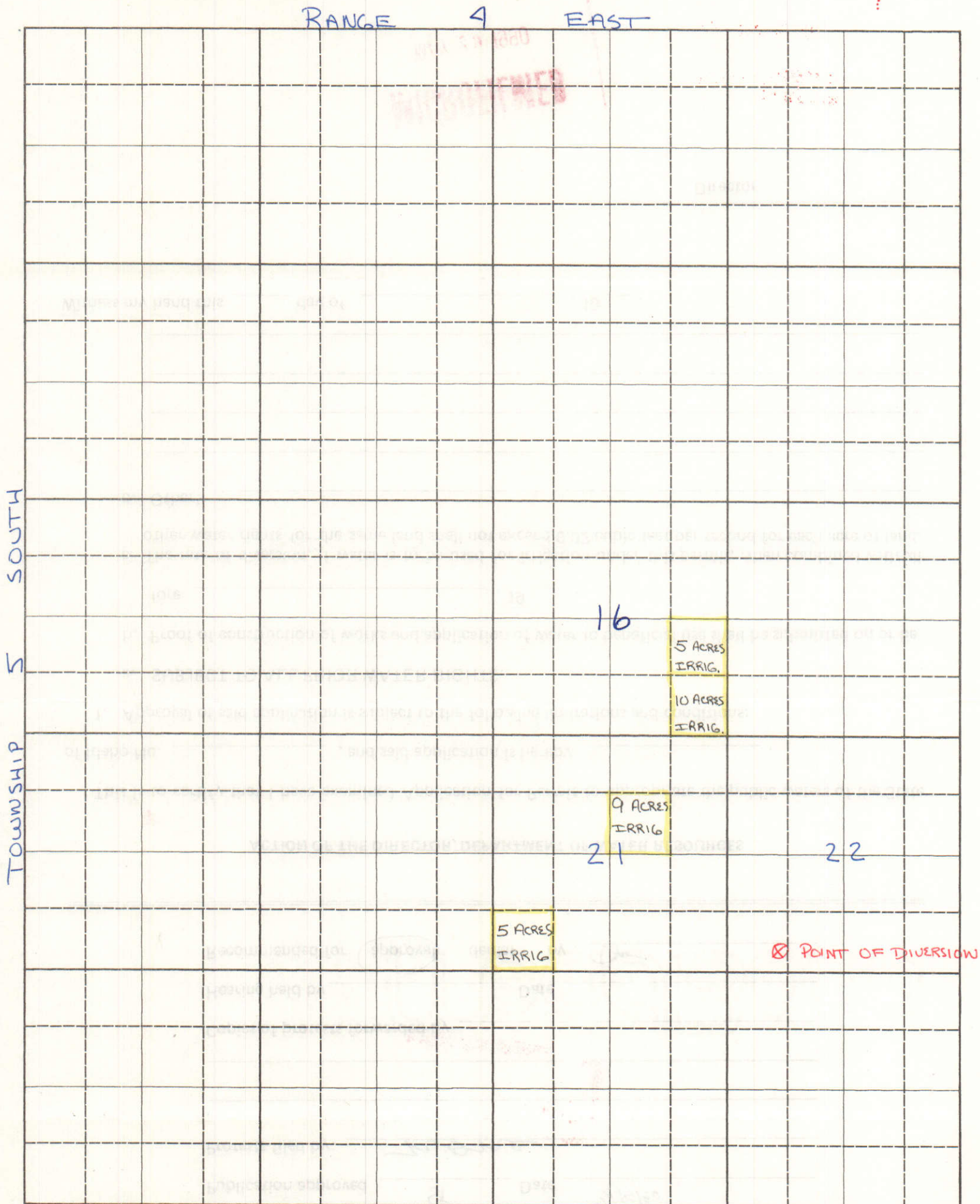


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

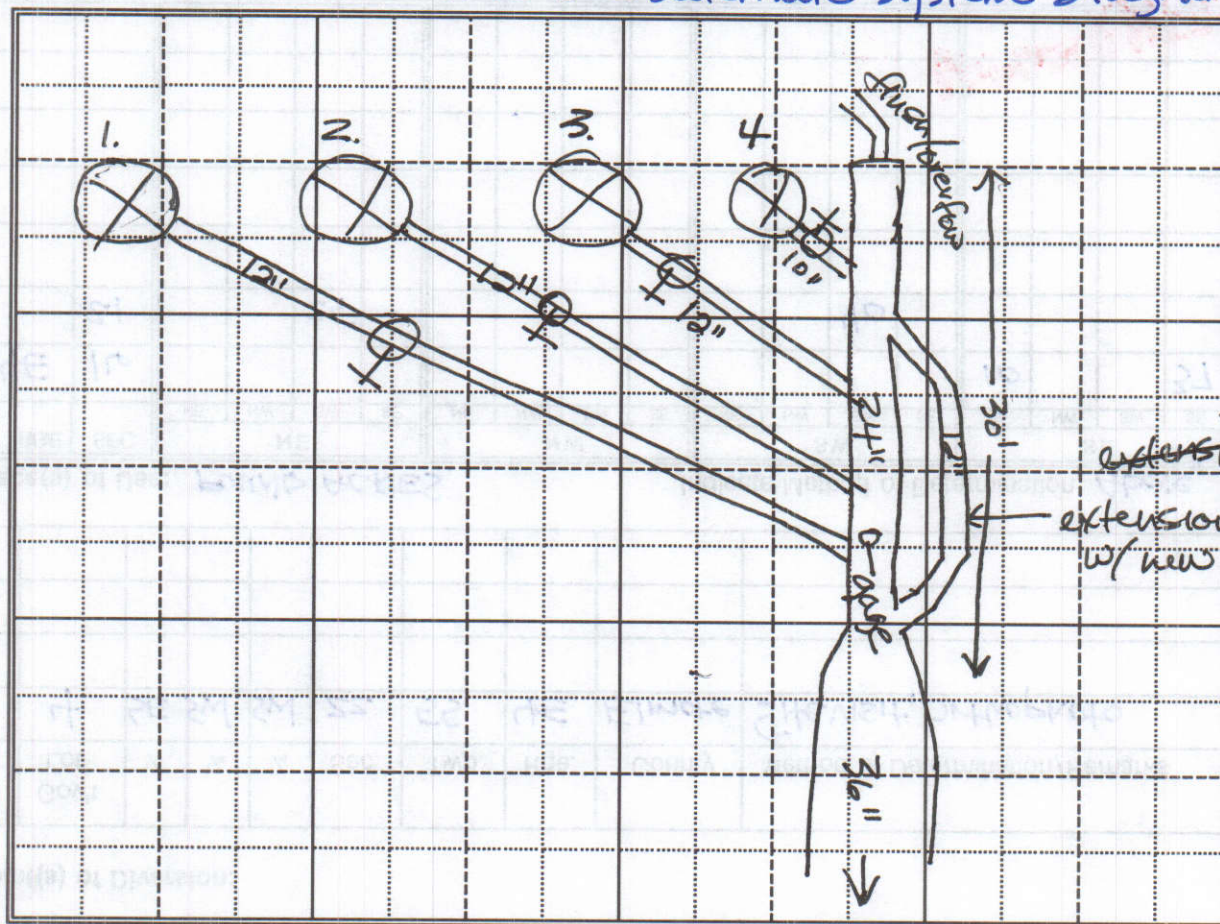
SIMPLOT INDUSTRIES, INC.

MICROFILMED

MAY 29 1990

By: Ronald Yanner Secretary
(Applicant)

Also see alternate System Diagram



Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Aerial Photo Attached
(required for irrigation of 10+ acres)

Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
1.	US Motors	400	J520410	Floway	73-8498-1 12"
2.	GE	400	CAJ310007	Vertiline	D9073 12"
3.	GE	400	CAJ310006	Vertiline	D9073(?) 12"

*Code to correspond with No. on map and aerial photo

4. 65 200 AHJ119106 ? ? 10"

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: Mainline pressure 170 psi 300' lift from pumps
to open discharge location in ditch.

