

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AMENDED

APPLICATION FOR TRANSFER OF WATER RIGHT FEB 1 1980

APPROVED

Department of Water Resources

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

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

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____ (Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. 29-4088 Amended on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
Copy of Deed Attached.

3. Source of water Portneuf tributary to Snake River

4. Date of priority June 18, 1902

5. Water is used for the following purposes:
amount 3.2 cfs for Irrigation purposes from April 1 to November 1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)

6. Total amount of water under right: a. 3.2 cubic feet per second
b. _____ &/or
acre feet per annum

7. Location of original point of diversion is SE ¼ of SW ¼ of Section 16
Township 6 S Range 34 E, B.M., in Bannock County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6 S	34 E	7													26				26
6 S	34 E	8									28	36	9	37		1	7		118
6 S	34 E	17		9	1		6												16

MICROFILMED

Total number of acres to be irrigated 160

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

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

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. 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	

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

1. Change in point of diversion

a. Amount of water to be diverted 3.2 c.f.s. &/or _____ acre feet

b. Point(s) of diversion NE ¼ SE ¼, Section 7 Township 6 S
Range 34 E, B.M., Bannock County
Additional points SE ¼ SW ¼, Sec. 16, T. 6 S., R. 34 E.

c. Description of diverting works Pump, pipeline and sprinkler system to replace canal

d. Describe the reasons for applying for a change in the point(s) of diversion To eliminate canal and install a pump and sprinkler system.
2. Change in place of use

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

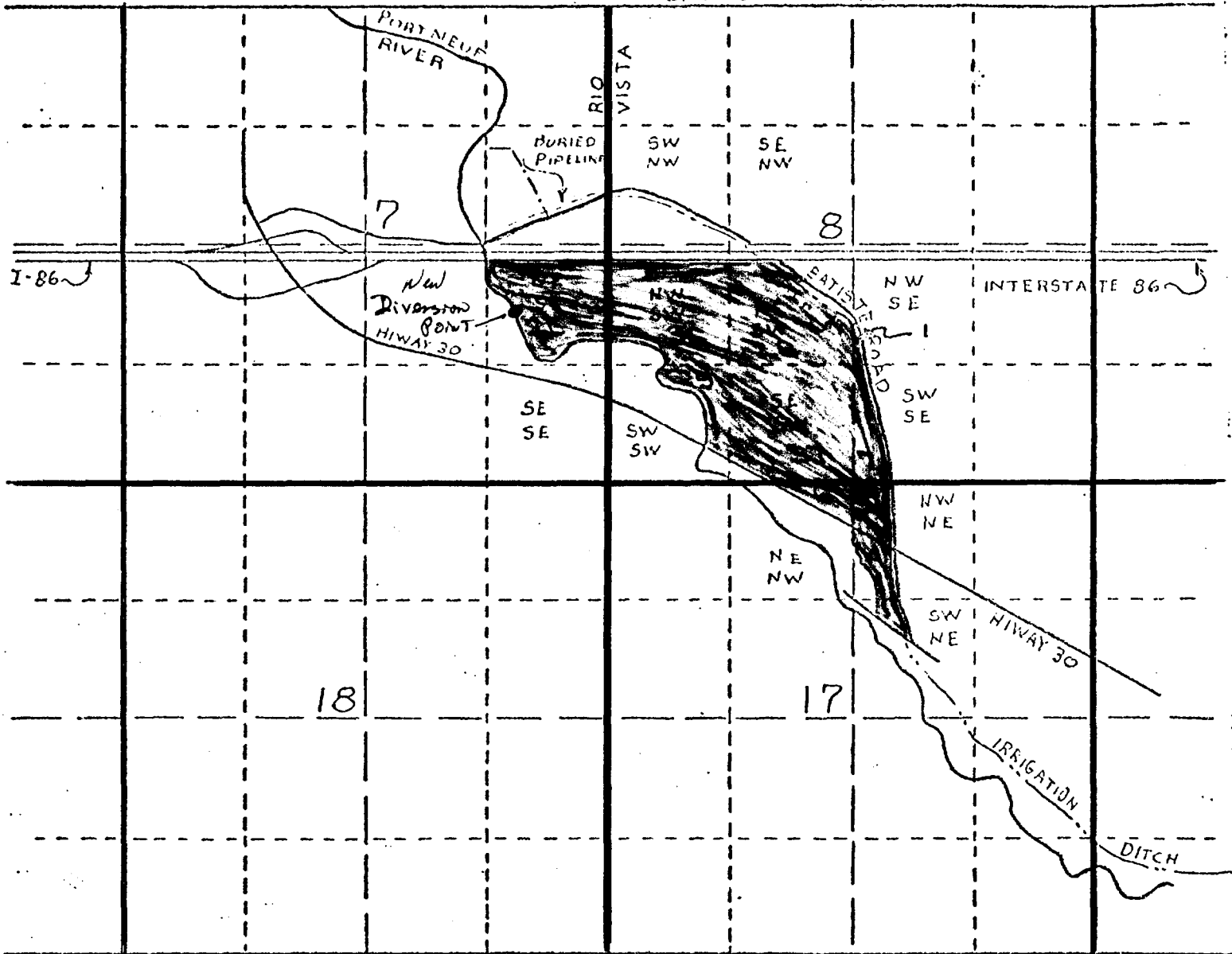
TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

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

CHUBBUCK

ROAD



T	R	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6 S	34 E	7													26				26
6 S	34 E	8									20	36	9	37		1	7		118
6 S	34 E	17		9	1		6												16
																			160

TOTAL NO. OF ACRES

160

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

[illegible]

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

4. Remarks _____

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

SIMPLOT INDUSTRIES, INC.

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

Subscribed and sworn to before me this 3rd day of January, 1980.

Wickie Kay Kelley
(Notary public)

My commission expires Lifetime

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 29-4088
and said application is hereby approved, subject to the following limitations and conditions:

(1) Approval of this Transfer does not validate items set forth in the claim.

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

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

FOR DEPARTMENT USE ONLY

Received by <u>kw</u> <u>DRT</u>	Date <u>2/4/80</u> <u>2-1-80</u>	Protest filed by _____
Prelim. check by <u>EMC</u>	Fee <u>2000</u>	_____
Receipted by <u>kw</u>	Date <u>2/5/80 #15568</u>	_____
Published in <u>Idaho State Journal</u>	Copies of protest forwarded by _____	
Pub. dates <u>2/28 & 3/6/80</u>	Hearing held by _____	Date _____
Watermaster recommendation requested on _____	Recommended for <u>approval</u>	denial
_____ rec'd. _____	by <u>EMC</u> <u>Jim Orr</u>	

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

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

A. DESCRIPTION OF RIGHT AS RECORDED

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

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6 S	34 E	7													40				40
6 S	34 E	8									40	40	40						120

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. 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	

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

1. Change in point of diversion

a. Amount of water to be diverted 3.2 c.f.s. &/or _____ acre feet

b. Point(s) of diversion NE ¼ SE ¼, Section 7 Township 6 S
Range 34 E, B.M., Bannock County
Additional points SE¼ SW¼ Section 16, Township 6 S, Range 34 E

c. Description of diverting works pump, pipeline and sprinkler system
to replace canal

d. Describe the reasons for applying for a change in the point(s) of diversion
to eliminate canal and install a pump and sprinkler system.
2. Change in place of use

a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6 S	34 E	7													30			3	33
6 S	34 E	8									30	30	24	40		1	2		127

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED CLAIM TO A WATER RIGHT AMENDED

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that SIMPLOT INDUSTRIES, INC.
(Name of Claimant)
P. O. Box 27, Boise, ID 83707 Telephone No. (208) 336-2110
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) June 18, 1902

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Portneuf River tributary to Snake River

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

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

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

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ SW ¼, Sec. 16 Twp. 6S Rge. 34E B.M., County of Bannock
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Pump, pipeline and sprinkler system to replace canal.

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

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
6S	34E	7													26				26
		8									28	36	9	37		1	7		118
		17			9	1		6											16

No. of acres 160

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

MICROFILMED

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

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

[illegible]

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

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

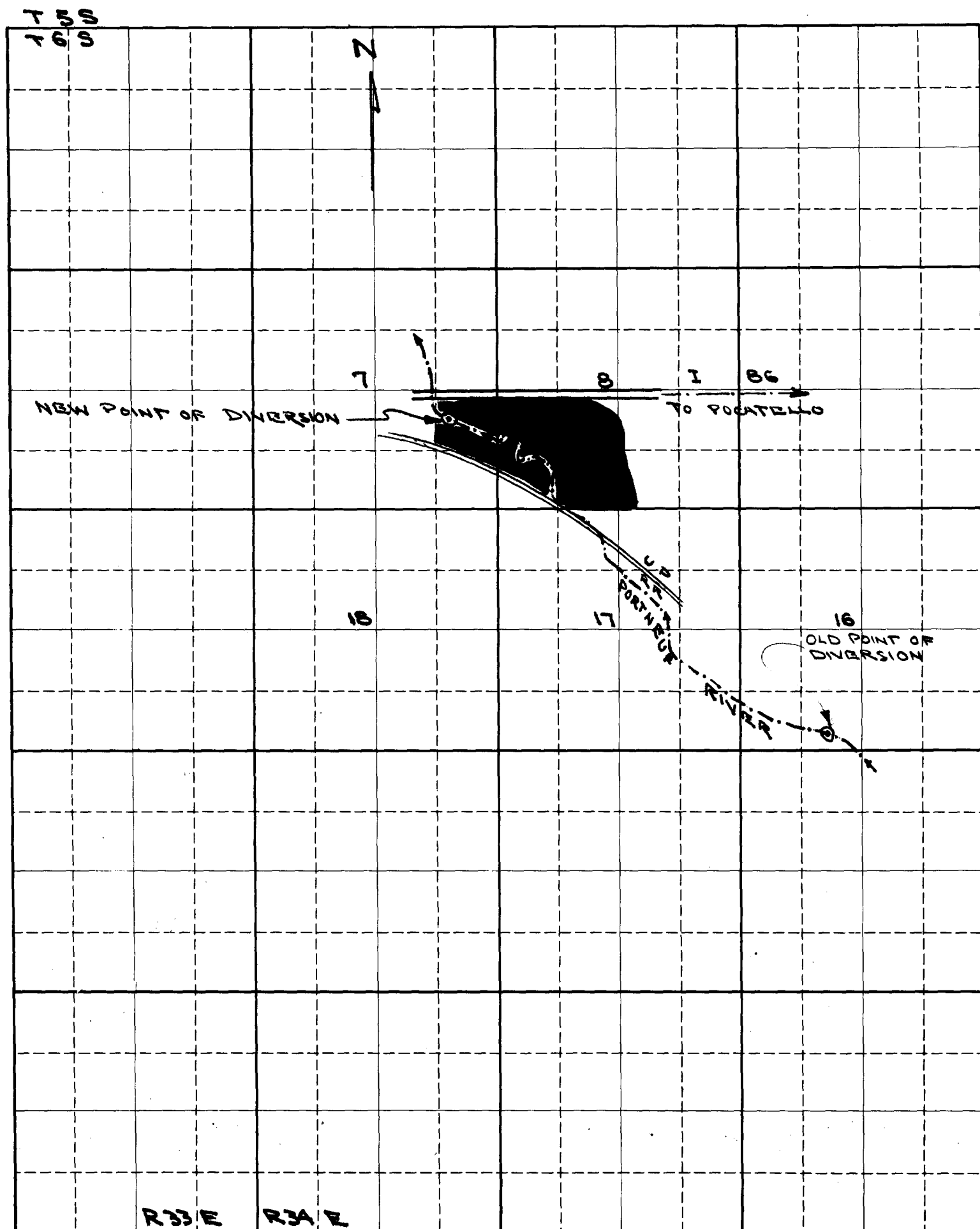
SIMPLY INDUSTRIES, INC.

