statement of costs to the J. R. Simplot Company in your care.

Please advise Mr. G. C. Miller's address so that we may send the necessary forms of deposition consisting of one for the permit holder and one for each of two witnesses, who should appear before Mr. Miller at the time set for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

Forms given Mr. Donaldson

20735

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 20735

Date: December 2, 1949

Caldwell News-Tribune

Caldwell, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **January 6, 1949** the date set for proof, the expense of the publication to be paid by the applicant, **J. R. Simplot Co.** of **Caldwell, Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof., **C/o Chas. R. Donaldson, Attorney, Continental Bank Bldg., Boise, Idaho**
Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

20735

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11:00 A. M. ~~on the 6th day of January, 1949~~ on the 6th day of January, 1949, at Caldwell County of Canyon State of Idaho, before G.G. Miller, Notary Public, proof will be submitted of the completion of works for the diversion of 10.52 cubic feet per second of the waters of Water from four wells ~~subterranean flow~~ and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 20735 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are J.R. Simplot Company, Caldwell, Idaho

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of use, in accordance with the plans accompanying the application for such permit, is 10.52 cubic feet per second.

3. The use to which said water has been applied is Manufacturing & Fire Protection purposes, and the amount applied to beneficial use is 10.52 cubic feet per second.

4. The place where said water is used is the manufacturing and processing plant of the permit holder located in the North-East quarter of the Southeast quarter of Section 19, Township 4 North, Range 3 West, Boise Meridian

5. The date of priority which said user is prepared to establish is November 4, 1948

MARK R. KULP

State Reclamation Engineer

20735

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) November 30, 1948

(P. O.) Continental Bank Building, Boise, Idaho

STATE RECLAMATION ENGINEER
TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
The Caldwell News-Tribune of Caldwell, Idaho, published in
the county in which the works are situated.

*J. R. Simpkins Co.
Charles E. Mallon*

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water
per second, the following certificate must be signed by a well-known and competent engineer)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

20735

After 5 days, return to
DEPARTMENT OF RECLAMATION,
State House,
BOISE, IDAHO.



Mr. C. R. Donaldson
Continental Bank Building
Boise, Idaho

20735

November 10, 1948

Re: Permit No. 20735

Mr. C. R. Donaldson
Continental Bank Building
Boise, Idaho

Dear Mr. Donaldson:

We enclose herewith Permit No. 20735 in the name of J. R. Simplot Company, together with Departmental Receipt No. 20997 for the \$7.50 filing fee.

Since the application states that the works are completed and that the water has been beneficially applied, we have allowed a minimum of three months, or until February 5, 1949, within which to make the statutory proofs necessary to complete the water right.

The statutes require publication in a county newspaper once a week for four consecutive weeks prior to the date set for making these proofs. Notice should be made in duplicate on Form 36 enclosed, setting the time and place and naming the Notary Public before whom proof is to be made. Both copies of the notice to be returned to this Department together with Form 11 which is the holder's authorization for us to have the notice published in the designated newspaper at their expense.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing, and on the date set a representative of the company should appear before the Notary Public together with two disinterested witnesses to execute depositions of proof on forms furnished by this Department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt
Encls.

20735