AUG 08 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES

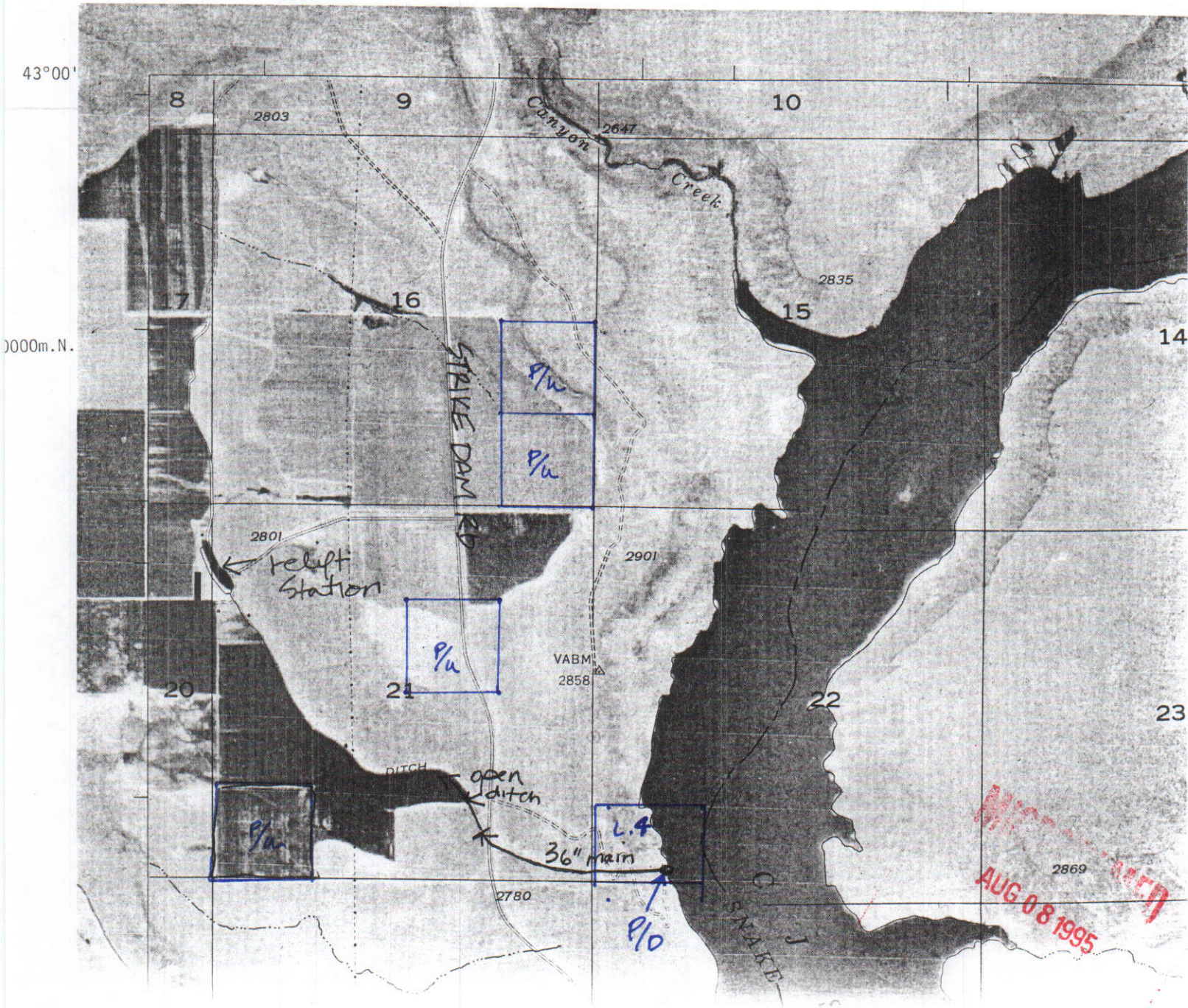
UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

02-7396

554E

116°00'

582000m. E.



02-7396
534E
Shows portion of system

5
92.8 NHEL

10
41.6 NHEL
10
30.8 NHEL
10
56.5 NHEL
12
44.1 NHEL
16
21
15
22

NESE

SESE
37

Wheel Line

Wheel Line

HOLDING POND

RELIFT STATION

gravity diversion

25
39.7 NHEL

14 NHEL
34.1

OPEN DITCH

Gravity

gravity diversion

pumped fr. ditch

STAKE DAM RD

36" main

8 NHEL
68.6

16
31.9 NHEL

18
36.4 NHEL

19
56.5 NHEL

Wheel Line
SWW

20
42.6 NHEL

20 21
29 28

21 22
28 27

P/B

REVIOS

Sec. 17.

Sec. 16.

Sec. 15.
73.90 2

Sec. 14.

Sec. 13.
619

Sec. 20.

Sec. 21.

SS4E

Sec. 22.
337.60

Sec. 23.
64.0

Sec. 24.
64.0

Sec. 29.

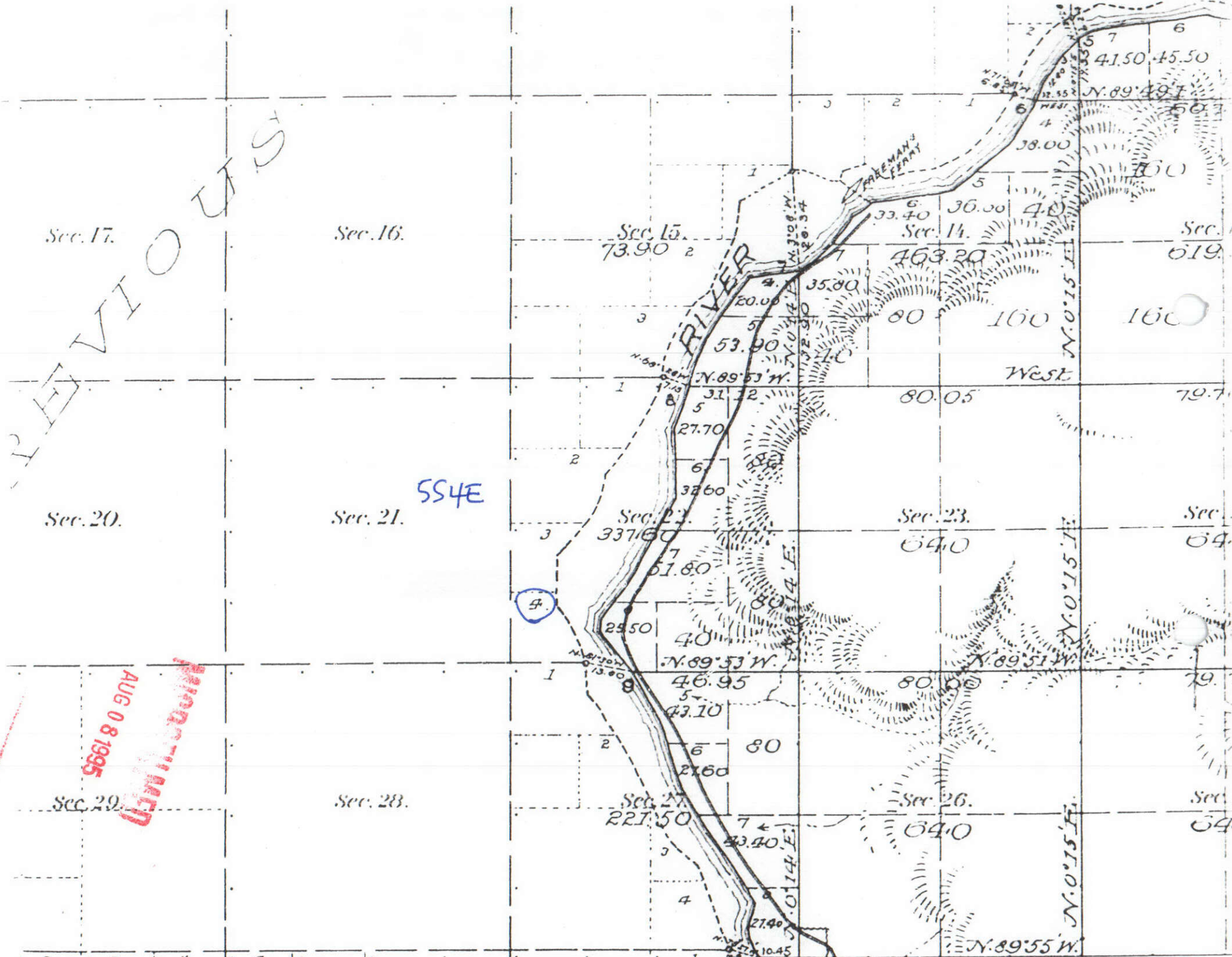
Sec. 28.

Sec. 27.
221.50

Sec. 26.
64.0

Sec. 25.
64.0

RECORDED
AUG 08 1995



02-7396 cjt



Inflow to
holding pond



Holding pond.

MISSOURI
AUG 08 1995

02-7396 g4



P/D. Pumps
1-4 (L-R)

Item in foreground
is pressure equalizer
chamber (protection
against water
hammer)



Open ditch feeding
holding pond.

Relift station to left
of pond.

Gravity diversion from
main ditch shown.