Sworn to before me this 12th day of February, 1980. Its _____ (Claim

My commission expires lifetime

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

- b. 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.



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

3. Remarks Original claim to water right claimed lands were in
Township 7 South when in fact the lands are in Township 6
South

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

SIMPLIOT INDUSTRIES, INC.

By *Russell H. Howell*
Its (Signature of applicant) Secretary

Subscribed and sworn to before me this 6th day of July, 19 78

Paula C. Holdbrook
(Notary public)

My commission expires 11-23-81

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____,
and said application is hereby _____.

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

2. Denial of said application is for the following reasons: _____

Witness my hand this _____ day of _____, 19 _____

FOR DEPARTMENT USE ONLY

Received by BP Date 7-17-78
BP 7-11-78

Protest filed by _____

Prelim. check by EMC Fee \$35.00

Receipted by CW Date #11482
8-01-78

Copies of protest forwarded by _____

Published in Idaho State Journal

Pub. dates Aug. 10 + 17 + 1978

Hearing held by _____ Date _____

Watermaster recommendation requested on W.A.

Recommended for _____ approval _____ denial

_____ rec'd. _____

by _____

29-4078

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Catricia Beck

being first duly sworn on oath deposes and says: That *She* was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

August 10, 1978
August 17, 1978
_____, 19____
_____, 19____
_____, 19____
_____, 19____

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Catricia Beck

Subscribed and sworn to before me this *24th* day of *August*, 19*78*

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

RECEIVED

SEP 1 1978

Department of Water Resources
Eastern District Office

MICROFILMED

29-4088

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Bannock } ss.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 29-4088

Notice is hereby given that Simplot Industries, Inc., Boise, Idaho, have applied to the Department of Water Resources for a change in the point of diversion and place of use of the waters of Portneuf River, tributary to Snake River. The right sought to be changed is evidenced by amended claim No. 29-4088 and is recorded as follows:

AMOUNT: 3.2 cfs.

PRIORITY: June 18, 1902

POINT OF DIVERSION:
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, T. 6S, R. 34E,
B.M. Bannock County;

The water is used to irrigate 160 acres within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7 W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T. 6S, R. 34E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7 SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, T. 6S, R. 34E, B.M., for the irrigation of 160 acres within the E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 7, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 8, T. 6S, R. 34E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before August 28, 1978.

C. Stephen Allred
Director
August 10, 17, 1978
No. 622

Curtis Cook
being first duly sworn on oath deposes and says: That He was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

August 10, 1978, 19_____
August 17, 1978, 19_____
_____, 19_____, 19_____
_____, 19_____, 19_____
_____, 19_____, 19_____

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Curtis Cook
Subscribed and sworn to before me this 24th day of August, 1978

[Signature]
Notary Public, State of Idaho
Residence: Pocatello, Idaho

SEP 1 1978

RECORDED
INDEXED

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Catrina Gresh

being first duly sworn on oath deposes and says: That *She* was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

August 10, 1978 19.....
August 17, 1978 19.....
....., 19..... 19.....
....., 19..... 19.....
....., 19..... 19.....

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Catrina Gresh
Subscribed and sworn to before me this 24th day of August, 1978

[Signature]
Notary Public, State of Idaho
Residence: Pocatello, Idaho

RECEIVED

SEP 1 1978

Department of Water Resources
Eastern District Office

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Bannock } ss.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 29-4088

Notice is hereby given that Simplot Industries, Inc., Boise, Idaho, have applied to the Department of Water Resources for a change in the point of diversion and place of use of the waters of Portneuf River, tributary to Snake River. The right sought to be changed is evidenced by amended claim No. 29-4088 and is recorded as follows:

AMOUNT: 3.2 cfs.

PRIORITY: June 18, 1902

POINT OF DIVERSION:

SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, T. 6S, R. 34E,

B.M. Bannock County;

The water is used to irrigate 160

acres within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.

7 W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T.

6S, R. 34E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within

the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7 SE $\frac{1}{4}$ SW $\frac{1}{4}$,

Sec. 16, T. 6S, R. 34E, B.M., for

the irrigation of 160 acres within

the E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 7, SW $\frac{1}{4}$,

W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 8, T. 6S, R. 34E,

B.M.

Any protest against approval of

the above proposed change of

water right must be filed with

the Idaho Department of Water

Resources, 1515 Lincoln Road,

Idaho Falls, Idaho, 83401, on or

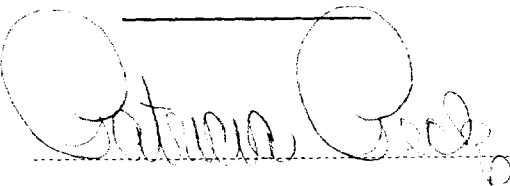
before August 28, 1978.

C. Stephen Allred

Director

August 10, 17, 1978

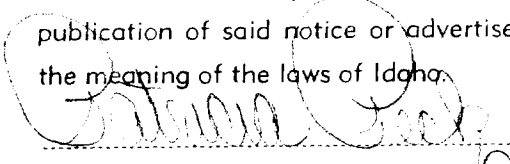
No. 622


being first duly sworn on oath deposes and says: That He
was at all times herein mentioned a citizen of the United States of
America, more than 21 years of age, and the Principal Clerk of THE
IDAHO STATE JOURNAL, a daily newspaper, printed and published at
Pocatello, Bannock County, Idaho, and having a general circulation
therein.

That the document or notice, a true copy of which is attached, was
published in the said IDAHO STATE JOURNAL, on the following dates,
to-wit:

August 10, 1978 19.....
August 17, 1978 19.....
..... 19.....
..... 19.....
..... 19.....

That said paper has been continuously and uninterruptedly pub-
lished in said County for a period of seventy-eight weeks prior to the
publication of said notice or advertisement and is a newspaper within
the meaning of the laws of Idaho.


Subscribed and sworn to before me this 24th
day of August, 1978


Notary Public, State of Idaho
Residence: Pocatello, Idaho

WARRANTY DEED

THIS INDENTURE, made this 1st day of October, 1960, between THEODORE A. SWANSON and MINNIE SWANSON, husband and wife, of Pocatello, Bannock County, Idaho; RAY V. SWANSON and LOTTIE E. SWANSON, husband and wife, of Pocatello, Bannock County, Idaho; RONALD E. WOOD and ALICE S. WOOD, husband and wife, of Pocatello, Bannock County, Idaho; EFFIE FUGATE, a widow, of Aberdeen, Bingham County, Idaho; GRACE GARRETT, a widow, of Idaho Falls, Bonneville County, Idaho; and DELBERT ANDERSON and CLARA ANDERSON, husband and wife, of Idaho Falls, Bonneville County, Idaho, the parties of the first part, and RUBY COMPANY, a Corporation, with principal offices in the State of Idaho, at Boise, Ada County, Idaho, the party of the second part:

W I T N E S S E T H:

That the said parties of the first part, for and in consideration of the sum of TEN AND NO/100 AND OTHER VALUABLE CONSIDERATION - - DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents grant, bargain, sell and convey and confirm unto said party of the second part, and to its heirs and assigns forever: All those certain lots, pieces, or parcels of land situate, lying and being in the Counties of Bannock and Power, State of Idaho, bounded and more particularly described as follows, to wit:

BANNOCK COUNTY:

Section 7, Lot 6, except that portion conveyed to the City of Pocatello and described as:

Beginning at the intersection of the east line of Section 7 and the Northwesterly right of way line of Batiste Road, which is 655 feet, more or less, northerly from the east 1/4 corner of said Section, and running; thence Southwesterly along said right of way 810 feet, more or less; thence Northwesterly at right angles 450 feet; thence Northwesterly at an angle of 100°45' right from the last preceding course 575 feet, more or less, to the north 1/16 line of said Section; thence Easterly along said 1/16 line 1090 feet, more or less, to the easterly line of said Section; thence Southerly along the easterly Section line 615 feet, more or less, to the point of beginning.

Lot 7, that portion north and east of the Portneuf River. That portion of SW $\frac{1}{4}$ of Section 8 lying south and west of Batiste Road; that portion of the S $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 8, lying south and west of Batiste Road; that portion of W $\frac{1}{2}$ of SE $\frac{1}{4}$, of Section 8 lying south and west of Batiste Road; that portion of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 17, lying north and east of the Oregon Short Line Railroad right of way, excepting those portions granted to Bannock County or the State of Idaho for highway purposes, and to the Oregon Short Line Railroad; that portion of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 17 lying west of Batiste Road and north and east of the Oregon Short Line Railroad right of way, excepting those portions granted to Bannock County and the State of Idaho for highway purposes and to the Oregon Short Line Railroad; all of the above described property lying and being in Township 6 South, Range 34, East of the Boise Meridian.

POWER COUNTY:

That portion of Lot 7, EXCEPT Tax No. 7 and Tax No. 4, in Section 7, Township 6 South, Range 34 East, Boise Meridian, all being in Power County, Idaho; and

The N $\frac{1}{2}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$, Section 18, Township 6 South, Range 34 East, Boise Meridian, all being in Power County, Idaho.

Particular descriptions of Tax No. 7 and Tax No. 4, above mentioned, are as follows:

TAX NO. 7:

Beginning at the SE corner, Sec. 7, T. 6 S., R. 34 E., B.M., running thence N. 1°15' W. 692.51 feet to the North boundary of U.S. Highway 30 N. right of way; thence N. 63°32' W. 1261.97 feet to a true point of beginning on the North boundary of the U.S. Highway 30 N. right of way; thence N. 16°41' E. 408.93 feet; thence N. 47°55'30" W. 390.65 feet; thence S. 0°10'30" W. 586.37 feet to a point on the North boundary of U.S. Highway 30 N. right of way; thence along the said right of way 186.94 feet, more or less, to the true point of beginning, containing 2.90 acres, more or less.

TAX NO. 4:

Beginning at the Southwest corner of Lot 7, Section 7, Township 6 South, Range 34 East, Boise Meridian; thence North along the West line of the said Lot 7 a distance of 2.0 feet, more or less, to the Northerly right of way line of the Old Oregon Trail Highway; thence following the said right of way line in a Southeasterly direction on a curve to the right 190.3 feet to the point of beginning of the following described tract of land; thence North 16°27' E. 407.0 feet; thence S. 38°23' E. 325.4 feet; thence S. 16°27' W. 249.0 feet, more or less to the said right of way line; thence along the said right of way line in a Northwesterly direction on a curve to the left 267.8 feet, more or less, to the point of beginning. Being a part of Lots 7 and 10 of Section 7, T. 6 S., R. 34 E.B.M. and containing 2.0 acres, more or less.

Beginning at the Northeast corner of Lot 10, Section 7,

T. 6 S., R. 34 E.B.M., thence south along the east line of the said Section 7, 640.0 feet, more or less, to the northerly right of way line of the Old Oregon Trail Highway; thence along the said right of way line in a northwesterly direction on a curve to the left, to the northwest corner of the said Lot 10; thence East along the north line of the said Lot 10, 1320.0 feet, more or less, to the point of beginning.

The above described tract of land is all of that part of Lot 10, Section 7, T. 6 S., R. 34 E., B.M., lying northerly from the northerly right of way line of the Old Oregon Trail Highway and contains 9.0 acres, more or less, SAVE AND EXCEPT the following described tracts, to wit:

TAX NO. 4 and TAX NO. 7 as described above.

