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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: 11-7438

Date Received: 10.11.23

Receipt No: C117161

Claim Fee: \$330 By: KM

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

Please type or print clearly

- Name of claimant(s) J. R. Simplot Company Phone ( 208 ) 336-2110  
Mailing address P. O. Box 27, Boise, Idaho Zip 83707  
Street or Box City State  
Email address (optional) rebecca.voss@simplot.com and vic.conrad@simplot.com
- Date of priority: (Only one per claim) 12/16/1981 (Explain priority date selected in Remarks)  
Month/Day/Year (YYYY)
- Source of water supply (Check one) Ground Water (✓) or Other ( ) (a) \_\_\_\_\_  
which is tributary to (b) \_\_\_\_\_
- a. Location of point of diversion is: Township 8S, Range 42E, Section 16,  
SW 1/4 of NE 1/4, Govt. Lot \_\_\_\_\_, BM, County of Caribou  
Parcel no. \_\_\_\_\_  
Additional points of diversion, if any: T. 8S R.42E Section 15 SW1/4NE1/4  
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 \_\_\_\_\_
- 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.  
Wells, underground pipelines, pumps, motors, valves, storage tank.

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)  
For Industrial purposes from 1/1 to 12/31 amount 2.8 or 21.5  
For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_  
For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_  
For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 2.8 (cfs) and/or (b) 21.5 (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) Industrial Mineral Processing

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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? Caribou, Bannock and 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.  
27-2138, 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

See Maps Attached for the Point of Diversion and Places of Industrial Use

This figure is a map of the Sacramento-San Joaquin River Delta, overlaid with a grid of 16 columns and 10 rows of squares. Each square contains a crosshair symbol, consisting of a vertical line, a horizontal line, and two diagonal lines intersecting at the center. A large, white rectangular box with a black border is positioned in the upper-left quadrant of the grid, spanning approximately 10 columns and 4 rows. Inside this box, the text "See Maps Attached for the Point of Diversion and Places of Industrial Use" is centered in a black, sans-serif font.

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

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

Court \_\_\_\_\_ Decree Date \_\_\_\_\_ Plaintiff v. Defendant \_\_\_\_\_

If applicable provide IDWR Water Right Number 11-7438

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: 3

**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.

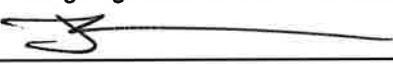
Signature of Claimant (s) \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ 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) \_\_\_\_\_ Claim ID \_\_\_\_\_

## Exhibit A

### Bear River Basin Adjudication Claim for IDWR Water Right No. 11-7438

#### Response to #9 For Places of Use:

**I = Industrial 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  |    |    |    |    |    |    |    |    |    |    |       |

#### Response to #13 for Additional Comments:

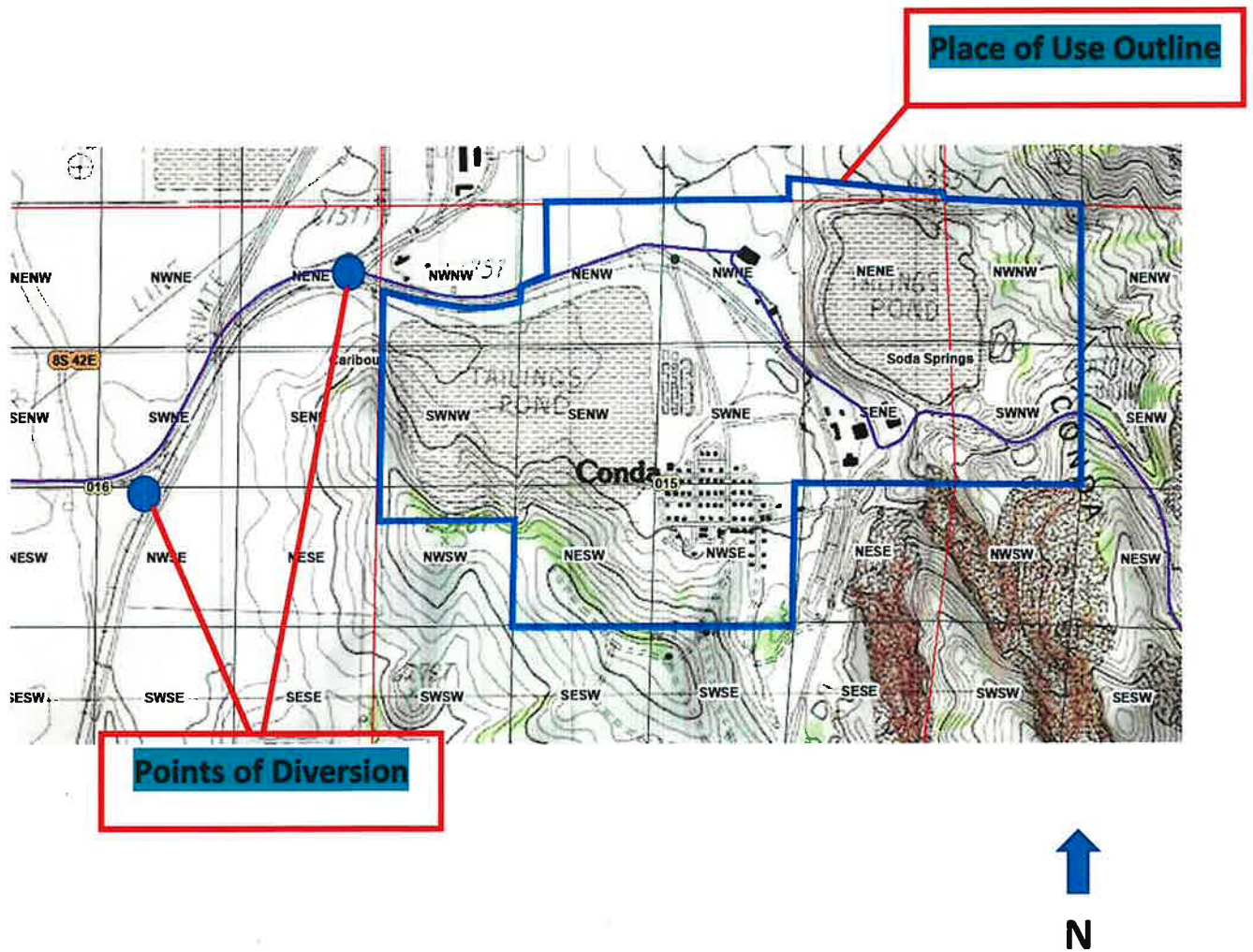
Water is used for processing ore and manufacturing fertilizer products. Industrial effluent is then used to transport gypsum to storage and land applied for raising crops. The crop land is a combination of land owned by claimant and land leased by claimant.

This water right was originally permitted under IDWR water right permit No. 27-7294. 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. During licensing of the permit, IDWR assigned license no 11-7438 to this water right. By filing this claim in the Bear River Basin Adjudication, 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 for this or any other water right owned by claimant.

# Map 1

## Bear River Basin Adjudication Claim for IDWR Decreed Water Right No. 11-7438 (Caribou County, Idaho)

Place of use contained on Maps 1 and 2 are for Industrial Use.



## Map 2

### Bear River Basin Adjudication Claim for IDWR Decreed Water Right No. 11-7438 (Bannock and Power Counties, Idaho)

Place of use contained on Maps 1 and 2 are for Industrial Use.