RECEIVED
AUG 08 1995



↑ P/u in
NESE/SESE S16

AUG 08 1995

↑
(Background under wheel line)
← P/u in
SWSW Sec 21

02-7396
glt

**NOTICE OF APPLICATIONS
FOR WATER RIGHTS**

The Following applications have been
filed to appropriate the public waters of
the State of Idaho:

02-07396 ✓

J.R. SIMPLOC CO.
P.O. BOX 27
BOISE, ID 83707
Source: SNAKE RIVER Tributary:
COLUMBIA RIVER
Diversion Pt: LOT 4 (SWSW) Sec 22 T
05S R 04E
Use: IRRIGATION (.580 CFS); IR-
RIGATION STORAGE (3.00 AF); IR-
RIGATION FROM STORAGE (3.00
AF); Total Diversion: (.580 CFS)(3.00 AF)
Date Filed: 5/05/1983
In: T05S R04E S16 NESE SESE: S21
SWNE SWSW
29.0 ACRES TOTAL
61-07604

STRICKLIN, JOHN H.
P.O. BOX 846
MOUNTAIN HOME, ID 83647
Source: GROUNDWATER
Diversion Pt: NWNW Sec 36 T 03S R
06E
Use: IRRIGATION (.060 CFS); Total
Diversion: (.060 CFS)
Date Filed: 10/30/1989
In: T03S R06E S36 NWNW
2.0 ACRES TOTAL
61-07605

WATSON, ANN M. ✓
WATSON, LEROY R.
RT. 1 BOX 842
MOUNTAIN HOME, ID 83647
Source: GROUNDWATER
Diversion Pt: SESWNE Sec 7 T 04S R
07E
Use: IRRIGATION (.010 CFS); Total
Diversion: (.010 CFS)
Date Filed: 11/02/1989
In: T04S R07E S07 SWNE
0.3 ACRES TOTAL
61-07607

THOMAS, MEADABETH L. ✓
THOMAS, DAVID C.
950 W. 42ND S.
MOUNTAIN HOME, ID 83647
Source: GROUNDWATER
Diversion Pt: SESWSE Sec 11 T 04S R
06E
Use: IRRIGATION (.030 CFS); Total
Diversion: (.030 CFS)
Date Filed: 11/02/1989
In: T04S R06E S11 SWSE
1.0 ACRES TOTAL
61-07615

BUTLER, CARLYLE
705 E. MAIN
JEROME, ID 83338
Source: BENNETT CREEK Tribu-
tary: SNAKE RIVER; COMMERFORD
SPRINGS Tributary: BENNETT
CREEK; SPRINGS Tributary: BEN-
NETT CREEK
Diversion Pt: SENESE Sec 9 T 05S R
08E; SESE Sec 9 T 05S R 08E; SENWSW
Sec 10 T 05S R 08E; SWSW Sec 10 T 05S
R 08E
Use: STOCKWATER (.050 CFS);
WILDLIFE (.050 CFS); WILDLIFE
STORAGE (400.00 AF); DIVERSION
TO STORAGE (400 CFS); Total Diver-
sion: (.450 CFS)(400.00 AF)
Date Filed: 11/17/1989
In: T05S R08E S09 NESE SESE: S10
NWSW SWSW: S16 NENE NESE

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Mike Thornberry do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof; was published in said newspaper for

2 consecutive weeks, the first publica-
tion having been made on the 10th day
of December, 1990, and
the last publication having been made on the
13th day of December,
1990; every Wednesday issue of the paper

during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Mike Thornberry
Subscribed and sworn to me this 18th
day of April, 1990
Dee Dee Sue
Notary Public

RECEIVED
APR 19 1990

Department of Water Resources
Western Regional Office

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07396

Priority: May 5, 1983

Maximum Diversion Rate: 0.58 CFS
Maximum Diversion Volume: 119.0 AF

This is to certify, that J R SIMPLOT CO
PO BOX 27
BOISE ID 83707

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated May 5, 1983; and
has submitted Proof of Beneficial Use on May 29, 1991. An examination indicates
that the works have a diversion capacity of 33.400 cfs of water from:

SNAKE RIVER

tributary to COLUMBIA RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.58 CFS	116.0 AF
IRRIGATION STORAGE	04/01 to 10/31		3.0 AF
IRRIGATION FROM STORAGE	04/01 to 10/31		3.0 AF
Totals		0.58 CFS	119.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 4 (SWSW), Sec. 22, Township 05S, Range 04E
ELMORE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S	04E	16	NESE 10	SESE 37		47
		21	SWNE 25	SWSW 40		65

Total number of acres irrigated: 112

PLACE OF USE:

IRRIGATION FROM STORAGE, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

AUG 08 1995

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 02-07396

CONDITIONS/REMARKS:

5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
6. The following rights are also diverted through the point of diversion described above: 02-02220, 02-02221, 02-02222, 02-02409 and 02-07040.
7. This right is limited to the irrigation of 29 acres within the place of use described above in a single irrigation season.
8. This right when combined with Rights 02-02220, 02-02409 and 02-07040 and all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 28th
day of July, 1985.

Acting for

KARL J. DREHER, Director

1985

07/90

RECEIVED

MAY 28 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only

Amt. of Fee \$ 100.00Date 5/29/91Receipt No. 220630Received by J. Davis

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 02-07396 Telephone No. (208) 336-21102. Name(s) of Permit Holder(s): J.R. Simplot Company3. Post Office Address: P.O. Box 27, Boise, ID 837074. Source of Water: Snake River

a. If ground water, well driller's name: _____ Date drilled: _____

b. Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use:

Domestic _____ (No. of households) Irrigation 29 (No. of acres)Stockwater _____ (No. and type of stock) Other Irrigation Storage for 3.0 AFand Irrigation From Storage for 3.0 AF6. Total rate and/or volume for which proof is submitted .58 cfs 151 acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

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

OR

Flow Measurement Port: Required? Yes ☒ No Installed? Yes ☐ No8. Fee Enclosed: \$ 100.00 (See License Examination Fee Schedule)

9. Person to contact to accompany the Department representative during the field examination:

Gus Oman, Area Manager(208) 834-2231

Name

Telephone No.

HC85, Box 275, Grand View, ID 83624

Address

10. The above information is my true statement of the extent to which the above numbered _____ has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

MICROFILMED

JUN 28 1991

May 23, 1991
DateRonald N. Graves
Signature (and title if on behalf of a company or organization)

Ronald N. Graves

Secretary, J.R. Simplot Company

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 02-07396

Proposed Priority: May 5, 1983 Maximum Diversion Rate: 0.58 CFS
This is to certify, that J.R. SIMPLOT CO.

P.O. BOX 27
BOISE, ID 83707

has applied for a permit to appropriate water from:

SNAKE RIVER

tributary of **COLUMBIA RIVER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/10	0.58 CFS	
IRRIGATION STORAGE	03/15 to 11/10		3.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/10		3.0 AF

Totals 0.58 CFS

LOCATION OF POINT(S) OF DIVERSION: LOT 4(SWSW), Sec. 22, Township 05S, Range 04E
ELMORE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S 04E 16	NESE 5	SESE 10		15
		Total number of acres irrigated:		29
21	SWNE 9	SWSW 5		14

PLACE OF USE: IRRIGATION STORAGE, same as IRRIGATION use

PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1991.
2. Subject to all prior water rights.
3. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
4. Water shall not be diverted under this permit unless the flow of the Snake River exceeds prior rights and established downstream minimum stream flows.
5. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

MICROFILMED

MAY 29 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 02-07396

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

21st day of May, 19 90

for J. Glen Saylor
R. Keith Higginson, Director

MICROFILMED

MAY 29 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant SIMPLOT INDUSTRIES, INC. Phone 336.2110

Post office address P.O. Box 27, Boise, Idaho 83707 Attn: Ron Graves

2. Source of water supply SNAKE RIVER which is a tributary of Columbia River

3. Location of point of diversion is SW ^{Lot 4} $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 22 Township 5S

Range 4E B.M. Elmore County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .58cfs for irrigation purposes from March 15 to Nov. 10 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 3 AF for Storage for irrigation purposes from March 15 to Nov. 10 (both dates inclusive)
(~~cfs~~ or acre-feet per annum)

Amount 3 AF for Irrigation from storage purposes from March 15 to Nov. 10 (both dates inclusive)
(~~cfs~~ or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .58 cfs cubic feet per second and/or b. 3 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. motor, pump, pipe, ditch, storage pond

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity 3 acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage March 15 to Nov. 10 inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

MICROFILMED

MAY 29 1990

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

[illegible]

Total number of acres to be irrigated	29
---------------------------------------	----