TAX NO. 6:

Beginning at the SE corner, Sec. 7, T. 34 E.B.M., running thence N. $1^{\circ}15'$ W. 692.51 feet to the North boundary of U.S. Highway 30 N. right of Way; thence N. $60^{\circ}25'$ W. 532.36 feet to a true point of beginning on the north boundary of U.S. Highway 30 N right of way thence N. $28^{\circ}33'$ E., 270 ft., thence N. $67^{\circ}09'30''$ W., 514.55 ft. thence S. $16^{\circ}19'30''$ W. 251.09 ft., to a point of the north boundary of U.S. Highway 30 N right of way, thence along said right of way, 459.91 ft., more or less, to the true point of beginning, containing 2.86 acres, more or less.

TAX NO. 13:

Commencing at the SE corner, Section 7, Twp. 6 S., R. 34 E.B.M., thence N. $1^{\circ}15'$ W. 692.51 feet to the north boundary of the Old Oregon Trail right of way, thence N. $59^{\circ}47'$ W. 332.41 feet to the real point of beginning on the N. boundary of said highway right of way, thence N. $28^{\circ}32'$ E. a distance of 210 feet, more or less to a point, thence Northwesterly along a curve left of 5830.30 feet radius 78 feet distance northeasterly from and parallel to the center line of the Old Oregon Trail FI 1024 (1) highway survey, a distance of 200 feet, more or less, to a point, thence S. $28^{\circ}33'$ W. a distance of 190 feet, more or less, to a point on said present northerly right of way line of the Old Oregon Trail Highway, thence Southeasterly along the said present northerly right of way line a distance of 200 feet, more or less, to the point of beginning and containing .92 acres, more or less.

TAX NO. 14:

Beginning at the SE Corner, Sec. 7, Twp. 6 S., R. 34 E.B.M. running thence N. $1^{\circ}15'$ W. 692.51 feet, to the north boundary of U.S. Highway 30 N. right of way, thence N. $59^{\circ}47'$ W. 332.41 feet to a true point of beginning on the north boundary of U.S. Highway 30 N. right of way, thence N. $28^{\circ}32'$ E. 270 feet, thence N. $61^{\circ}28'$ W. 200 feet, thence S. $28^{\circ}32'$ W. 270 feet, to a point on the north boundary of U.S. Highway Right of Way, thence along the said right of way, 200 feet, more or less, to the point of beginning, containing 1.24 acres, more or less, SAVE AND EXCEPT Tax # 13.

3-6

Together with all and singular, the tenements, hereditamen
and appurtenances thereunto belonging or in anywise appertaining,
and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises,
together with the appurtenances and privileges thereunto incident
unto the said party of the second part, and to its heirs and assigns
forever and the said parties of the first part, and their heirs and
assigns warrant the said premises in the quiet and peaceable poss-
ession of the said party of the second part, its heirs and assigns
against the said parties of the first part, and their heirs and
assigns and against all and every person or persons whomsoever,
lawfully claiming or to claim the same, shall and will warrant and
by these presents forever defend.

IN WITNESS WHEREOF, the said parties of the first part
have hereunto set their hands and seals the day and year first
above written.

Theodore A. Swanson
Theodore A. Swanson

Minnie Swanson
Minnie Swanson

Ray V. Swanson
Ray V. Swanson

Lottie E. Swanson
Lottie E. Swanson

Ronald E. Wood
Ronald E. Wood

Alice S. Wood
Alice S. Wood

Effie Fugate
Effie Fugate

Grace Garrett
Grace Garrett

Delbert Anderson
Delbert Anderson

Clara Anderson
Clara Anderson

QUIT CLAIM DEED

THIS INDENTURE, Made the 1st day of October 1960, between THEODORE A SWANSON and MINNIE SWANSON, husband and wife; RAY V. SWANSON and LOTTIE E. SWANSON, husband and wife; and RONALD E. WOOD and ALICE S. WOOD, of Pocatello, Bannock County, Idaho; and EFFIE FUGATE, a widow, of Aberdeen, Bingham County, Idaho; and GRACE GARRETT, a widow; DELBERT ANDERSON and CLARA ANDERSON, husband and wife; of Idaho Falls, Bonneville County, Idaho, the parties of the first part, and RUBY COMPANY, a Corporation, with principal offices in the State of Idaho, in Boise, Ada County, the party of the second part;

W I T N E S S E T H:

That the said parties of the first part, for and in consideration of the sum of TEN AND NO/100 DOLLARS AND OTHER VALUABLE CONSIDERATION, lawful money of the United States of America to them in hand paid by the said party of the second part, the receipt of which is hereby acknowledged, do by these presents demise, release and forever Quitclaim unto the said party of the second part, and to its heirs and assigns, all that certain lot, piece, or parcel of land situated in Bannock County, of the State of Idaho, particularly described as follows, to wit:

NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 17, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof.

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances unto said party of the second part and to its heirs and assigns forever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first

above written.

Theodore A. Swanson
Theodore A. Swanson
Minnie Swanson
Minnie Swanson
Ray V. Swanson
Ray V. Swanson
Lottie E. Swanson
Lottie E. Swanson
Ronald E. Wood
Ronald E. Wood
Alice S. Wood
Alice S. Wood
Effie Fugate
Effie Fugate
Grace Garrett
Grace Garrett
Delbert Anderson
Delbert Anderson
Clara Anderson
Clara Anderson

STATE OF IDAHO)
County of Bannock) ss

On this 1st day of October in the year 1960, before me, Louis F. Racine, Jr., a Notary Public in and for said County and State, personally appeared THEODORE A. SWANSON and MINNIE SWANSON, husband and wife, RAY V. SWANSON and LOTTIE E. SWANSON, husband and wife, RONALD E. WOOD and ALICE S. WOOD, husband and wife, EFFIE FUGATE, a widow, GRACE GARRETT, a widow, AND DELBERT ANDERSON and CLARA ANDERSON, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(Seal)

NOTARY SEAL

Louis F. Racine, Jr.
Louis F. Racine, Jr.
Notary Public for Idaho
Residing at: Pocatello, Idaho

STATE OF IDAHO)

County of Bannock)

ss

On the 1st day of October, in the year 1960,

before me, Louis F. Racine, Jr., a Notary Public in and for said County and State, personally appeared THEODORE A. SWANSON and MINNIE SWANSON, husband and wife, RAY V. SWANSON and LOTTIE E. SWANSON, husband and wife, RONALD E. WOOD and ALICE S. WOOD, husband and wife, EFFIE FUGATE, a widow, GRACE GARRETT, a widow, DELBERT ANDERSON and CLARA ANDERSON, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Louis F. Racine, Jr.
Louis F. Racine, Jr.
Notary Public for Idaho
Residing at: Pocatello, Idaho

(Seal)

NOTARY SEAL

INDEXED

INDEXED

91033

Instrument file

State of Idaho, ss.
County of Bannock, ss.
I hereby certify that the instrument was filed for record on this day of

J. R. Simplot Co

Filed at 25 minutes past

2 o'clock P.M. this 28th

day of July, 1967 and recorded

in book Drawer #1

Inst # 91033

Helene Hall

By *Mary Farwell* Deputy

NO. 442272

RECORDED AT REQUEST OF

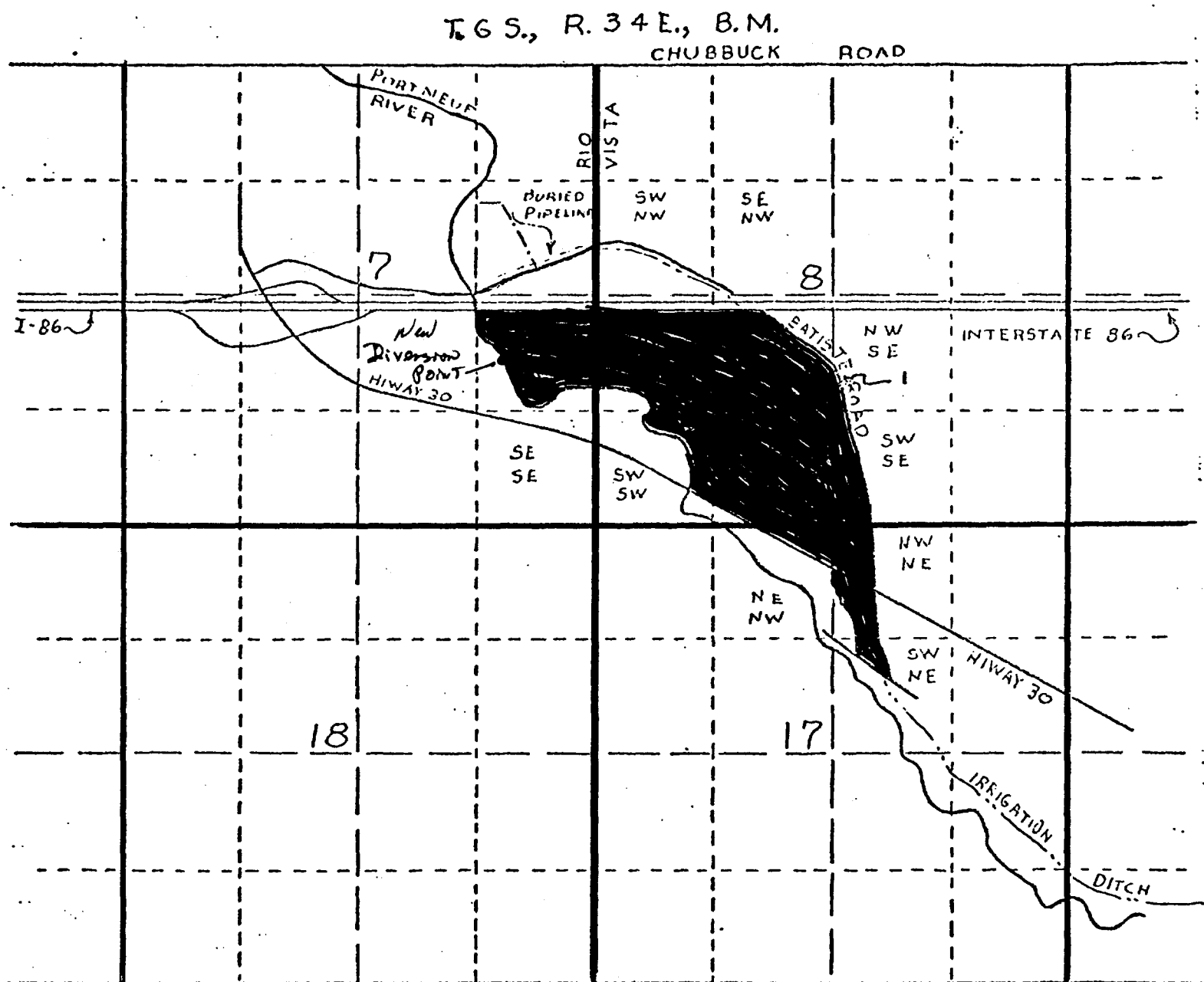
J.R. SIMPLOT COMPANY

P.O. BOX 2777-- BOISE, IDAHO 83701

AUG 28 9 39 AM '67

OFFICIAL RECORDS - 215
BANNOCK COUNTY, IDAHO
EMERITUS J. HARRIS, RECORDER
FEE \$6.00

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



T	R	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6 S	34 E	7													26				26
6 S	34 E	8									20	36	9	37		1	7		118
6 S	34 E	17			9	1		6											16
																			160

TOTAL NO. OF ACRES 160

UNRECORDED

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Bannock } ss.

Lyle Judd

being first duly sworn on oath deposes and says: That She
was at all times herein mentioned a citizen of the United States of
America, more than 21 years of age, and the Principal Clerk of THE
IDAHO STATE JOURNAL, a daily newspaper, printed and published at
Pocatello, Bannock County, Idaho, and having a general circulation
therein.

That the document or notice, a true copy of which is attached, was
published in the said IDAHO STATE JOURNAL, on the following dates,
to-wit:

February 28, 1980 19.....
March 6, 1980 19.....
..... 19..... 19.....
..... 19..... 19.....
..... 19..... 19.....

