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OCT 11 2023

DEPARTMENT OF  
WATER RESOURCES

Form No.42-1409-1 (Internet 06/21)

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

**IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE BEAR RIVER BASIN WATER SYSTEM**

**CIVIL CASE NUMBER: 79576**

Claim ID: 27-2138 11-9065

Date Received: 10.11.23

Receipt No: C117141

Claim Fee: 1282.00 By: KM

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

**Please type or print clearly**

1. Name of claimant(s) J. R. Simplot Company Phone (208) 336-2110  
Mailing address P. O. Box 27 Zip 83707  
Street or Box City State  
Email address (optional) rebecca.voss @simplot.com and vic.conrad@simplot.com
2. Date of priority: (Only one per claim) 09/15/1964 (Explain priority date selected in Remarks)  
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water (✓) or Other ( ) (a) \_\_\_\_\_  
which is tributary to (b) \_\_\_\_\_
4. a. Location of point of diversion is: Township 8S, Range 42E, Section 16,  
NE 1/4 of NE 1/4, Govt. Lot \_\_\_\_\_, BM, County of Caribou  
Parcel no. 08S42E091800  
Additional points of diversion, if any: See Exhibit A for Description of Additional Points of Diversion  
If available, GPS Coordinates \_\_\_\_\_
- b. If instream flow, beginning point of claimed instream flow is:  
Township \_\_\_\_\_, Range \_\_\_\_\_, Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4,  
Govt. Lot \_\_\_\_\_, BM, County of \_\_\_\_\_  
Ending point is: Township \_\_\_\_\_, Range \_\_\_\_\_, Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4,  
Govt. Lot \_\_\_\_\_, BM, County of \_\_\_\_\_
5. Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, etc.),  
including the dates of any changes or enlargements in use, the dimensions of the diversion works as  
constructed and as enlarged and the depth of each well.  
POD 1: Well, pump, motor, pipeline. POD2: water storage pond pump, motor, control panel underground  
pipelines. POD 3: Well, pump, motor pipeline.

6. Water is claimed for the following purposes: (dates are inclusive MM-DD) (cfs) (acre-feet)

|     |                                |               |            |    |              |        |             |    |             |
|-----|--------------------------------|---------------|------------|----|--------------|--------|-------------|----|-------------|
| For | <u>Industrial</u>              | purposes from | <u>1/1</u> | to | <u>12/31</u> | amount | <u>2.19</u> | or | <u>1525</u> |
| For | <u>Industrial from Storage</u> | purposes from | <u>1/1</u> | to | <u>12/31</u> | amount |             | or | <u>60</u>   |
| For | <u>Domestic</u>                | purposes from | <u>1/1</u> | to | <u>12/31</u> | amount | <u>.04</u>  | or |             |
| For | <u>Fire Protection</u>         | purposes from | <u>1/1</u> | to | <u>12/31</u> | amount | <u>.01</u>  | or |             |

7. Total quantity claimed (a) 2.24 (cfs) and/or (b) 1525 (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) Mining, Ore Processing, Ore transport and Chemical Manufacturing.

9. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Please see "Response to #9" contained on Exhibit A attached hereto and made part of this claim by this reference.

Parcel no(s). \_\_\_\_\_ Total number of acres irrigated \_\_\_\_\_

10. In which county(ies) are lands listed above as place of use located? Bannock, Caribou, Power

11. Do you own the property listed above as place of use? Yes (✓) No (✓)  
If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.  
24-7113, 29-2375, 29-2501, 29-2502 and 29-7763 or None ( )

13. Remarks (Include an explanation of the priority date selected):

Please see "Response to #13" contained on Exhibit A attached hereto and made part of this claim by this reference.

Name of claimant(s) J. R. Simplot Company Claim ID

**Scale: 2 inches equals 1 mile**

Please see attached Maps 1 through 4 identifying the locations of the Points of Diversion and Places of Use.

Name of claimant(s) J. R. Simplot Company Claim ID

14. Basis of claim (Check one) Beneficial Use ( ) Posted Notice ( ) License ( ) Permit ( ) Decree ( ☒ )

Court SRBA District Ct. Decree Date Dec. 11, 2006 Plaintiff v. Defendant \_\_\_\_\_

If applicable provide IDWR Water Right Number 27-2138

15. **Signature(s)**

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Bear River Basin Water System Adjudication."