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

9. a. Who owns the property at the point of diversion BLM

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing BLM right-of-way I-1229

10. Remarks

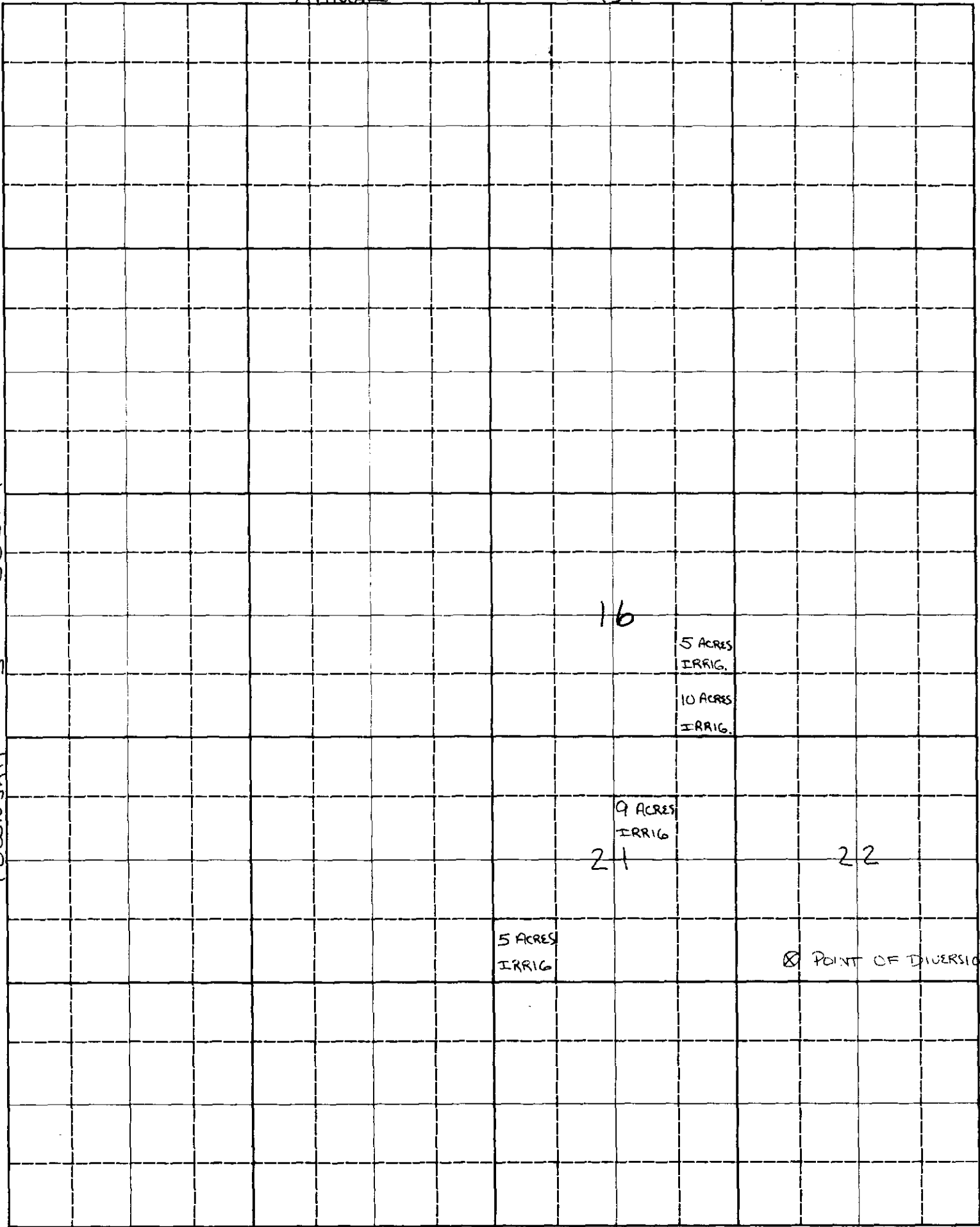
UNCLASSIFIED

MAY 29 1990

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

RANGE 4 EAST

TOWNSHIP 5 SOUTH



Scale: 2 inches equal 1 mile.

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

MICROFILMED

MAY 29 1990

By: Paul D. Granger Secretary
(Applicant)

Received by msd Date 5-5-83 Time 9:00 am
Preliminary check by JG Fee \$ 45.00 # 27992
Receipted by JP Date 5-6-83
Publication prepared by SP Date 2-3-84
Published in Mountain Home News
Publication dates 12/6 + 12/13
Publication approved ST Date 3/15/90
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by DW

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: _____

Witness my hand this _____ day of _____, 19 ____.

Director

MICROFILMED

MAY 29 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 28, 1995

J R SIMPLOT CO
PO BOX 27
BOISE ID 83707

RE: WATER RIGHT NO. 02-07396

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

AUG 08 1995

INTER-DEPARTMENT MEMO

TO: Jim Johnson

SUBJECT: Exam 02-07396

FROM: STEVE LESTER

DATE: 7-19-93

Jim - Here's the 2nd of 2 Exams for the Pilot program where no overlap or recommendations are involved. Please let me know what license recommendations you come up with so we can compare results etc. prior to any action ~~taken~~ taken with covers.

Thanks,

(✓) For your information

(✓) Response required

Steve Lester
signature

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 02-7396

1. Owner: JR Simplot Co.

Phone No. 336-2110

Current Address: PO Box 27, Boise ID 83707

2. Accompanied by: Frank Bachman/Gus Oman

EXAM DATE: 7/15/93

Address: HC 85 Box 275 Grandview ID 83624

Phone No. 834 2231

Relationship to Permit Holder: (Grandview Area HQ)
Mr. Oman is Grandview Area Mgr.

3. Source: Snake River tributary to Columbia River

B. OVERLAP REVIEW

1. Other water rights with the same place of use _____

2. Other water rights with the same point of diversion _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	4	SE	SW	SW	22	5S	4E	Elmore	Site visit, orthophoto

2. Place(s) of Use: FOUNDED ACRES

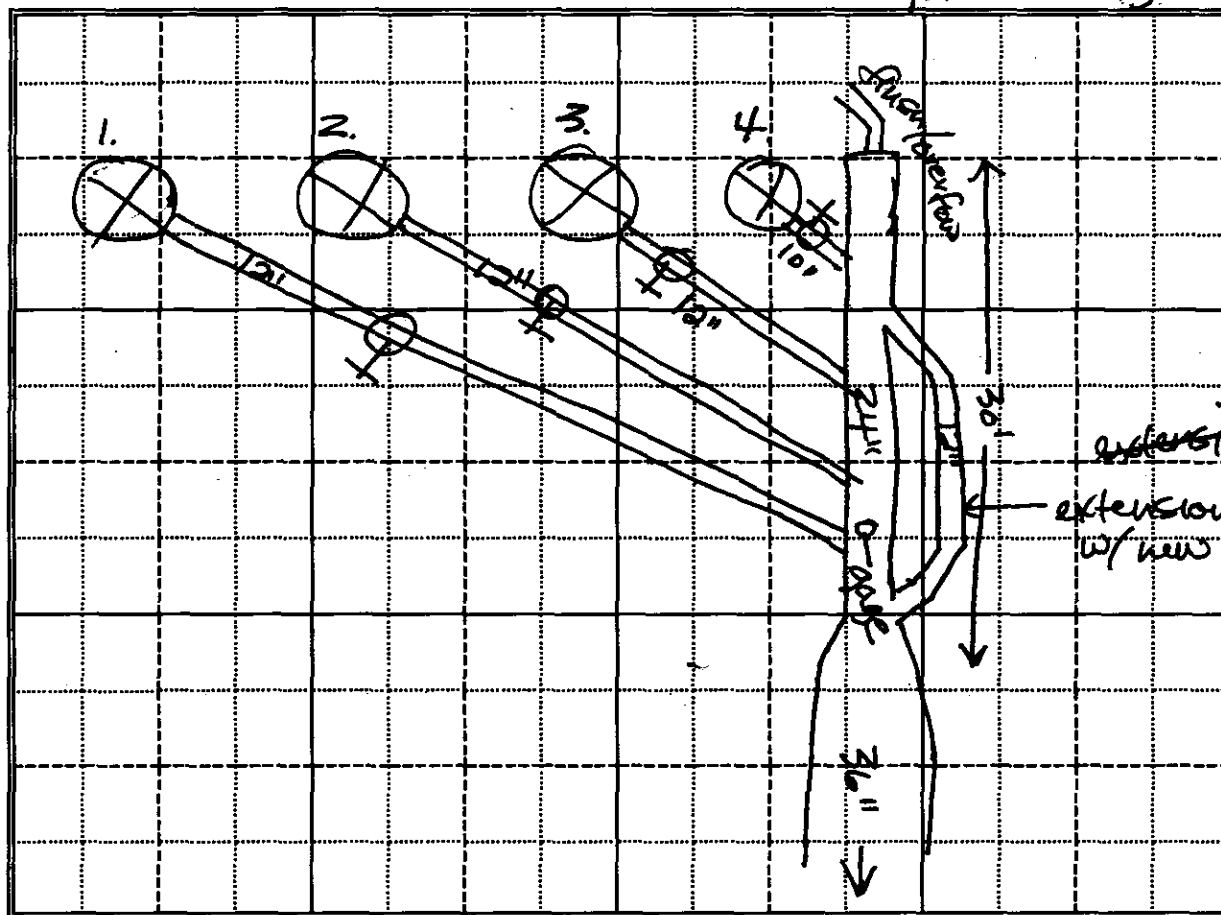
Indicate Method of Determination Above, ASCS

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5S	4E	16													10			37	
		21			25								40						

AUG 08 1995

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

Also See alternate System Diagram



Scale: 1" = _____

✓ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

✓ Aerial Photo Attached (required for irrigation of 10+ acres)

✓ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
1.	US Motors	400	J520410	Floway	73-8498-1 12"
2.	GE	400	CAJ310007	Vertiline	DP073 12"
3.	GE	400	CAJ310006	Vertiline	DP073(?) 12"

*Code to correspond with No. on map and aerial photo

4.