That said paper has been continuously and uninterruptedly pub-
lished in said County for a period of seventy-eight weeks prior to the
publication of said notice or advertisement and is a newspaper within
the meaning of the laws of Idaho.

Lyle Judd

Subscribed and sworn to before me this 12th
day of March, 1980

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

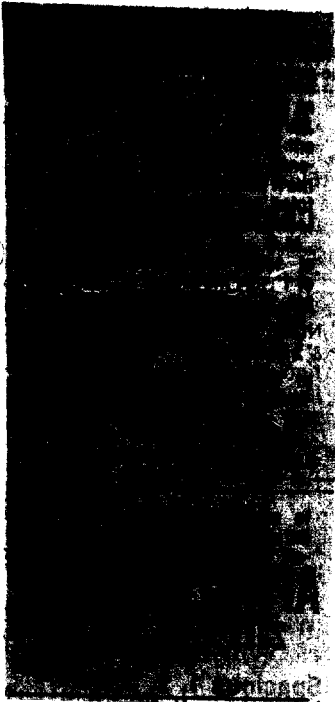
RECEIVED

MAR 17 1980

Department of Water Resources
Eastern District Office

MICROFILMED

ok
3/17/80



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Section 42-225a, Idaho Code

AMENDED CLAIM TO A WATER RIGHT AMENDED

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

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

The extent and nature of said claim is as follows:

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

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

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

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

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

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Canal - length two miles

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	34E	7													40				40
6S	34E	8									40	40	40						120

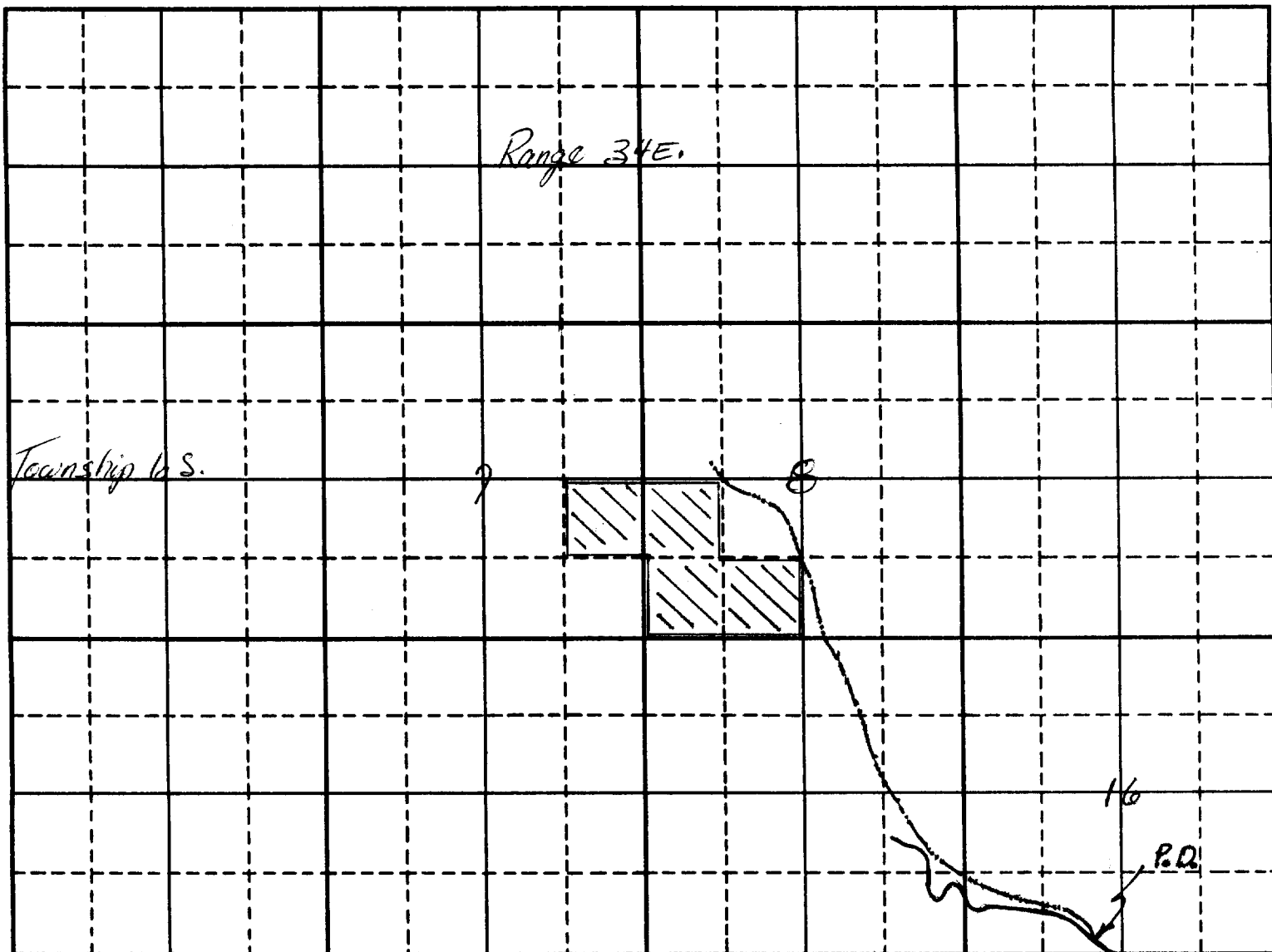
Total No. of acres 160

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

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

MICROFILMED

(8) Remarks SEE ATTACHED SHEETS



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Adair) ss.

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

Sworn to before me this 26th day of July, 1978.

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

My commission expires 11-23-81

For Department Use Only

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

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

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Patricia Peck

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of
America, more than 21 years of age, and the Principal Clerk of THE
IDAHO STATE JOURNAL, a daily newspaper, printed and published at
Pocatello, Bannock County, Idaho, and having a general circulation
therein.

That the document or notice, a true copy of which is attached, was
published in the said IDAHO STATE JOURNAL, on the following dates,
to-wit:

August 10, 1978 19.....
August 17, 1978 19.....
..... 19..... 19.....
..... 19..... 19.....
..... 19..... 19.....

That said paper has been continuously and uninterruptedly pub-
lished in said County for a period of seventy-eight weeks prior to the
publication of said notice or advertisement and is a newspaper within
the meaning of the laws of Idaho.

Patricia Peck

Subscribed and sworn to before me this 24th
day of August, 1978

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

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SEP 7 1978

Department of Water Resources
Eastern District Office

MICROFILMED

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PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

**NOTICE OF AMENDED CLAIM
TO A WATER RIGHT
NO. 29 4088**

Notice is hereby given that Simplot Industries, Inc., have amended claim to a water right No. 29-4088. The claimants originally claimed 3.20 c.f.s. of water from the Portneuf River tributary to the Snake River with the point of diversion within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, T. 7S, R. 34E, B.M., Bannock County. The water was claimed to be used from April 1, to Nov. 1 for the irrigation of 160 acres with a priority of June 18, 1902; the place of use is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7 W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8 T. 7S, R. 34E, B.M.

The claimants are now amending said claim amending the point of diversion to the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, T. 6S, R. 34E and the place of use to the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T. 6S, R. 34E, B.M.

Any exception to this amended claim to a water right may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

C. STEPHEN ALLRED

Director

August 10, 17, 1978

No. 621

Patricia Quib
being first duly sworn on oath deposes and says: That *she* was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

August 10, 1978 19.....
August 17, 1978 19.....
..... 19..... 19.....
..... 19..... 19.....
..... 19..... 19.....

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Patricia Quib
Subscribed and sworn to before me this *24th* day of *August*, 19*78*

[Signature]
Notary Public, State of Idaho
Residence: Pocatello, Idaho

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Patricia Seck

being first duly sworn on oath deposes and says: That *She* was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

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....., 19....., 19.....

....., 19....., 19.....

....., 19....., 19.....

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Patricia Seck

Subscribed and sworn to before me this *24th* day of *August*, 19*78*

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

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SEP 7 1978

Department of Water Resources
Eastern District Office

MICROFILMED

*P
41*

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

SS.

NOTICE OF AMENDED CLAIM TO A WATER RIGHT NO. 29-4088

Notice is hereby given that Simplot Industries, Inc., have amended claim to a water right No. 29-4088. The claimants originally claimed 3.20 c.f.s. of water from the Portneuf River tributary to the Snake River with the point of diversion within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, T. 7S, R. 34E, B.M., Bannock County. The water was claimed to be used from April 1, to Nov. 1 for the irrigation of 160 acres with a priority of June 18, 1902; the place of use is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T. 7S, R. 34E, B.M. The claimants are now amending said claim amending the point of diversion to the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, T. 6S, R. 34E and the place of use to the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T. 6S, R. 34E, B.M. Any exception to this amended claim to a water right may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.
C. STEPHEN ALLRED
Director
August 10, 17, 1978
No. 621

Stephen Allred
being first duly sworn on oath deposes and says: That *He* was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

August 10, 1978	19
August 17, 1978	19
	19
	19
	19
	19

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Stephen Allred
Subscribed and sworn to before me this *24th* day of *August*, 19*78*

Stephen Allred
Notary Public, State of Idaho
Residence: Pocatello, Idaho

SEP 7 1978

Department of Water Resources
Eastern District Office

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Lyle Judd

being first duly sworn on oath deposes and says: That She
was at all times herein mentioned a citizen of the United States of
America, more than 21 years of age, and the Principal Clerk of THE
IDAHO STATE JOURNAL, a daily newspaper, printed and published at
Pocatello, Bannock County, Idaho, and having a general circulation
therein.

That the document or notice, a true copy of which is attached, was
published in the said IDAHO STATE JOURNAL, on the following dates,
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February 28, 1980, 19.....
March 6, 1980, 19.....
....., 19....., 19.....
....., 19....., 19.....
....., 19....., 19.....

That said paper has been continuously and uninterruptedly pub-
lished in said County for a period of seventy-eight weeks prior to the
publication of said notice or advertisement and is a newspaper within
the meaning of the laws of Idaho.

Lyle Judd

Subscribed and sworn to before me this 12th
day of March, 1980

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

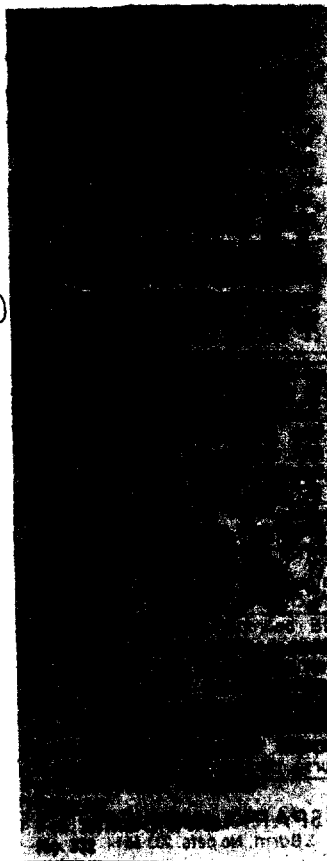
RECEIVED

MAR 17 1980

Department of Water Resources
Eastern District Office

MICROFILMED

ok pw
3/17/80



PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

NOTICE OF PROPOSED AMENDING OF APPLICATION OF TRANSFER

OF WATER RIGHT NO. 29-4088
Notice is hereby given that Application for Transfer of Water Right No. 29-4088 in the name of Simplot Industries, Inc. was filed for the diversion of 3.2 cfs of water from the Portneuf River with the point of diversion within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, T. 6S, R. 34E, B.M., Bannock County; to be used from April 1 to November 1 for the irrigation of 160 acres within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7; W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8; T. 6S, R. 34E, B.M.