(b.) I/We do ( ) do not ( ☒ ) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 5 pages

**For Individuals:** I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

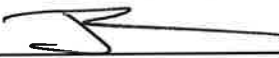
Signature of Claimant (s) \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

**For Organizations:** I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

Senior Vice President and Secretary of J. R. Simplot Company,  
Agent's title (Please print) Name of organization (Please print)

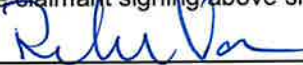
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent  Date October 5, 2023

Printed Name of Authorized Agent James B. Alderman

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) Rebecca Voss, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature  Date 10/5/2023

Address P. O. Box 27, Boise, Idaho 83707

Name of claimant(s) J. R. Simplot Company Claim ID \_\_\_\_\_

## Exhibit A

Bear River Basin Adjudication Claim for Decreed Water Right No. 27-2138

Additional Points of Diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$  Section 15 and NW $\frac{1}{4}$ SE $\frac{1}{4}$  Section 16 T.8S R.42E

Response to #9 For Places of Use:

**I = Industrial and Industrial from Storage Places of Use**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Acres |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |       |
| 8S  | 42E | 10  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | I  |       |
|     |     | 14  |    |    |    |    |    | I  | I  |    |    |    |    |    |    |    |    |    |       |
|     |     | 15  |    | I  | I  |    | I  | I  | I  | I  |    |    |    |    |    | I  |    |    |       |
| 5S  | 34E | 25  | I  | I  | I  | I  |    |    |    | I  | I  | I  | I  | I  | I  | I  | I  | I  |       |
|     |     | 31  |    |    |    |    | I  | I  | I  | I  |    |    |    |    |    |    |    |    |       |
|     |     | 36  | I  | I  | I  | I  | I  | I  |    |    |    |    |    |    |    |    |    |    |       |
|     |     | 30  | I  | I  | I  | I  | I  | I  | I  | I  |    |    |    |    |    |    |    |    |       |
|     | 35E | 29  |    |    |    |    |    |    | I  |    |    | I  |    |    |    |    |    |    |       |
|     |     | 30  | I  | I  | I  | I  | I  | I  | I  | I  |    |    |    | I  | I  | I  | I  | I  |       |
| 6S  | 34E | 7   |    |    |    | I  |    |    |    |    | I  |    |    |    | I  | I  | I  | I  |       |
|     |     | 8   |    |    |    |    | I  | I  | I  | I  | I  | I  | I  | I  |    |    |    |    |       |
|     |     | 17  |    | I  |    |    | I  |    |    |    |    |    |    |    |    |    |    |    |       |
|     |     | 18  | I  | I  | I  | I  | I  | I  | I  | I  | I  | I  | I  | I  | I  | I  | I  | I  |       |
|     |     | 19  |    |    |    |    | I  | I  |    |    |    |    |    |    |    |    |    |    |       |

**IS = Industrial Storage Place of Use**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Acres |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |       |
| 8S  | 42E | 15  |    |    |    |    | IS | IS | IS | IS | IS |    |    |    |    |    |    |    |       |

**DF= Domestic and Fire Protection Places of Use**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Acres |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |       |
| 8S  | 42E | 15  |    | DF | DF | DF |    |    |    |    |    |    |    |    | DF | DF |    |    |       |

Response to #13 for Additional Comments:

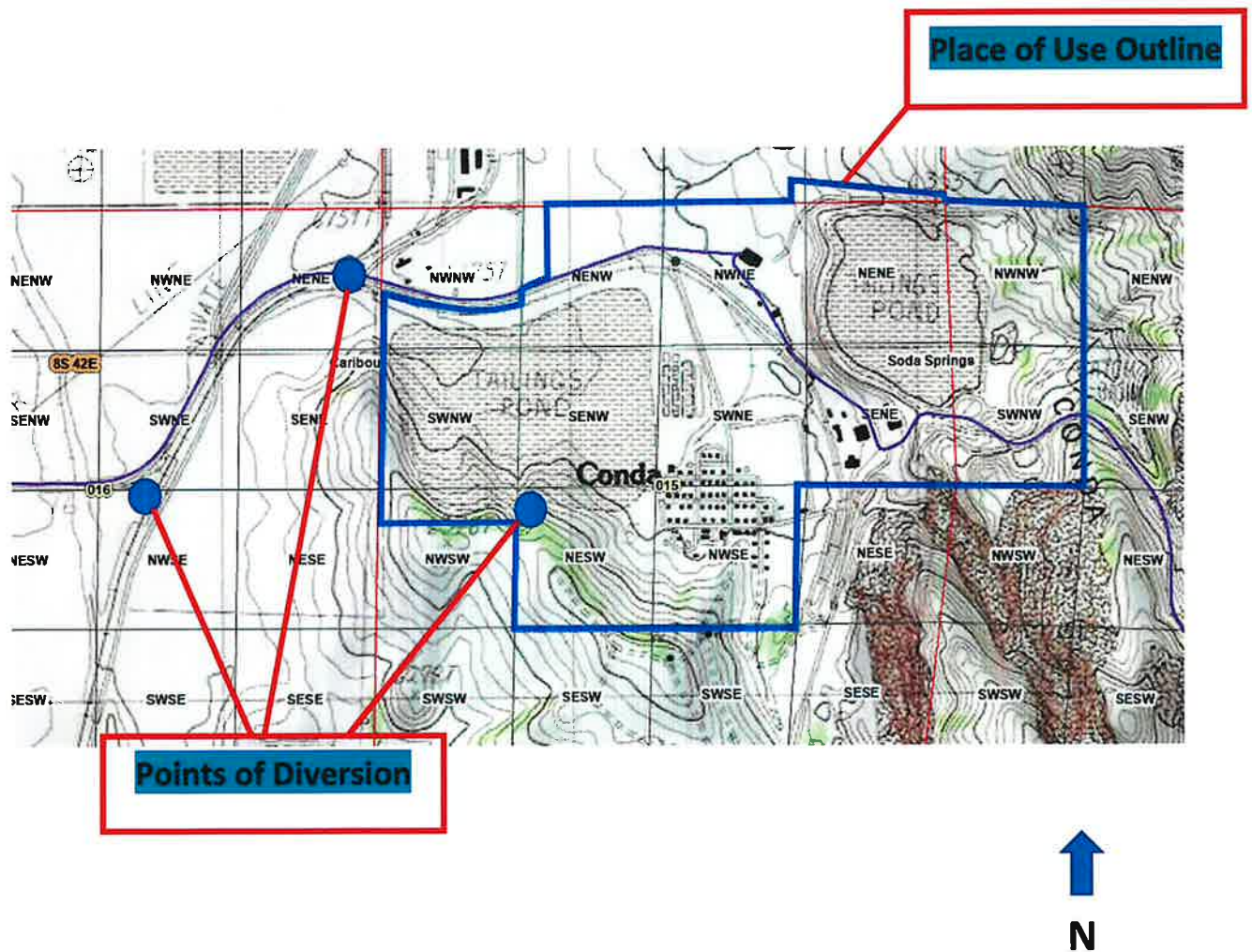
Water is used for processing and transporting ore and for the manufacturing fertilizer products. Industrial effluent is then used to transport gypsum to storage and land applied for raising crops. The crop land is a combination of land owned by claimant and land leased by claimant.

This water right was claimed in the Snake River Basin Adjudication and a Partial Decree was entered as IDWR water right no. 27-2138 on December 11, 2006. At some point, IDWR moved the boundary for IDWR Administrative Basin No. 27 resulting in claimant's source becoming situated within the Bear River Basin. This claim is being filed to preserve claimant's decreed appropriation under water right no. 27-2138 regardless of the boundary change. By filing this claim, claimant does not waive any rights to object to the source appropriated, nor is it an admission that claimant is acquiescing to IDWR's source or boundary change.