GE

200 AHJ119106

?

?

10"

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: Mainline pressure 170 psi 300' left from pumps
to open discharge location in ditch

AUG 08 1995

E. NARRATIVE/REMARKS/COMMENTS

36" mainline installed in 1986 to replace existing. Mainline discharging to open ditch. Pump 1 & 2 operating time of day. System is all gravity, handline & wheelline from Relift Station to ditch on approx 1000 acres.

Relift holding pond 3 AC. x 5' Avg depth = 15 AF

Permit filed to cover acres left out of previous licensing. New acres came into production after land-leveling.

Pond is used for stockwater year-round.

Have conditions of permit approval been met? ☒ yes ☐ no

APPROVED

AUG 08 1995

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

* HP equation: using all 4 pumps for system capacity

$$\frac{1400 \text{ HP} \times 8.8 \times .7}{300} = 28.75$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			_____	_____

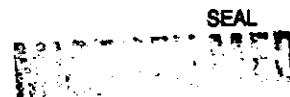
2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above ___ None
___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATIONField Examiner's Name G. Hodges Date 7/16/93

Reviewer _____ Date _____

* See adjustment explanation. BC



AUG 08 1995

MEMORANDUM

TO: File 02-07396 / J. R. Simplot Co.
FROM: Brenda Chapman
DATE: July 21, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced water right are based on the information below:

F. FLOW CALCULATIONS

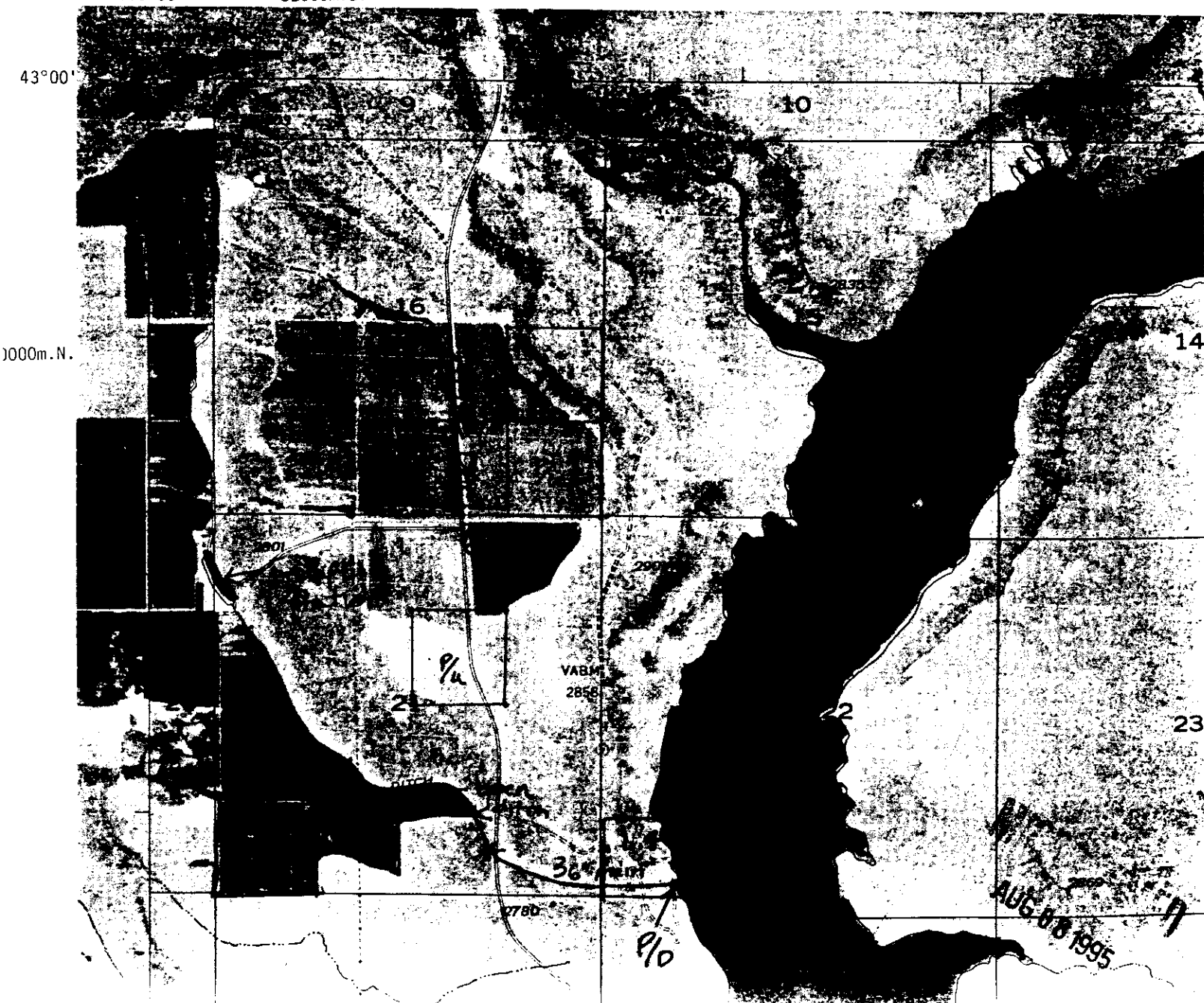
The recommended capacity has been increased based on a measurement done of the same system's output during the 1975 licensing exam for 02-07040.

RECEIVED
AUG 08 1995

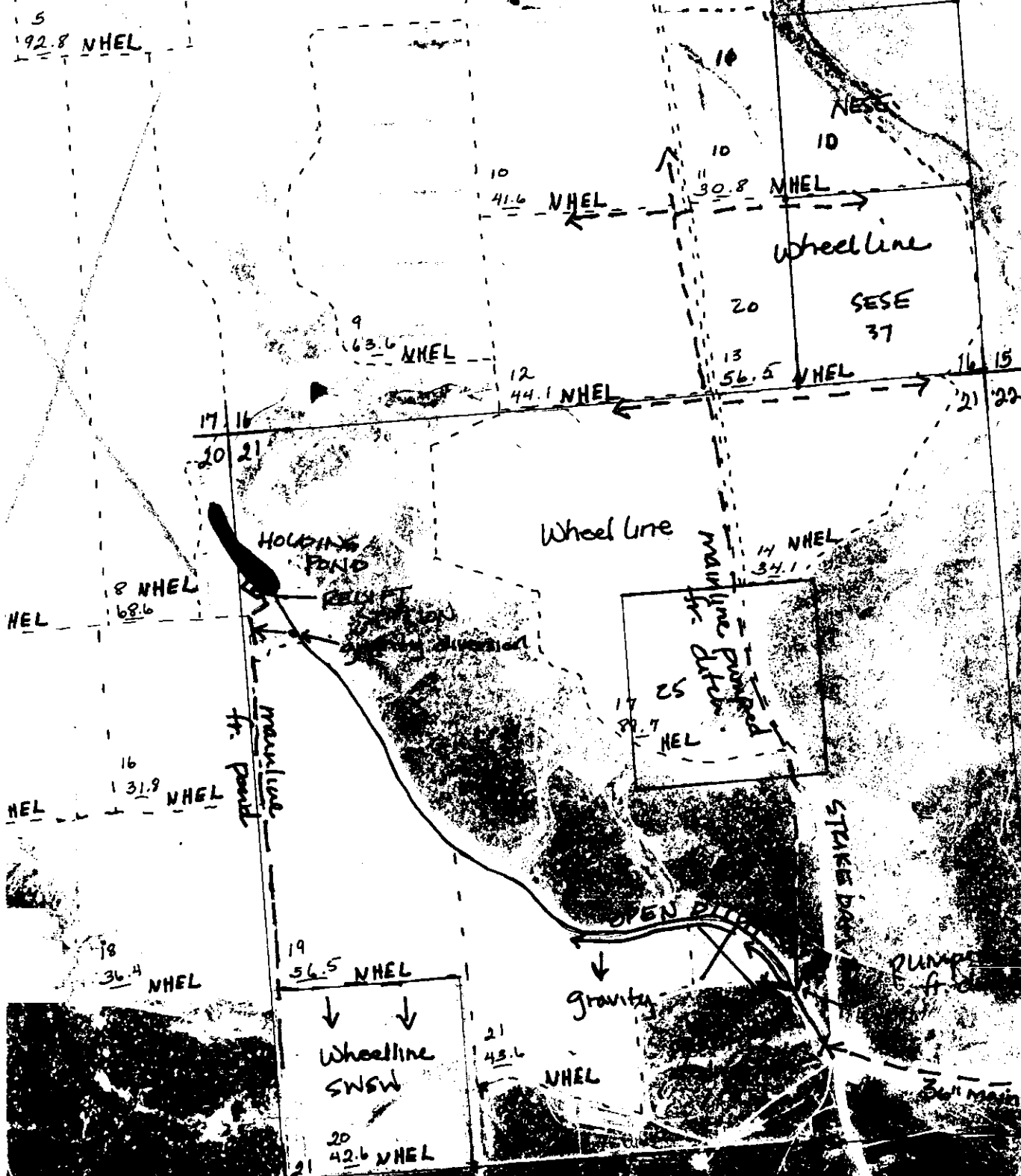
UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

554E

5 82000m. E.