The right holder now proposes to amend application for transfer of Water Right No. 29-4088 amending the point of diversion and place of use of the water. The point of diversion will be located within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7; SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, T. 6S, R. 34E, B.M., Bannock County. The water will be used to irrigate 160 acres within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 8; W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 17; T. 6S, R. 34E, B.M.

Any protest to the proposed amending of the application for transfer must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before March 17, 1980.

S/C. STEPHEN ALLRED
Director
Feb. 28, March 6, 1980
No. 332

Lyle Judd

being first duly sworn on oath deposes and says: That *She* was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

February 28, 1980 19.....
March 6, 1980 19.....
..... 19.....
..... 19.....
..... 19.....

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Lyle Judd

Subscribed and sworn to before me this *12th*

day of *March*, 1980

Notary Public, State of Idaho
Residence: Pocatello, Idaho

RECEIVED

MAR 17 1980

Department of Water Resources
Eastern District Office

RECORDED

5-1

442272

WARRANTY DEED

THIS INDENTURE, made this 1st day of October, 1960, between THEODORE A. SWANSON and MINNIE SWANSON, husband and wife, of Pocatello, Bannock County, Idaho; RAY V. SWANSON and LOTTIE E. SWANSON, husband and wife, of Pocatello, Bannock County, Idaho; RONALD E. WOOD and ALICE S. WOOD, husband and wife, of Pocatello, Bannock County, Idaho; EFFIE FUGATE, a widow, of Aberdeen, Bingham County, Idaho; GRACE GARRETT, a widow, of Idaho Falls, Bonneville County, Idaho; and DELBERT ANDERSON and CLARA ANDERSON, husband and wife, of Idaho Falls, Bonneville County, Idaho, the parties of the first part, and RUBY COMPANY, a Corporation, with principal offices in the State of Idaho, at Boise, Ada County, Idaho, the party of the second part:

W I T N E S S E T H:

That the said parties of the first part, for and in consideration of the sum of TEN AND NO/100 AND OTHER VALUABLE CONSIDERATION - - DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents grant, bargain, sell and convey and confirm unto said party of the second part, and to its heirs and assigns forever: All those certain lots, pieces, or parcels of land situate, lying and being in the Counties of Bannock and Power, State of Idaho, bounded and more particularly described as follows, to wit:

BANNOCK COUNTY:

Section 7, Lot 6, except that portion conveyed to the City of Pocatello and described as:

Beginning at the intersection of the east line of Section 7 and the Northwesterly right of way line of Batiste Road, which is 655 feet, more or less, northerly from the east 1/4 corner of said Section, and running; thence Southwesterly along said right of way 810 feet, more or less; thence Northwesterly at right angles 450 feet; thence Northwesterly at an angle of 10°45' right from the last preceding course 575 feet, more or less, to the north 1/16 line of said Section; thence Easterly along said 1/16 line 1090 feet, more or less, to the easterly line of said Section; thence Southerly along the easterly Section line 615 feet, more or less, to the point of beginning.

Lot 7, that portion north and east of the Portneuf River. That portion of SW $\frac{1}{4}$ of Section 8 lying south and west of Batiste Road; that portion of the S $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 8, lying south and west of Batiste Road; that portion of W $\frac{1}{2}$ of SE $\frac{1}{4}$, of Section 8 lying south and west of Batiste Road; that portion of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 17, lying north and east of the Oregon Short Line Railroad right of way, excepting those portions granted to Bannock County or the State of Idaho for highway purposes, and to the Oregon Short Line Railroad; that portion of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 17 lying west of Batiste Road and north and east of the Oregon Short Line Railroad right of way, excepting those portions granted to Bannock County and the State of Idaho for highway purposes and to the Oregon Short Line Railroad; all of the above described property lying and being in Township 6 South, Range 34, East of the Boise Meridian.

POWER COUNTY:

That portion of Lot 7, EXCEPT Tax No. 7 and Tax No. 4, in Section 7, Township 6 South, Range 34 East, Boise Meridian, all being in Power County, Idaho; and

The N $\frac{1}{2}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$, Section 18, Township 6 South, Range 34 East, Boise Meridian, all being in Power County, Idaho.

Particular descriptions of Tax No. 7 and Tax No. 4, above mentioned, are as follows:

TAX NO. 7:

Beginning at the SE corner, Sec. 7, T. 6 S., R. 34 E., B.M., running thence N. 1°15' W. 692.51 feet to the North boundary of U.S. Highway 30 N. right of way; thence N. 63°32' W. 1261.97 feet to a true point of beginning on the North boundary of the U.S. Highway 30 N. right of way; thence N. 16°41' E. 408.93 feet; thence N. 47°55'30" W. 390.65 feet; thence S. 0°10'30" W. 586.37 feet to a point on the North boundary of U.S. Highway 30 N. right of way; thence along the said right of way 186.94 feet, more or less, to the true point of beginning, containing 2.90 acres, more or less.

TAX NO. 4:

Beginning at the Southwest corner of Lot 7, Section 7, Township 6 South, Range 34 East, Boise Meridian; thence North along the West line of the said Lot 7 a distance of 2.0 feet, more or less, to the Northerly right of way line of the Old Oregon Trail Highway; thence following the said right of way line in a Southeasterly direction on a curve to the right 190.3 feet to the point of beginning of the following described tract of land; thence North 16°27' E. 407.0 feet; thence S. 38°23' E. 325.4 feet; thence S. 16°27' W. 249.0 feet, more or less to the said right of way line; thence along the said right of way line in a Northwesterly direction on a curve to the left 267.8 feet, more or less, to the point of beginning. Being a part of Lots 7 and 10 of Section 7, T. 6 S., R. 34 E.B.M. and containing 2.0 acres, more or less.

Beginning at the Northeast corner of Lot 10, Section 7

T. 6 S., R. 34 E.B.M., thence south along the east line of the said Section 7, 640.0 feet, more or less, to the northerly right of way line of the Old Oregon Trail Highway; thence along the said right of way line in a northwesterly direction on a curve to the left, to the northwest corner of the said Lot 10; thence East along the north line of the said Lot 10, 1320.0 feet, more or less, to the point of beginning.

The above described tract of land is all of that part of Lot 10, Section 7, T. 6 S., R. 34 E., B.M., lying northerly from the northerly right of way line of the Old Oregon Trail Highway and contains 9.0 acres, more or less, SAVE AND EXCEPT the following described tracts, to wit:

TAX NO. 4 and TAX NO. 7 as described above.

TAX NO. 6:

Beginning at the SE corner, Sec. 7, T. 34 E.B.M., running thence N. $1^{\circ}15'$ W. 692.51 feet to the North boundary of U.S. Highway 30 N. right of Way; thence N. $60^{\circ}25'$ W. 532.36 feet to a true point of beginning on the north boundary of U.S. Highway 30 N right of way thence N. $28^{\circ}33'$ E., 270 ft., thence N. $67^{\circ}09'30''$ W., 514.55 ft. thence S. $16^{\circ}19'30''$ W. 251.09 ft., to a point of the north boundary of U.S. Highway 30 N right of way, thence along said right of way, 459.91 ft., more or less, to the true point of beginning, containing 2.86 acres, more or less.

TAX NO. 13:

Commencing at the SE corner, Section 7, Twp. 6 S., R. 34 E.B.M., thence N. $1^{\circ}15'$ W. 692.51 feet to the north boundary of the Old Oregon Trail right of way, thence N. $59^{\circ}47'$ W. 332.41 feet to the real point of beginning on the N. boundary of said highway right of way, thence N. $28^{\circ}32'$ E. a distance of 210 feet, more or less to a point, thence Northwesterly along a curve left of 5830.30 foot radius 78 feet distance northeasterly from and parallel to the center line of the Old Oregon Trail: FT 1024 (1) highway survey, a distance of 200 feet, more or less, to a point, thence S. $28^{\circ}33'$ W. a distance of 190 feet, more or less, to a point on said present northerly right of way line of the Old Oregon Trail Highway, thence Southeasterly along the said present northerly right of way line a distance of 200 feet, more or less, to the point of beginning and containing .92 acres, more or less.

TAX NO. 14:

Beginning at the SE Corner, Sec. 7, Twp. 6 S., R. 34 E.B.M. running thence N. $1^{\circ}15'$ W. 692.51 feet, to the north boundary of U.S. Highway 30 N. right of way, thence N. $59^{\circ}47'$ W. 332.41 feet to a true point of beginning on the north boundary of U.S. Highway 30 N. right of way, thence N. $28^{\circ}32'$ E. 270 feet, thence N. $61^{\circ}28'$ W. 200 feet, thence S. $28^{\circ}32'$ W. 270 feet, to a point on the north boundary of U.S. Highway Right of Way, thence along the said right of way, 200 feet, more or less, to the point of beginning, containing 1.24 acres, more or less, SAVE AND EXCEPT Tax # 13.

5 - 6

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said party of the second part, and to its heirs and assigns forever and the said parties of the first part, and their heirs and assigns warrant the said premises in the quiet and peaceable possession of the said party of the second part, its heirs and assigns against the said parties of the first part, and their heirs and assigns and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Theodore A. Swanson
Theodore A. Swanson

Minnie Swanson
Minnie Swanson

Ray V. Swanson
Ray V. Swanson

Lottie E. Swanson
Lottie E. Swanson

Ronald E. Wood
Ronald E. Wood

Alice S. Wood
Alice S. Wood

Effie Ingate
Effie Ingate

Grace Garrett
Grace Garrett

Delbert Anderson
Delbert Anderson

Clara Anderson
Clara Anderson

QUIT CLAIM DEED

THIS INDENTURE, Made the 1st day of October 1960, between THEODORE A SWANSON and MINNIE SWANSON, husband and wife; RAY V. SWANSON and LOTTIE E. SWANSON, husband and wife; and RONALD E. WOOD and ALICE S. WOOD, of Pocatello, Bannock County, Idaho; and EFFIE EUGATE, a widow, of Aberdeen, Bingham County, Idaho; and GRACE GARRETT, a widow; DELBERT ANDERSON and CLARA ANDERSON, husband and wife; of Idaho Falls, Bonneville County, Idaho, the parties of the first part, and RUBY COMPANY, a Corporation, with principal offices in the State of Idaho, in Boise, Ada County, the party of the second part;

W I T N E S S E T H:

That the said parties of the first part, for and in consideration of the sum of TEN AND NO/100 DOLLARS AND OTHER VALUABLE CONSIDERATION, lawful money of the United States of America to them in hand paid by the said party of the second part, the receipt of which is hereby acknowledged, do by these presents demise, release and forever Quitclaim unto the said party of the second part, and to its heirs and assigns, all that certain lot, piece, or parcel of land situated in Bannock County, of the State of Idaho, particularly described as follows, to wit:

NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 17, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof.

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances unto said party of the second part and to its heirs and assigns forever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first

above written.