## Map 1

### Bear River Basin Adjudication Claim for IDWR Decreed Water Right No. 27-2138 (Caribou County, Idaho)

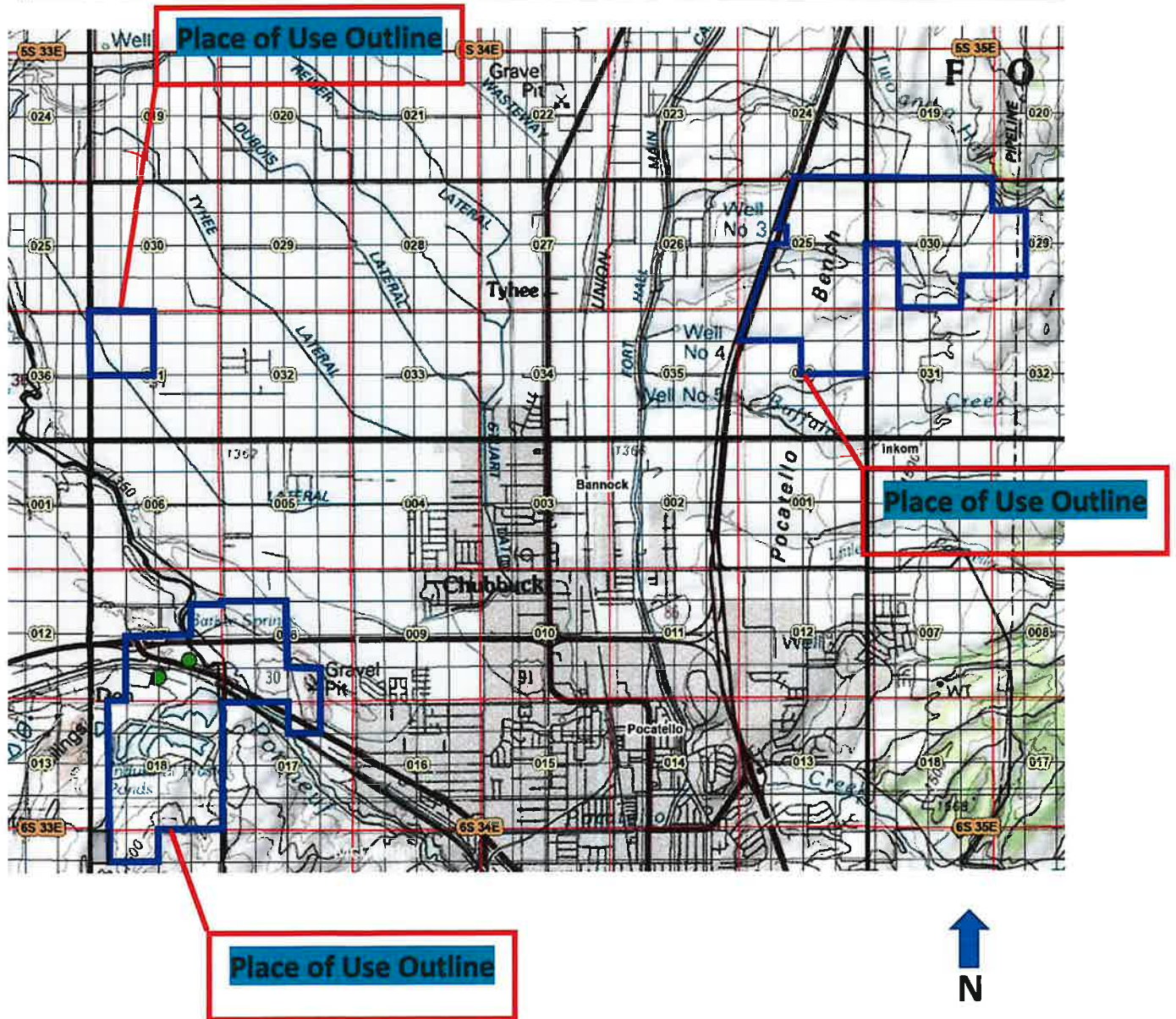
Place of use contained on Maps 1 and 2 are for Industrial and Industrial From Storage Only. Points of Diversion are all claimed uses.



## Map 2

### Bear River Basin Adjudication Claim for IDWR Decreed Water Right No. 27-2138 (Bannock and Power Counties, Idaho)

Place of use contained on Maps 1 and 2 are for Industrial and Industrial From Storage Only.