02-7396
534E
Shows portion of system



Sec. 17.

See 17.

Sec. 16.

Sec 15.
73.90 a

Sec. 20.

Sec. 21.

SS4E

Sec. 23.
337/67

Sec. 23.

Sec:

SEC 29.

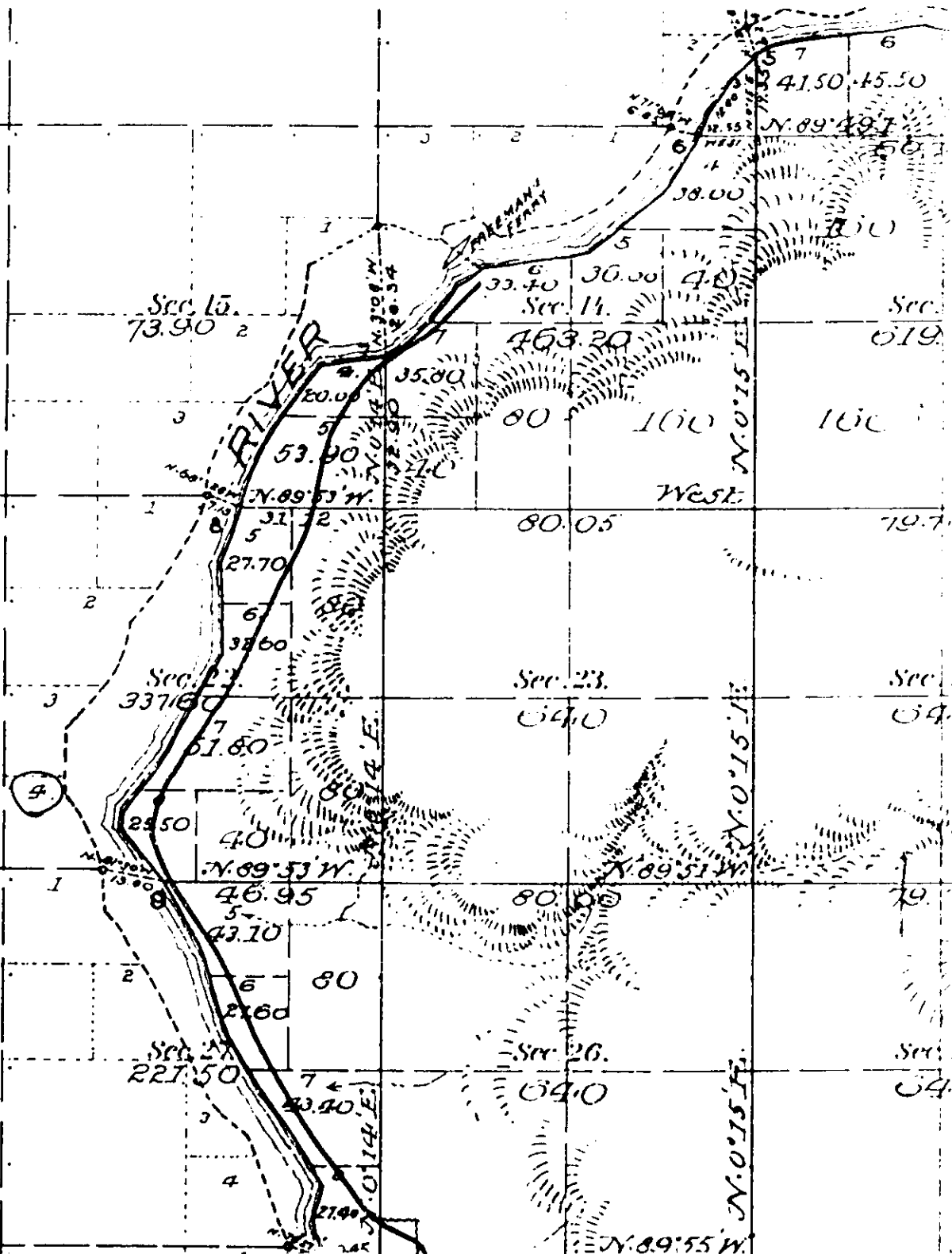
Sec. 283.

227050

-Srv- 26.

524

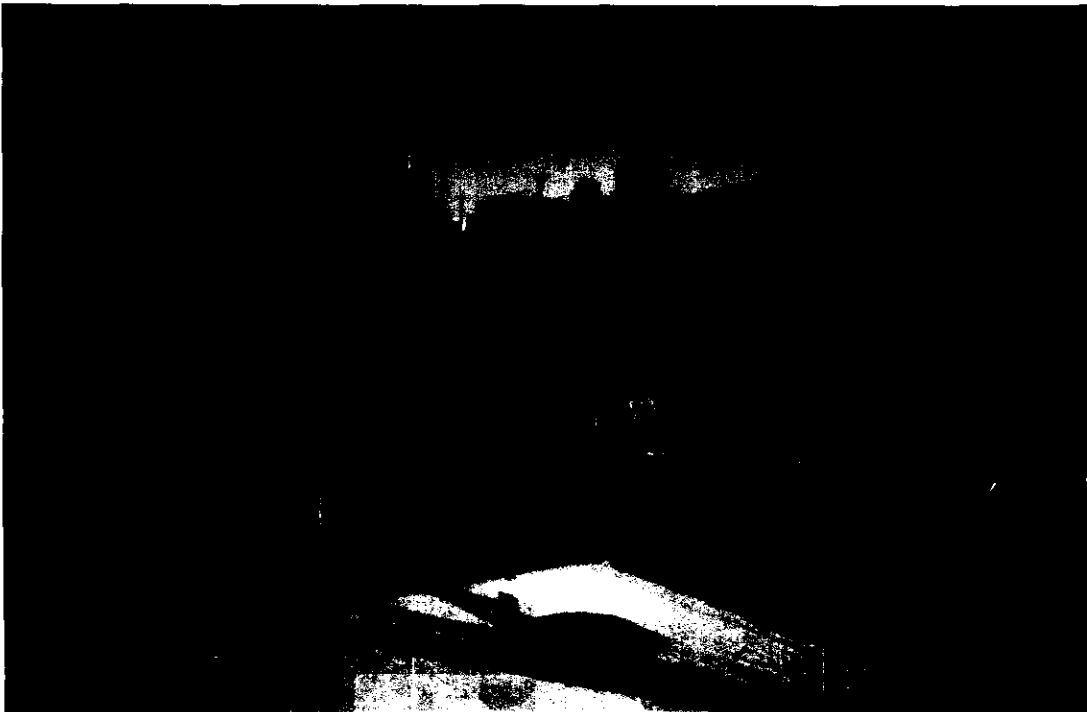
AUG 08 1995



02-7396 cy4



-- Inflow to
holding pond



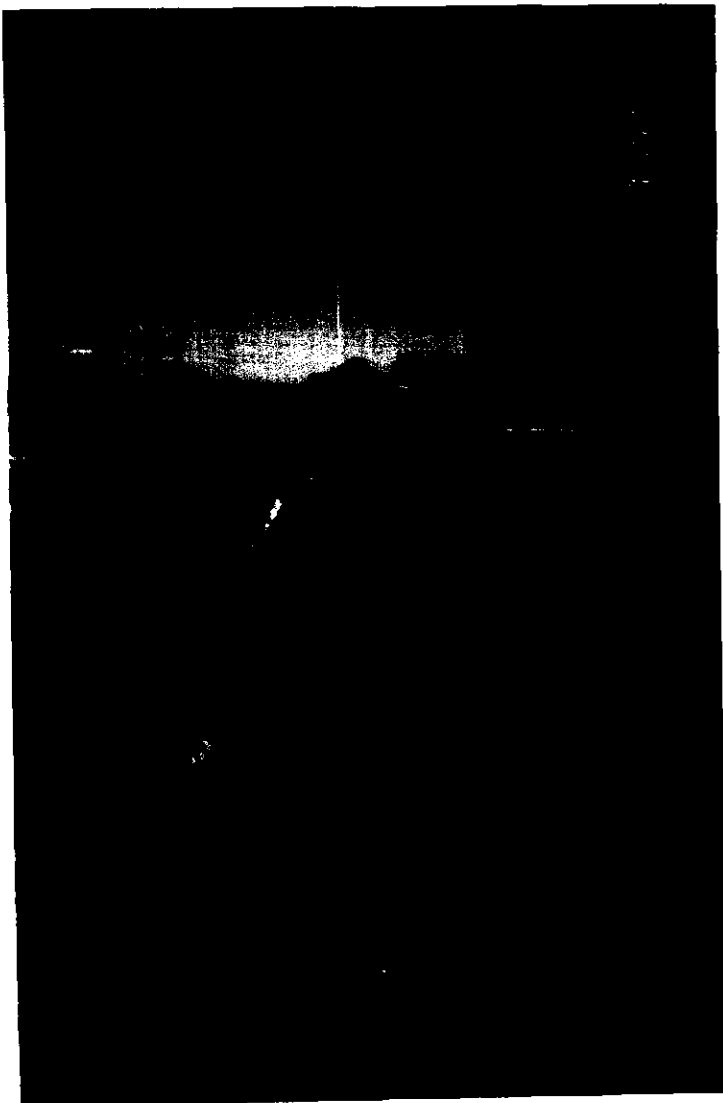
Holding pond.