Theodore A. Swanson
Theodore A. Swanson

Minnie Swanson
Minnie Swanson

Ray V. Swanson
Ray V. Swanson

Lottie E. Swanson
Lottie E. Swanson

Ronald E. Wood
Ronald E. Wood

Alice S. Wood
Alice S. Wood

Effie Fugate
Effie Fugate

Grace Garrett
Grace Garrett

Delbert Anderson
Delbert Anderson

Clara Anderson
Clara Anderson

STATE OF IDAHO)
County of Bannock) ss

On this 1st day of October in the year 1960, before me, Louis F. Racine, Jr., a Notary Public in and for said County and State, personally appeared THEODORE A. SWANSON and MINNIE SWANSON, husband and wife, RAY V. SWANSON and LOTTIE E. SWANSON, husband and wife, RONALD E. WOOD and ALICE S. WOOD, husband and wife, EFFIE FUGATE, a widow, GRACE GARRETT, a widow, AND DELBERT ANDERSON and CLARA ANDERSON, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(Seal)

NOTARY SEAL

Louis F. Racine, Jr.
Louis F. Racine, Jr.
Notary Public for Idaho
Residing at: Pocatello, Idaho

STATE OF IDAHO)

County of Blaine)

: ss

On the 1st day of October, in the year 1960,
before me, Louis F. Racine, Jr., a Notary Public in and for said
County and State, personally appeared THEODORE A. SWANSON and
MINNIE SWANSON, husband and wife, RAY V. SWANSON and LOTTIE E.
SWANSON, husband and wife, RONALD E. WOOD and ALICE S. WOOD,
husband and wife, EFFIE FUGATE, a widow, GRACE GARRETT, a widow,
DELBERT ANDERSON and CLARA ANDERSON, husband and wife, known to me
to be the persons whose names are subscribed to the within instrument
and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal, the day and year in this certificate
first above written.

(Seal)

NOTARY SEAL

Louis F. Racine, Jr.
Louis F. Racine, Jr.
Notary Public for Idaho
Residing at: Pocatello, Idaho

MADE EX

RECEIVED

91033

Instrument No.

State of Idaho, ss.
County of Blaine, ss.
certified that the within instrument was duly
recorded in the office of the County Clerk of
Blaine County, Idaho.

J. R. Simplot Co.

Filed at 25 minutes, at

2 o'clock P. M., on 28th

day of July, 1967, and recorded

in book Drawer #1

Inst. # 91033

Helen Hall

Mary Jarwell

County Clerk

No. 442272

RECORDED AT REQUEST OF

J. R. SIMPLOT COMPANY
P.O. BOX 2777-- BOISE, IDAHO 83701

AUG 29 3 49 AM '67

OFFICIAL RECORD
P.O. BOX 2777-- BOISE, IDAHO 83701
FEE \$6.00
215

Department of Water Resources

CLAIM TO A WATER RIGHT

(name of claimant)

[illegible]

J. R. SIMPLOT COMPANY

MICROFILMED

This image shows a full page of graph paper. It features a grid of squares defined by solid black lines. Each square is further divided into four smaller quadrants by dashed black lines. The grid consists of 10 columns and 8 rows of these primary squares. There are no margins or other markings on the page.

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.

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

_____, 19 78.
Dean M. Weaver

Residing at Boise, Idaho

For Department Use Only

Received by <u>ew</u>	Date <u>2-09-78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>ARK</u>	Date <u>Jan-16-78</u>		claimant by:	
\$10.00 fee received by <u>ew</u>	Date <u>2-09-78</u>			
Approved for publication by <u>my</u>	<u>3-2-78</u>	<u>#9827</u>		
Published in <u>Idaho State Journal</u>				
Dates <u>Feb. 16 + 23, 1978</u>				

WATER RIGHT BOOK 2
PAGE 156

To Whom it May Concern:

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

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

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

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

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

Appropriator and Claimant.

(Theodore Swanson,
(S.C. Winters.

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

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

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

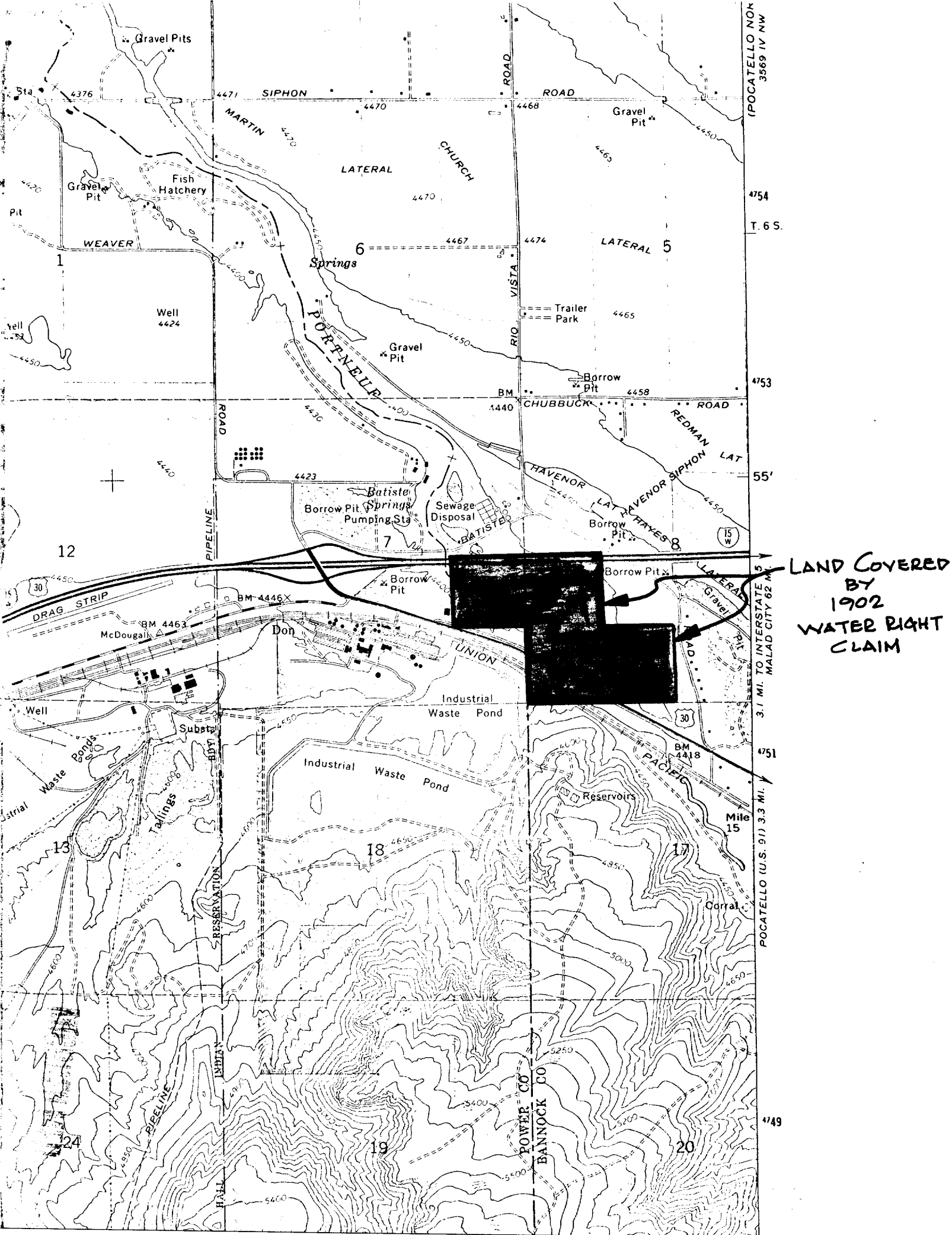
(SEAL)

Fred G. Caldwell, Notary Public.

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

J.S. Campbell, Recorder.

MICROFILMED



PROOF OF PUBLICATION

RECEIVED

STATE OF IDAHO
County of Bannock

ss.

MAR 2 1978

Department of Water
Eastern District Office

Patricia Beach

She

being first duly sworn on oath deposes and says: That...
was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

February 16, 1978 19.....
February 23, 1978 19.....
....., 19....., 19.....
....., 19....., 19.....
....., 19....., 19.....

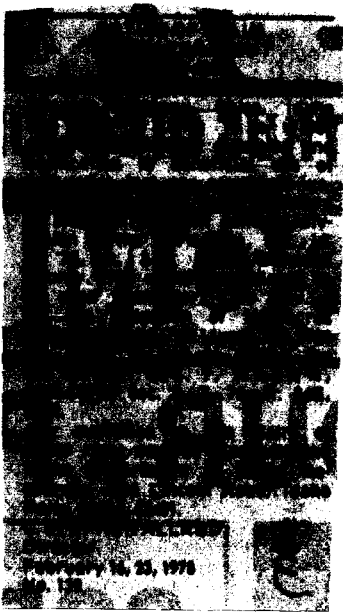
That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Patricia Beach

Subscribed and sworn to before me this *28th*
day of *February*, 19 *78*

Dyane Roberts

Notary Public, State of Idaho
Residence: Pocatello, Idaho



MICROFILMED BY [illegible]

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

NOTICE OF CLAIM TO A WATER RIGHT NO. 29-4088

Notice is hereby given that J.R. Simplot Company, Boise, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 3.20 cubic feet per second of water from Progneus River tributary to Snake River with point of diversion in the NW 1/4 NE 1/4, Sec. 16, T. 7S, R. 34E, B.M., Bannock County. The water is claimed to be used from Apr. 1 to Nov. 1 for the irrigation of 160 acres with a priority of June 18, 1902 the place of use is within the NE 1/4 SE 1/4, Sec. 7, W 1/2 SW 1/4, SE 1/4 SW 1/4, Sec. 8, T. 7S, R. 34E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

C. STEPHEN ALLRED
Director
February 16, 23, 1978
No. 139

being first duly sworn on oath deposes and says: That She was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

February 16, 1978 19
February 23, 1978 19
..... 19 19
..... 19 19
..... 19 19

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice of advertisement and is a newspaper within the meaning of the laws of Idaho.

Subscribed and sworn to before me this 28th day of February, 1978

Notary Public, State of Idaho
Residence: Pocatello, Idaho



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

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

CERTIFICATE OF OWNERSHIP AND MERGER
INCLUDING ARTICLES OF MERGER

RECEIVED

AUG 1 1985

Department of Water Resources

FEB 27 1985

Merging

SIMPLOT INDUSTRIES, INC.

into

J. R. SIMPLOT COMPANY

29-4088

(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

MICROFILMED

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.

MICROFILMED

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.

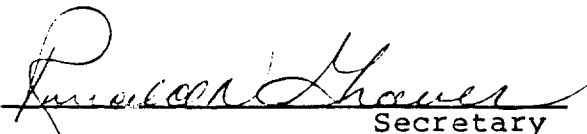
SIXTH: The mailing of Notice of said Plan and Agreement of Merger was waived by the shareholders of SIMPLOT INDUSTRIES, INC. on February 15, 1985.

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

MICROFILMED

STATE OF IDAHO)
)
County of Ada) ss

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

MICROFILMED

April 8, 1980

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

Dear Mr. Graves,

RE: Transfer of Water Right No. 29-4088

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 2274). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:mr

Enclosure

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

February 6, 1980

Blair Jaynes
Assistant Corporate Counsel
Simplot Industries, Inc.
P. O. Box 27
Boise, ID 83707

Dear Mr. Jaynes:

At the request of Dave Tuthill from our State Office, I have reviewed the amended claim and amended application for transfer you recently submitted to the Department on behalf of Simplot Industries, Inc. This review revealed the point of diversion listed on the amended claim to be the new point of diversion and not the original situated in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, T. 6S, R. 34E. Other than this one minor correction both the amended claim and amended application for transfer were in correct form.

To expedite the necessary processing, we have receipted the amended application for transfer and have taken the liberty typing another amended claim listing the original point of diversion. The amended claim and Receipt No. 15568 for \$20.00 are enclosed.

Once the amended claim has been signed in the presence of a notary, simply return it to our Eastern Regional Office and we will gladly initiate the processing of both the amended claim and amended application for transfer.

Please feel free to call or contact me should you have questions concerning this matter.

Respectfully submitted,

ERNEST CARLSEN
Sr. Resource Analyst

EC:kw
Enclosures

MICROFILMED



SIMPLOT INDUSTRIES, INC. / ONE CAPITAL CENTER / 999 MAIN STREET / SUITE 1300
P.O. BOX 27 / BOISE, IDAHO 83707 / (208) 336-2110 / TELEX 368432

RECEIVED

FEB 1 1980

January 31, 1980

Department of Water Resources

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

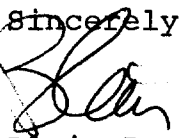
Attention: David R. Tuthill, Jr., P.E.
Supervisor, Water Allocation Section

Re: Idaho Claim No. 29-4088

Dear Mr. Tuthill:

Enclosed herewith for filing please find our
executed Application for Transfer of Water Right in con-
nection with the above referenced claim.