### Map 3

# Bear River Basin Adjudication Claim for IDWR Decreed Water Right No. 27-2138 (Caribou County, Idaho)

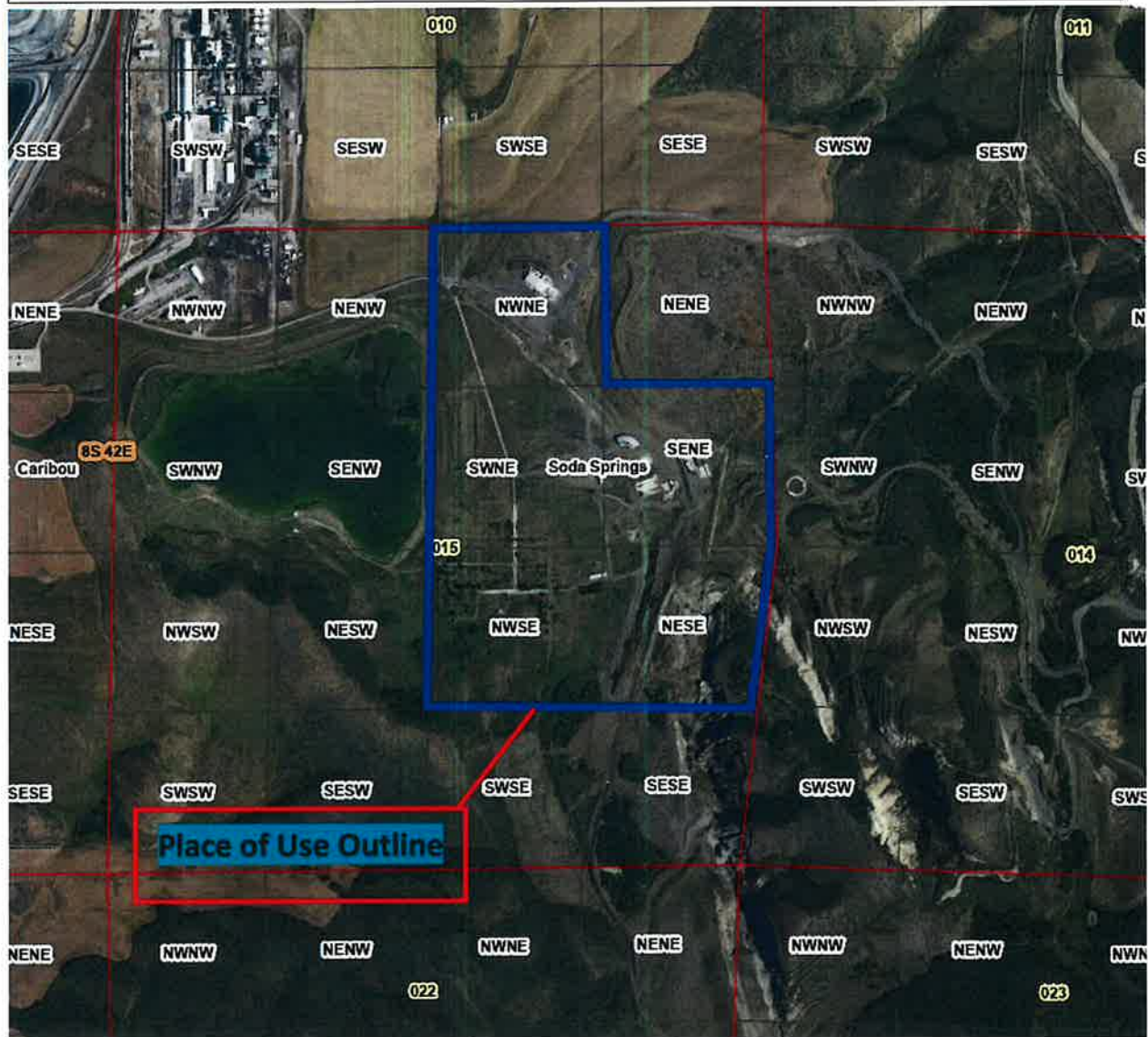
Place of use shown on Map 3 is for Industrial Storage Only.



## Map 4

### Bear River Basin Adjudication Claim for IDWR Decreed Water Right No. 27-2138 (Caribou County, Idaho)

Place of use shown on Map below is for Domestic and Fire Protection Only.





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OCT 11 2023

DEPARTMENT OF  
WATER RESOURCES

J.R. Simplot Company  
P.O. Box 27, Boise, Idaho  
83707 0027

1099 West Front Street  
Boise, Idaho 83702

Vic.conrad@simplot.com  
208 780 7359 Business  
208 780 7333 Fax

**October 5, 2023**

State of Idaho  
Department of Water Resources  
322 E. Front Street, Suite 648  
P. O. Box 83720  
Boise, Idaho 83720-0098

**Re: Bear River Basin Adjudication Claims for IDWR Decreed Water Right Nos.  
27-2138, 27-2168 and 27-7126 and IDWR License No. 11-7438.**

Dear IDWR:

Enclosed for filing are the above referenced claims to the use of water in the Bear River Basin Adjudication. Also enclosed a check in the amount of \$741.00 to cover your fee for filing the enclosed claims.

Sincerely,

Vic Conrad  
Land, Water & Asset Recovery

Enclosures