AUG 08 1995



P/O. Pumps
1-4 (L-R)

Item in foreground
is pressure equalizer
chamber (protection
against water
hammer)

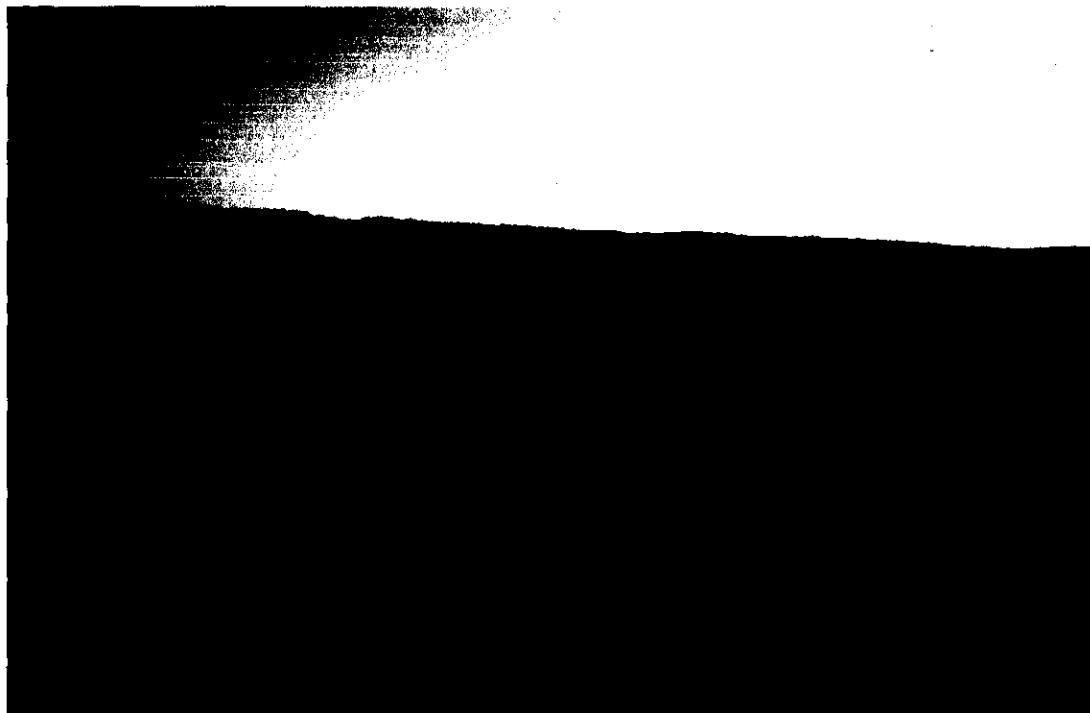


Open ditch feeding
holding pond.

Relift station to left
of pond.

Gravity diversion from
main ditch shown.

AUG 08 1995



↑ P/u in
NESE/SESE S16

TO
C
C

(Background under wheel line)
← P/u in
SWSW Sec 21

02-7396 g4

June 8, 1992

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

RE: Water Right No. 02-07396

Dear Water Right Holder(s):

On May 19, 1992, the department sent you a letter advising that you might be required to temporarily cease diverting water from the Snake River or its tributaries if the established minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second measured near Weiser is not satisfied or likely will not be satisfied.

The flow of the Snake River at Weiser is now less than 4,750 cfs. You are, therefore, directed to immediately cease diverting water under the above referenced water right and to not resume use until authorized by the department.

Past flow records show that the duration of seasonal low flow periods typically last several days to a week. Since your use of water is extremely important to you and since mail notification includes a delay associated with mail delivery time, feel free to call the toll-free telephone number 1-800-451-4129 to determine when you are again authorized to divert and use water under your water right. Please use this phone number only in connection with resumption of use.

You need to be aware that Section 42-351, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

RECORDED

AUG 08 1995

June 12, 1992

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

RE: Water Right No. 02-07396

Dear Water Right Holder(s):

On June 8, 1992, the department sent you a letter which directed you to immediately cease diverting water under the above referenced water right, since the minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second (cfs) measured near Weiser was not being satisfied.

The flow of the Snake River at Weiser is now above 4,750 cfs. You are, therefore, authorized to again divert water under your water right. If the minimum stream flow is not met later this year, however, the department will again notify you to temporarily cease diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

AUG 08 1992

May 19, 1992

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

RE: Water Right No. 02-07396

Dear Water Right Holder(s):

Department water right records show that you divert water from the Snake River or its tributaries under a water right that has a priority date later than December 29, 1976. This is the priority of the established minimum stream flow of the Snake River at the Weiser Gage (Weiser) in the amount of 4,750 cubic feet per second.

Because of the continuing drought conditions in the Snake River Basin, department hydrologists project that during 1992, there could be periods when the required minimum flow will not be satisfied due to low flows of the Snake River. The department urges you to not divert at a higher rate than authorized by your water right and to not use your right in any manner different than authorized. In addition, when the minimum flow will not be satisfied or is not being satisfied, you are required to cease diverting water under your water right, because your right is of later priority than the minimum stream flow at Weiser.

If the department determines the minimum flow will not be satisfied, the department will advise you and will provide as much lead time as possible in requiring that you temporarily cease your diversion of water. The greatest likelihood for this to occur is during a period from mid-June to late June.

While the department expects good cooperation from junior water right holders, water users should be aware that Section 42-352, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversions of water.

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement purposes. This type of coordination could minimize the impact on

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AUG 08 1995

existing water users and reduce the need to curtail diversions.

The department has scheduled public information meetings relative to this potential regulation as follows:

Mountain Home - June 4, 1992 - 10:00 a.m. - gymnasium at
North Elementary School, 290 E. 12th N.

Caldwell - June 4, 1992 - 7:00 p.m. - Ballroom in the
Student Union Building, Albertson College of Idaho,
2112 Cleveland

If you have questions concerning this letter or wish to provide the name of a different contact person or address to receive department correspondence, please contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

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JUN 08 1995

June 4, 1991

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

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 02-07396

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

JUN 28 1991



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

CORPORATE HEADQUARTERS

May 24, 1991

Sent Certified Mail
Return Receipt requested

Rita Fleck
Secretary/Records Manager
State Of Idaho
Department of Water Resources
1301 North Orchard Street, Statehouse Mail
Boise, Idaho 83720

Re: Proof of Beneficial Use for Permit No. 02-07396

Dear Rita:

Please find enclosed the completed State of Idaho Department of Water Resources Statement of Proof of Beneficial Use for the above referenced permit. Attached is a \$100.00 check to cover your filing fee.

If you need any additional information please don't hesitate to call me at 389-7359.

Sincerely,

Vic Conrad
Associate, Simplot
Land & Development

encl. Proof form, J.R. Simplot Co. chk# 073627 for \$100.00

RECEIVED
MAY 28 1991

Department of Water Resources

RECEIVED

JUN 1 1991

138238
March 31, 1991

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

PROOF DUE NOTICE

RE: PERMIT NO. 02-07396

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

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JUN 28 1991

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

Statehouse
Boise, Idaho 83720
(208) 327-7900
May 22, 1990

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

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P02-07396

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

The information available to us at this time does not warrant refusing to issue you a permit but does merit cautioning you that any permit issued by the Department cannot deprive water users, with earlier rights, of their water supply.

&SKIP

The reason for conditioning the permit and explaining the potential interference problem is to make you aware that future tests may definitely show that diversion of water from your well should be administered together with the older surface water priorities of the river and it's tributaries. If this were to occur, it would essentially mean that there would not be water available for a diversion from your well since the surface water system is fully appropriated. By locating your well as far from the river as possible and by casing out upper water producing zones as the well is constructed, you may be able to reduce the amount of interference with the river.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of

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MAY 29 1990

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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MAY 29 1990

J

INTER-DEPARTMENT MEMO — 1

FROM Tim Luke

TO Western Region.

SUBJECT Apps. 02-7396 & 7399

DATE 11-28-89

*Advertising
Completed
Jail 11/29*

Both Apps Above are exempt from Swan Falls processing since there is sufficient evidence of development prior to 10/1/84.