Sincerely,


Blair D. Jaynes
Assistant Corporate Counsel

BDJ/vk

Enclosure

RECEIVED

FEB 4 1980

Department of Water Resources
Eastern District Office

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

August 13, 1979

Ronald N. Graves, Secretary
Simplot Industries, Inc.
P. O. Box 27
Boise, Idaho 83707

Dear Mr. Graves:

Prior to taking final action on Simplot Industries' application for transfer of claim to a water right No. 29-4088, the Department conducted a field inspection of the application. This inspection indicated that lands west of the Portneuf River in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7 and W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 8, Township 6S, Range 43E could not have been flood irrigated from the point of diversion described in the claim. We, therefore, recommend an amended claim be drafted, more accurately describing the acreage presently owned by Simplot Industries and originally flood irrigated from the point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16, Township 6S, Range 34E, County of Bannock.

It will also be necessary to amend the application for transfer to correspond with the amended land list. We are, therefore, enclosing a copy of the processed claim and application for transfer, along with a new claim and transfer form and copy of the pre-permit field report. Although there is no amendment fee for a claim, it will be necessary to send \$20.00 for the amendment fee of the application for transfer.

Please feel free to call or contact our eastern regional office if there are any questions concerning the matter.

Respectfully submitted,

Ernest M. Carlsen

ERNEST M. CARLSEN
Water Resource Analyst

EMC:dh

Enclosures

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MEMO TO FILE

APPLICATION FOR TRANSFER 29-4088

On June 21, 1979, I completed a field examination for application for transfer No. 29-4088, submitted by Simplot Industries, Inc. The purpose of this exam was to verify the use of water under Claim No. 29-4088.

It appears that the land had been previously flood irrigated from a ditch located along the east end of the field. From the lay of the land, it appears that the field was flood irrigated from east to west. Under this type of gravity flood system it would be possible to irrigate only those lands lying east of the Portneuf River, said river forming a natural barrier to the flow of water to lands located on its west side.

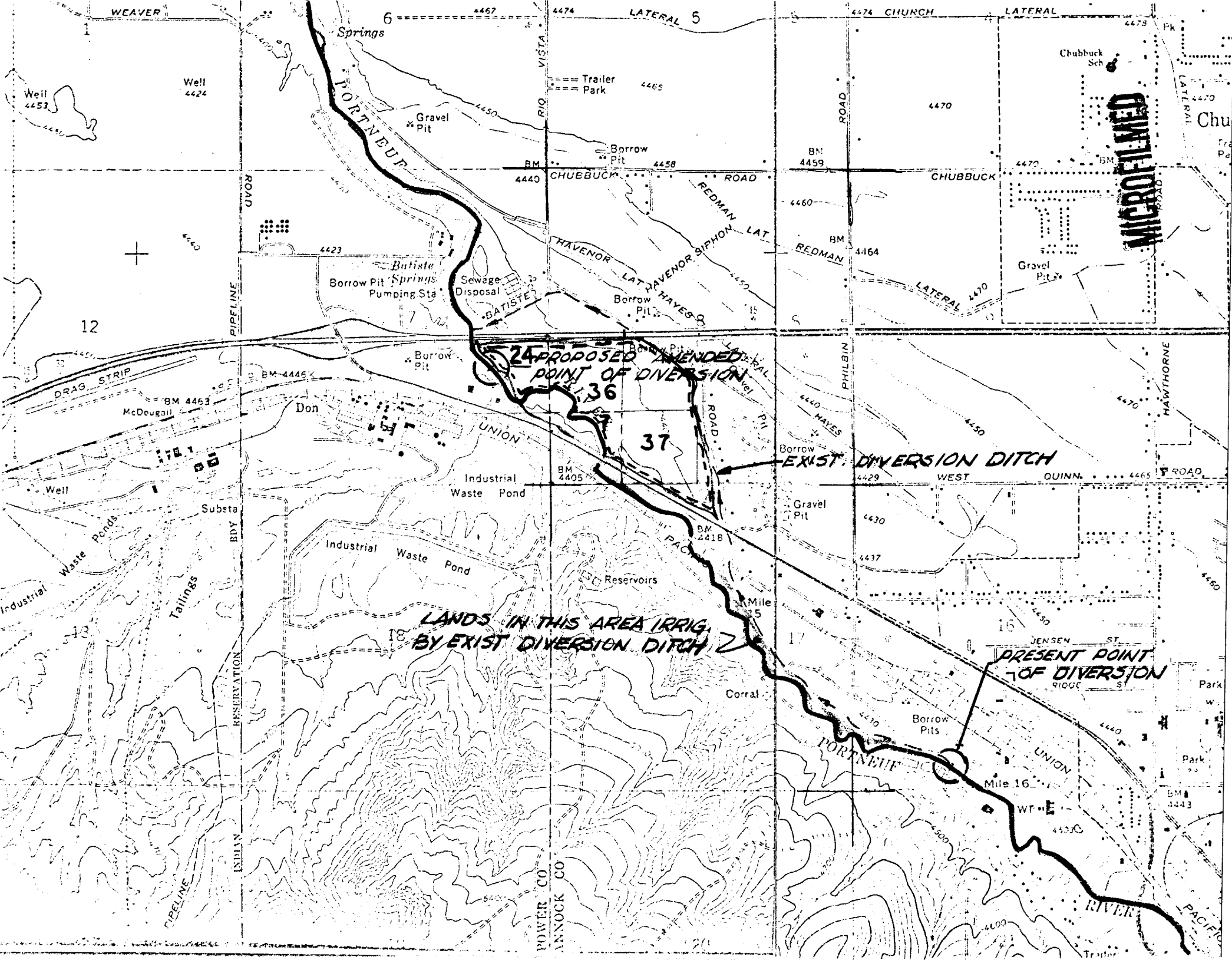
Presently, lands on both sides of the river are being irrigated with a sprinkler system from a pump located on the Portneuf River in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, Twp. 6S, Rge. 34E. Therefore, it appears that additional lands are now being irrigated that could not have been irrigated in the past using the gravity flood irrigation system.

On the accompanying map I have outlined the lands that are presently being irrigated by the existing sprinkler delivery system and in broken line I have outlined those lands I feel were potentially irrigable under the former gravity flood irrigation system.

ANTHONY R. KOZLOWSKI
Sr. Water Resource Agent

Anthony R. Kozlowski

MICROFILMED



MICROFILMED

24 PROPOSED AMENDED
POINT OF DIVERSION
36

EXIST. DIVERSION DITCH

LANDS IN THIS AREA IRRIG.
BY EXIST. DIVERSION DITCH

PRESENT POINT
OF DIVERSION

POWER CO
ANNOCK CO

MEMO TO FILE

J. R. Simplot Company
Application for Transfer No. 29-4088

On January 18, 1978, the Eastern region received a claim to a water right from J. R. Simplot Company concerning the use of 3.20 c.f.s. of water from the Portneuf River for irrigation of lands located in Sections 7 and 8, Twp. 7S, Rge. 34E, B.M. The claim was accompanied by a notice of water right location which identified the same place of use and gave a general description for the point of diversion. Since the claim was not accompanied by the proper filing fee, it was returned to the claimant with a letter of explanation and subsequently was again received on February 9, 1978, processed, and forwarded to Boise on March 6, 1978.

On July 11, 1978, J. R. Simplot Company submitted an application for transfer of Claim No. 29-4088. In completing staff analysis on this application, an error in the legal description of the place of use was identified. The J. R. Simplot plant in Pocatello is located in Twp. 6S, not 7S, as indicated on the claim and the application for transfer. Because of this error, the application for transfer was returned with a letter of explanation which suggested that the original claim be amended to indicate the correct township and that this correction should also be made on the application for transfer.

On July 27, 1978, both the amended claim and application for transfer were received in the Eastern region office and processed in the normal manner. As a result of this rather confusing history, it is recommended that a pre-permit exam be conducted on the application for transfer to verify the use of water as indicated on the amendment.

Ernest Carlson

ERNEST M. CARLSEN
Water Resource Analyst

MICROFILMED

August 14, 1978

C

RE: Application for Transfer No. 29-4088

O

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

Gentlemen:

Attached herewith is departmental receipt No. 11482 in the amount of \$35.00 for the above referenced transfer.

Very truly yours,

Y

COLLEEN WRAY
Senior Secretary

Attachment

MICROFILMED

August 4, 1978

RE: Application for Transfer No. 29-4088 SIMPLOT
Claim to a Water Right 29-4088 " Amended
" " 29-4090 LAVA HOT SPRINGS

Idaho State Journal
Box 431
Pocatello, Idaho 83201

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 9.1.78 by dh

RDC: CW

Enc: Legal Notice (3)

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 29-4088

Notice is hereby given that Simplot Industries, Inc., Boise, Idaho, have applied to the Department of Water Resources for a change in the point of diversion and place of use of the waters of Portneuf River, tributary to Snake River. The right sought to be changed is evidenced by amended claim No. 29-4088 and is recorded as follows:

AMOUNT: 3.2 cfs.

PRIORITY: June 18, 1902

POINT OF DIVERSION: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, T. 6S, R. 34E, B.M.,

Bannock County;

The water is used to irrigate 160 acres within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T. 6S, R. 34E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, T. 6S, R. 34E, B.M., for the irrigation of 160 acres within the E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 7, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 8, T. 6S, R. 34E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before August 28, 1978.

C. Stephen Allred

Director

Published in the Idaho State Journal, Pocatello, Idaho, on August 10 and August 17, 1978.

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24



SIMPLOT INDUSTRIES, INC. / ONE CAPITAL CENTER / 999 MAIN STREET / SUITE 1300
P.O. BOX 27 / BOISE, IDAHO 83707 / (208) 336-2110 / TELEX 368432

July 26, 1978

State of Idaho
Department of Water Resources
Eastern Region
1515 Lincoln Road
Idaho Falls, Idaho 83401

Attn: Ernest Carlsen, Water Resource Agent

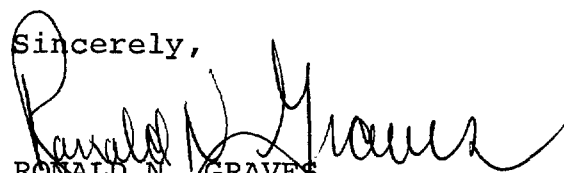
RE: Application for Transfer of Water Right No. 29-4088

Gentlemen:

In accordance with your request, we have executed the enclosed Amended Claim To A Water Right and are transmitting it to you together with a Transfer of Water Right form and filing fee.

Please advise this office upon approval of the enclosed.

Sincerely,



RONALD N. GRAVES
Corporate Counsel

RNG/ch
Enclosures

cc: Jim Higgins/Pocatello

MICROFILMED

J. R. SIMPLOT COMPANY

BOISE, IDAHO

No 25766

FIRST SECURITY BANK OF IDAHO
NATIONAL ASSOCIATION
P. O. BOX 7088
BOISE, IDAHO 83707
92-6/1241

EXACTLY \$35 and 00/100

PAY TO THE ORDER OF STATE OF IDAHO
Department of Water Resources
July 14, 1978 \$ 35.00
J. R. SIMPLOT COMPANY

James L. Baker

⑈025766⑈ ⑆1241⑈0006⑈003 00056 15⑈

RE: Application for Transfer of Water Right No. 29-4088 - SIMPLOT

Mr. Ronald N. Graves
Corporate Counsel
J. R. Simplot Company
P. O. Box 27
Boise, Idaho 83707

Dear Mr. Graves:

The Department finds it necessary to again return the application for transfer of claim No. 29-4088 and check No. 92-6 for \$35.00. Also enclosed is an amended claim to a water right and a copy of the notice of water right location originally submitted with the claim.

The application for transfer is being returned because the location for the point of diversion and place of use are not consistent with the locations indicated on the claim. The problem stems from incorrect locations being recorded on the notice of water right location. The notice specifies Township 7S, Range 34 E. while actually the description for the point of diversion correctly describes a point in Township 6S, Range 34 E. It appears the simplest procedure to rectify this situation is to file an amended claim correcting the land description, which then will be consistent with the application for transfer.

There is no filing fee for an amended claim, so if you agree with this approach, sign the claim in the presence of a notary and return it along with the application for transfer and the check for \$35.00. To assist in expediting the processing time we will advertise the amended claim to a water right and the application for transfer simultaneously.

Should there be questions concerning this rather confusing matter, please feel free to contact this office.

Respectfully submitted,

Ernest Carlsen

ERNEST CARLSEN
Water Resource Agent

EC:bp

Enclosures

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NOTE: This needs
a field exam. Make
special effort to
check if this is
in an area
that has been
controlled by the
water master of
WD #29.

MICROFILMED



J. R. SIMPLOT COMPANY / ONE CAPITAL CENTER / 999 MAIN STREET / SUITE 1300
P.O. BOX 27 / BOISE, IDAHO 83707 / (208) 336-2110 / TELEFAX 368-4822

GENERAL OFFICE

RECEIVED

JUL 17 1978

July 14, 1978

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

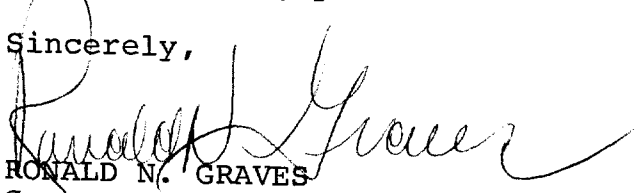
RE: Application for Transfer of Water Right
29-4088

Attention: Ernest Carlson

Gentlemen:

Simplot Industries, Inc. is retransmitting to you
the enclosed Application for Transfer of Water Right together
with a check in the amount of \$35.00 covering your fee.

Sincerely,


RONALD N. GRAVES
Corporate Counsel

RNG/gd
Enclosure
cc: Jim Higgins

MICROFILMED

July 13, 1978

RE: Application for Transfer of Water Right - SIMPLOT

Mr. Ronald H. Graves
Box 27
Boise, Idaho 83707

Dear Mr. Graves:

The Department is returning the application for Transfer recently submitted on behalf of Simplot Industries, Inc. and your check No. 23710 in the amount of \$40.00 because the money sent in payment of the filing fee was excessive.

The new fee schedule for applications and claims received by the Department indicates filing fee for this application is \$35.00. Please return the application with a check for this amount.

If you have any questions concerning this matter, please feel free to contact this office.

Respectfully submitted,

ERNEST CARLSEN
Water Resource Agent

EC:bp

Enclosures

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JC

Right Number 29-408D Applicant Simplet

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use. *No map.*
- ☐ Signature/notarization/fee *N/A Amended*

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date 3/17/80

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jmi Date 3/26/80

MICROFILMED

March 19, 1980

RE: Amended claim to a Water Right No. 29-4088

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

Gentlemen:

The Department of Water Resources has completed the processing of your amended claim to a water right and no further action is authorized under Sections 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 your or the court.

As you are aware, the filing of your amended claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your amended claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your amended claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

RONALD D. CARLSEN
Eastern Region Supervisor

RDC:kw
Enclosure

MICROFILMED

S . A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

FEBRUARY 21, 1980

Idaho State Journal
P. O. Box 431
Pocatello, Idaho 83201

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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before MARCH 17, 1980.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

NOTICE OF AMENDED CLAIM TO A WATER RIGHT

NO. 29-4088.

Notice is hereby given that Claim to a Water Right No. 29-4088 in the name of Simplot Industries, Inc., Boise, was filed for the diversion and application to beneficial use of 3.2 cfs of water from the Portneuf River with the point of diversion within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, T. 6S, R. 34E, B.M., Bannock County; the water is claimed to be used from Apr. 1 to Nov. 1 for the irrigation of 160 acres within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7; W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T. 6S, R. 34E, B.M.

The claimants now propose to amend Claim No. 29-4088 amending the place of use to the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 8; W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 17; T. 6S, R. 34E, B.M.

Any exception to any claim of water right may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401

C. STEPHEN ALLRED

Director

Published in the Idaho State Journal 2/28 & 3/6/1980.

MICROFILMED



SIMPLOT INDUSTRIES, INC. / ONE CAPITAL CENTER / 999 MAIN STREET / SUITE 1300
P.O. BOX 27 / BOISE, IDAHO 83707 / (208) 336-2110 / TELEX 368432

February 12, 1980

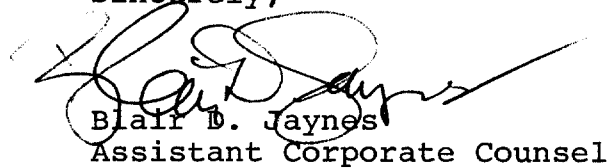
State of Idaho
Department of Water Resources
Eastern Region
1515 Lincoln Road
Idaho Falls, Idaho 83401

Attention: Ernest Carlsen
Senior Resource Analyst

Dear Mr. Carlsen:

Enclosed herewith is Amended Claim to water right
Claim No. 29-4088 pursuant to your letter of February 6,
1980.

Sincerely,


Blair D. Jaynes
Assistant Corporate Counsel

BDJ/vk

Enclosure

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

September 14, 1978

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

Dear Sirs:

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

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

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

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

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

Yours truly,

RONALD D. CARLSON
Eastern Regional Supervisor

Enclosure

MICROFILMED

MICROFILMED

August 4, 1978

RE: Application for Transfer No. 29-4088 SIMPLOT
Claim to a Water Right 29-4088 " Amended
" " 29-4090 LAVA HOT SPRINGS

Idaho State Journal
Box 431
Pocatello, Idaho 83201

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

RDC: CW

Enc: Legal Notice (3)

Bill submitted 9.11.78 by dh

MICROFILMED

NOTICE OF AMENDED CLAIM TO A WATER RIGHT NO. 29-4088

Notice is hereby given that Simplot Industries, Inc., have amended claim to a water right No. 29-4088. The claimants originally claimed 3.20 c.f.s. of water from the Portneuf River tributary to the Snake River with the point of diversion within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, T. 7S, R. 34E, B.M., Bannock County. The water was claimed to be used from Apr. 1 to Nov. 1 for the irrigation of 160 acres with a priority of June 18, 1902; the place of use is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T. 7S, R. 34E, B.M.

The claimants are now amending said claim amending the point of diversion to the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, T. 6S, R. 34E and the place of use to the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T. 6S, R. 34E, B.M.

Any exception to this amended claim to a water right may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

C. STEPHEN ALLRED

Director

Published in the Idaho State Journal, Pocatello, Idaho, on August 10 and 17, 1978.

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

March 6, 1978

RE: Claim to a Water Right No. 29-4088

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

Gentlemen:

The Department of Water Resources has completed the processing of your claim to a water right and no further action is authorized under Sections 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.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

DC:CD

Enclosure

RECEIVED
MAR 10 1978
WATER RESOURCES
DIVISION

February 10, 1978

RE: Claim to a Water Right No. 29-4088 SIMPLOT
29-4087 MONROC

Idaho State Journal
Box 431
Pocatello, Idaho 83201

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

RDC:CW

Enc: Legal Notice (2)

Bill submitted 2-02-78 by CW

MICROFILMED

NOTICE OF CLAIM TO A WATER RIGHT

NO. 29-4088

Notice is hereby given that J. R. Simplot Company,
Boise, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 3.20 cubic feet per second ~~1000 cubic feet per second~~
of water from Portneuf River tributary to Snake River
with point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, T. 7S, R. 34E, B.M.,
Bannock County

The water is claimed to be used from Apr. 1 to Nov. 1 for
the irrigation of 160 acres
with a priority of June 18, 1902;
the place of use is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T.
7S, R. 34E, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

C. STEPHEN ALLRED
XXXXXXXXXXXXXXXXXX

Director

Published in the Idaho State Journal, Pocatello, Idaho
on February 16 and February 23, 1978

MICROFILMED

Me. J.
me. Q.

February 9, 1978

RE: Claim to a Water Right No. 29-4088

Ronald N. Graves, Associate General Counsel
J. R. Simplot Company
P.O. Box 27
Boise, ID 83707

Dear Mr. Graves:

Attached herewith is Departmental receipt No. 9827 in the amount of \$10.00 for the above referenced claim to a water right.

Very truly yours,

COLLEEN WRAY
Secretary

CW:CD

Attachment

MICROFILM



J. R. SIMPLOT COMPANY / ONE CAPITAL CENTER / 999 MAIN STREET / SUITE 1300
P.O. BOX 27 / BOISE, IDAHO 83707 / (208) 336-2110 / TELEX 368432

GENERAL OFFICE

RECEIVED

FEB 9 1978

Department of Water Resources
Eastern District Office

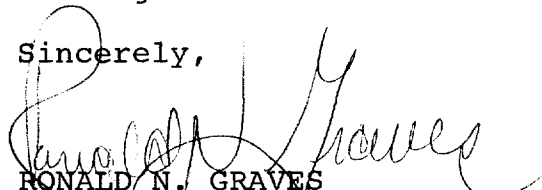
February 8, 1978

Mr. Anthony R. Kozlowski
Water Resource Agent
State of Idaho
Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Mr. Kozlowski:

Enclosed is a Claim to a Water Right to be filed
for J. R. Simplot Company, together with our check in the
amount of \$10.00 covering your filing fee.

Sincerely,


RONALD N. GRAVES
Associate General Counsel

jw

Enclosures

RECEIVED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

January 20, 1978

Mr. Ronald N. Graves
Associate General Counsel
Simplot's
P.O. Box 27
Boise, Idaho 83707

Dear Mr. Graves:

Pursuant to your telephone request, please find enclosed your claim to a water right from the Portneuf River and check No. 92-6 in the amount of \$10.00.

If we may be of further assistance, please feel free to contact this office.

Very truly yours,

ANTHONY R. KOZLOWSKI
Water Resource Agent

ARK:cw

Enclosures

Attachment: Ck. No. 92-6

MICROFILMED

INTER-DEPARTMENT MEMO — 1

DATE Jan 18. 1918

FROM

To File :

TO

SUBJECT

Row Graves will return a telephone call concerning the total quantity of water claimed. Applicant indicates 3.2 for irrigation and then indicates a total of 50 cfs. In 1902 50 cfs was used not only for irrigation but for mining, manufacturing, and domestic use as well.

ARK

SIGNATURE

RECEIVED



J. R. SIMPLOT COMPANY / ONE CAPITAL CENTER / 999 MAIN STREET / SUITE 1300
P.O. BOX 27 / BOISE, IDAHO 83707 / (208) 336-2110 / TELEX 368432

GENERAL OFFICE

RECEIVED

JAN 18 1978

Department of Water Resources
Eastern District Office

January 16, 1978

State of Idaho
Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Gentlemen:

Enclosed is a Claim to a Water Right, which the J. R. Simplot Company is submitting for filing in your office. Also enclosed is our check in the amount of \$10.00 covering your filing fee. If you have any questions regarding the enclosed Claim, please feel free to contact the undersigned.

Sincerely,



RONALD N. GRAVES
Associate General Counsel

jw

Enclosures

MICROFILMED