Please advertise Apps. from your office.

RECEIVED

NOV 29 1989

Department of Water Resources
Western Regional Office

Tim Luke
SIGNATURE

[illegible]

I, Mike Thornberry do
solemnly swear that I am the foreman, or
publisher of the

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of the proof of publication thereof, was published in said newspaper for

during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Mike Thonberry
Subscribed and sworn to me this 18th
day of April, 1990
Dee Dee Sue
Notary Public

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APR 19 1964

Department of Water Resources
Western Region

63-11051

LANDON, EUGENIA C. ✓
211 JEROME ST.
MOUNTAIN HOME, ID 83647
Source: SPRING Tributary: SINKS
Diversion Pt: LOT 4 (SWNE) Sec 5 T
02N R 10E: SENE Sec 5 T 02N R 10E
Use: DOMESTIC (.040 CFS): Total
Diversion: (.040 CFS)
Date Filed: 11/02/1989
In: T02N R10E S05 Lot 4 (SWNE)
63-11053

LANDON, EUGENIA C. ✓
211 JEROME ST.
MOUNTAIN HOME, ID 83647
Source: SPRING Tributary: BOISE
RIVER, SOUTH FORK
Diversion Pt: NWSENE Sec 5 T 02N
R 10E
Use: COMMERCIAL (.150 CFS): To-
tal Diversion: (.150 CFS)
Date Filed: 11/02/1989
In: T02N R10E S05 Lot 1 (NENE)
63-11065

FALL CREEK CO. INC.
BOX 552
MOUNTAIN HOME, ID 83647
Source: SPRINGS Tributary: AN-
DERSON RANCH RESERVOIR
Diversion Pt: SENESW Sec 16 T 01N
R 09E
Use: COMMERCIAL (.020 CFS): To-
tal Diversion: (.020 CFS)
Date Filed: 11/09/1989
In: T01N R09E S16 NESW
63-11066

FALL CREEK CO. INC.
BOX 552
MOUNTAIN HOME, ID 83647
Source: GROUNDWATER
Diversion Pt: SWNE Sec 16 T 01N R
09E: SENE Sec 16 T 01N R 09E
Use: COMMERCIAL (.040 CFS): To-
tal Diversion: (.040 CFS)
Date Filed: 11/09/1989
In: T01N R09E S16 SWNE SENE
63-11070

FEATHERVILLE SUMMER HO-
MESITES WTR. ASSN. ✓
C O MARLENE MC COY, TREAS.
600 N. 9TH E.
MOUNTAIN HOME, ID 83647
Source: GROUNDWATER
Diversion Pt: LOT 3 (SENW) Sec 10 T
03N R 10E
Use: IRRIGATION (.030 CFS): DO-
MESTIC (.100 CFS): Total Diversion:
(.130 CFS)
Date Filed: 10/12/1989
In: T03N R10E S10 Lot 2 (SWNE) Lot
1 (SENE)
1.0 ACRES TOTAL

The permits will be subject to all prior
water rights. This permit is subject to the
the Director of the Idaho Department of
Western Region, 2700 Alameda Way, Boise,
Idaho 83705 on or before DECEMBER 26,
1989.

R. KEITH HIGGINSON, Director

Published 12-06-1989 & 12-13-1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region
2735 AIRPORT WAY

Boise, Idaho 83705
(208) 334-2190

NOVEMBER 29, 1989

Mountain Home News
Drawer O
Mountain Home, ID 83647

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before DECEMBER 26, 1989.

Yours truly,

GAIL GARRETT
Secretary

Encl.

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MAY 29 1990



02-07396

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

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: LOT 4 (SWSW) Sec 22 T 05S R 04E

Use: IRRIGATION	(.580 CFS)	
IRRIGATION STORAGE		(3.00 AF)
IRRIGATION FROM STORAGE		(3.00 AF)
Total Diversion:	(.580 CFS)	(3.00 AF)

Date Filed: 5/05/1983

In: T05S R04E S16	NESE	SESE
S21	SWNE	SWSW

29.0 ACRES TOTAL

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MAY 29 1990

MEMORANDUM

TO: FILE/APPLICATION NO. 02-7396

FROM: TIM LUKE *TJL*

RE: SWAN FALLS PROCESSING

DATE: 11-28-89

The applicant, J.R. Simplot Co., has returned the trust water questionnaire claiming that the source was developed and used prior to October of 1984. The application was filed in May, 1983. The questionnaire states that the 29 acres under this application were mistakenly omitted from an earlier water right application which matured to license no. 02-7400. This application was filed to cover the 29 acres which had been irrigated under an existing system licensed under 02-7400 since 1970. (02-7400 has a 1969 priority date).

I have reviewed the department's 1974 7.5 minute orthophoto and 7.5 minute remote sensing overlay. The latter overlay shows irrigated acreage as classified by department staff using a 1984 landsat scene (1984 scenes used only for certain areas of Owyhee and Elmore Counties. Place of use overlap and remote sensing information summary report is attached to this memo). The overlay closely matches the 1974 orthophoto. Both map sources include irrigated acreage described under the application. The attached remote sensing and overlap report indicates that the land in question was irrigated in 1984. The 1974 data when compared with the 1984 data indicates the same land was irrigated in 1974. This information appears to support the statement provided on the questionnaire.

Based on review of the above information, I recommend that this application be exempt from the public interest criteria and review requirements of Section 42-203C, Idaho Code. The application is being returned to the region for advertising. No special advertising language is required.

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MAY 29 1990

[illegible]

MAY 29 1950

SECRET

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

Application No. 02-7396

INSTRUCTIONS: IF YOU ARE NOT INTERESTED IN HAVING THE APPLICATION PROCESSED, PLEASE COMPLETE AND RETURN THE ENCLOSED WITHDRAWAL FORM.

IF YOU WISH TO HAVE THE APPLICATION PROCESSED, PLEASE ANSWER THE FOLLOWING QUESTIONS AS THOROUGHLY AS POSSIBLE. FAILURE TO RETURN EITHER THE WITHDRAWAL FORM OR QUESTIONNAIRE IS CAUSE FOR THE DEPARTMENT TO VOID THE APPLICATION.

1a. Are you the current owner of the land or place of use described under this application? Yes X No

b. If you are not the propoerty owner, please describe the arrangement enabling you to develop the proposed project.

2a. Has the source of water listed on this application been used to irrigate any of the land described under this same application prior to October 1, 1984? Yes X No

b. If yes, please describe the extent of development and number of acres irrigated. (Note: Uses developed after October, 1984 are considered trust water diversions and may be subject to certain restrictions and/or conditions. You may be asked to verify uses established prior to October, 1984.)

May 1970

3. Please state the number of acres you have irrigated under this application since October 1, 1984. 29

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete.

5. If the permit is a supplemental filing please identify other water rights which are used on the same land.

Use the reverse side of this form if you wish to add any comments. You may mark changes on the enclosed application to designate any proposed amendments. (Note: Proposed changes which result in an expansion of use will not be considered by the department.)

I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in voiding of the application.

Applicant SIMPLOT INDUSTRIES, INC.

Date November 15, 1989

Vic Conrad

389-7359

RECEIVED

MAY 28 1990

page 2

IDAHO DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

IRRIGATION FOR THIS ACREAGE BEGAN IN SPRING 1970. THE 29 ACRES
LISTED AS PLACE OF USE UNDER APPLICATION NO. 02-7396 WAS ERRONEOUSLY
OMITTED FROM THE ORIGINAL APPLICATION FOR LISCENSE 02-07040.
APPLICATION 02-7396 IS AN ATTEMPT TO RECTIFY THIS ERROR.

Microfilm

MAY 29 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 23, 1989

RE: APPLICATION FOR PERMIT NO. 02-7396

DEAR APPLICANT:

Due to the Swan Falls litigation, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development if any, that has already occurred under your application.

Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

1. If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

2. If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, the department asks that you complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments and/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water.

Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the department to void the application.

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MAY 29 1990

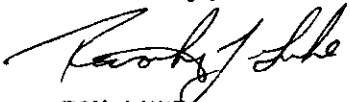
Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information should be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720
Attn: Tim Luke

Please note that a copy of your application is enclosed. The application number is shown on the enclosed questionnaire.

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

TL:sc

cc: Region

MICROFILMED

MAY 29 1990

02-2396-

SIMPLOT INDUSTRIES INC.

P.O. BOX 27, BOISE, ID 83707

Source: SNAKE RIVER trib. to COLUMBIA RIVER

Date Filed: 05/05/1983

Diversion Pt: LOT 04 (SWSW) Sec 22 T 05S R 04E

Use: IRRIGATION	(0.58 CFS)
IRRIGATION STORAGE	(3.0 AF)
IRRIGATION FROM STORAGE	(3.0 AF)

In: NESE SESE Sec 16 T 05S R 04E SWNE SWSW Sec 21 T 05S R 04E
FOR 29 ACRES

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MAY 29 1990