

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: 11-4085
Date Received: 2/5/24
Receipt No: P000738
Claim Fee: 489.00 By: MD

RECEIVED

FEB 05 2024

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

IDWR/Preston

Please type or print clearly

1. Name of claimant(s) L. Simmons Farms LLC Phone (208) 390-7655
Mailing address 1498 Larsen Road, Soda Springs, Idaho Zip 83276
Street or Box City State
Email address (optional) ssp1@hotmail.com
2. Date of priority: (Only one per claim) May 1, 1890 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (☒) (a) Unnamed Spring
which is tributary to (b) Sinks
4. a. Location of point of diversion is: Township 09S, Range 42E, Section 10,
SE 1/4 of NE 1/4, Govt. Lot _____, BM, County of Caribou
Parcel no. 09S42E101201
Additional points of diversion, if any: _____
If available, GPS Coordinates _____
b. If instream flow, beginning point of claimed instream flow is:
Township 09S, Range 42E, Section 10, SW 1/4 of NE 1/4,
Govt. Lot _____, BM, County of Caribou
Ending point is: Township 09S, Range 42E, Section 10, NE 1/4 of SW 1/4,
Govt. Lot _____, BM, County of Caribou
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.
Diversion from spring into pond and open ditch, then through a series of pipes to irrigate
place of use. Stock water from an open ditch and Lower Pond located in the NWNE, SENW,
SWNE, NESW, and NWSE of Section 10, T09S, R42E.

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD)

(cfs)

(acre-feet)

For Irrigation purposes from 04/01 to 11/01 amount 15 or _____

For Stockwater purposes from 01/01 to 12/31 amount 0.16 or _____

For Diversion to Storage purposes from 04/01 to 11/01 amount 15 or _____

For Irrigation Storage purposes from 01/01 to 12/31 amount 15 or 14.8
Irrigation from Storage 04/01 11/01

7. Total quantity claimed (a) 15 (cfs) and/or (b) 14.8 (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) Stockwater: 332 head of cow/calf pairs

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.

S=Stockwater, Z=Storage

[illegible]

Parcel no(s). 09S42E097222, 09S42E101201, and 09S42E150001 Total number of acres irrigated 422.7

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

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.

_____ or None (✓)

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

This claim is based statutory claim for Idaho water right no. 11-4085.

List of Attachments to Claim Form:

~~1. IDWR Water Right Report of 11-4085~~

2. IDWR Map of 11-4085

3. Maps of current place of use and point of diversion

Name of claimant(s) L. Simmons Farms LLC

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 11-4085

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.

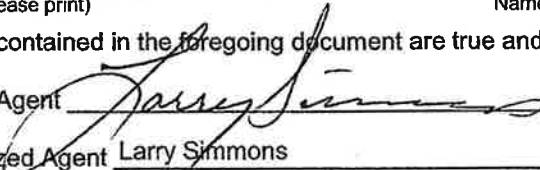
Signature of Claimant (s) _____ Date: _____

_____ 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

Manager _____ of L. Simmons Farms LLC
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 1/30/24

Printed Name of Authorized Agent Larry Simmons

16. Notice of Appearance:

Notice is hereby given that I, (please print) Thomas J. Budge, Attorney, 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 1/31/2024

Address PO Box 1391, Pocatello, Idaho 83204-1391, tj@racineolson.com

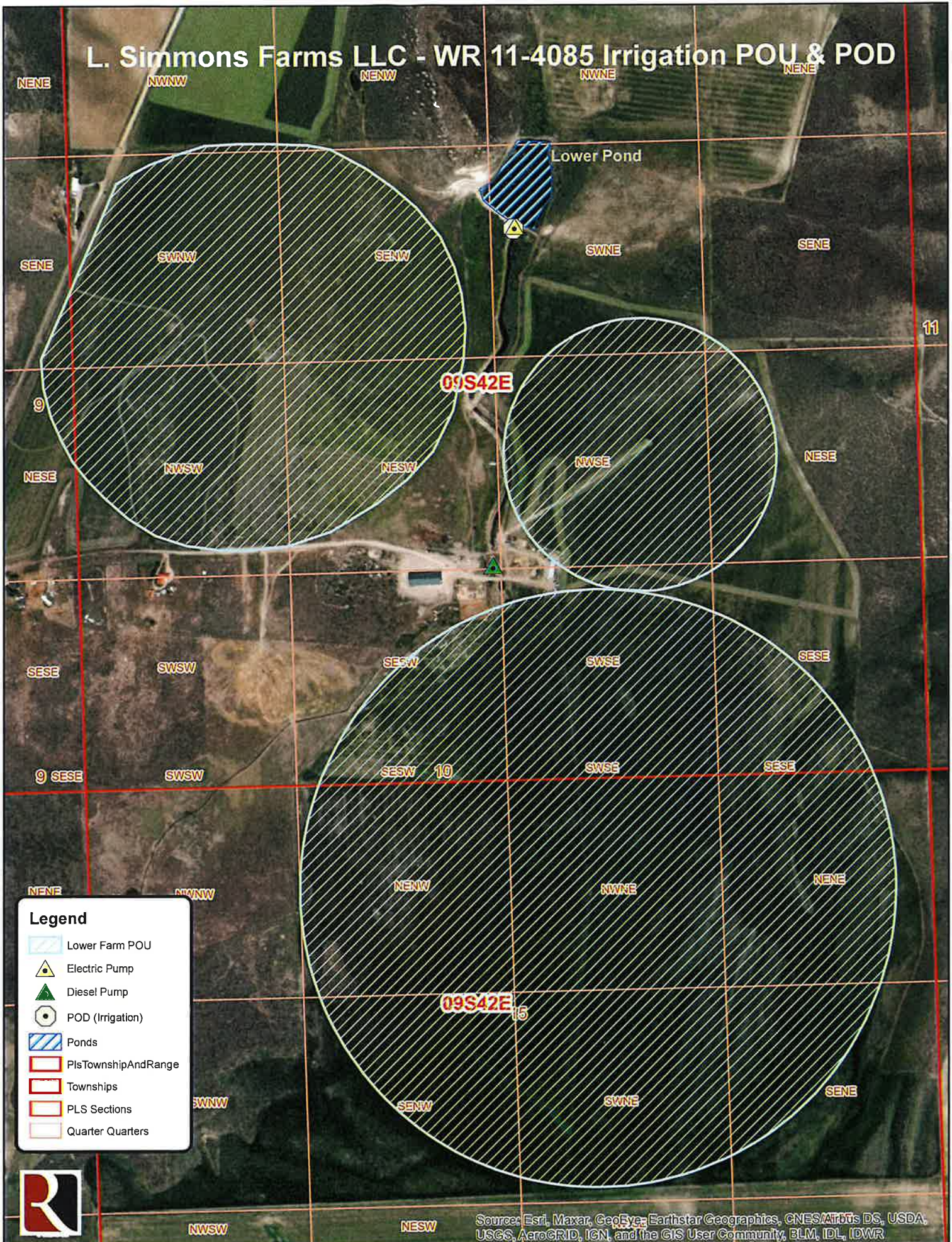
Name of claimant(s) L. Simmons Farms LLC Claim ID _____

L. Simmons Farms LLC - WR 11-4085 Storage POU & POD



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, BLM, IDL, IDWR

L. Simmons Farms LLC - WR 11-4085 Irrigation POU & POD



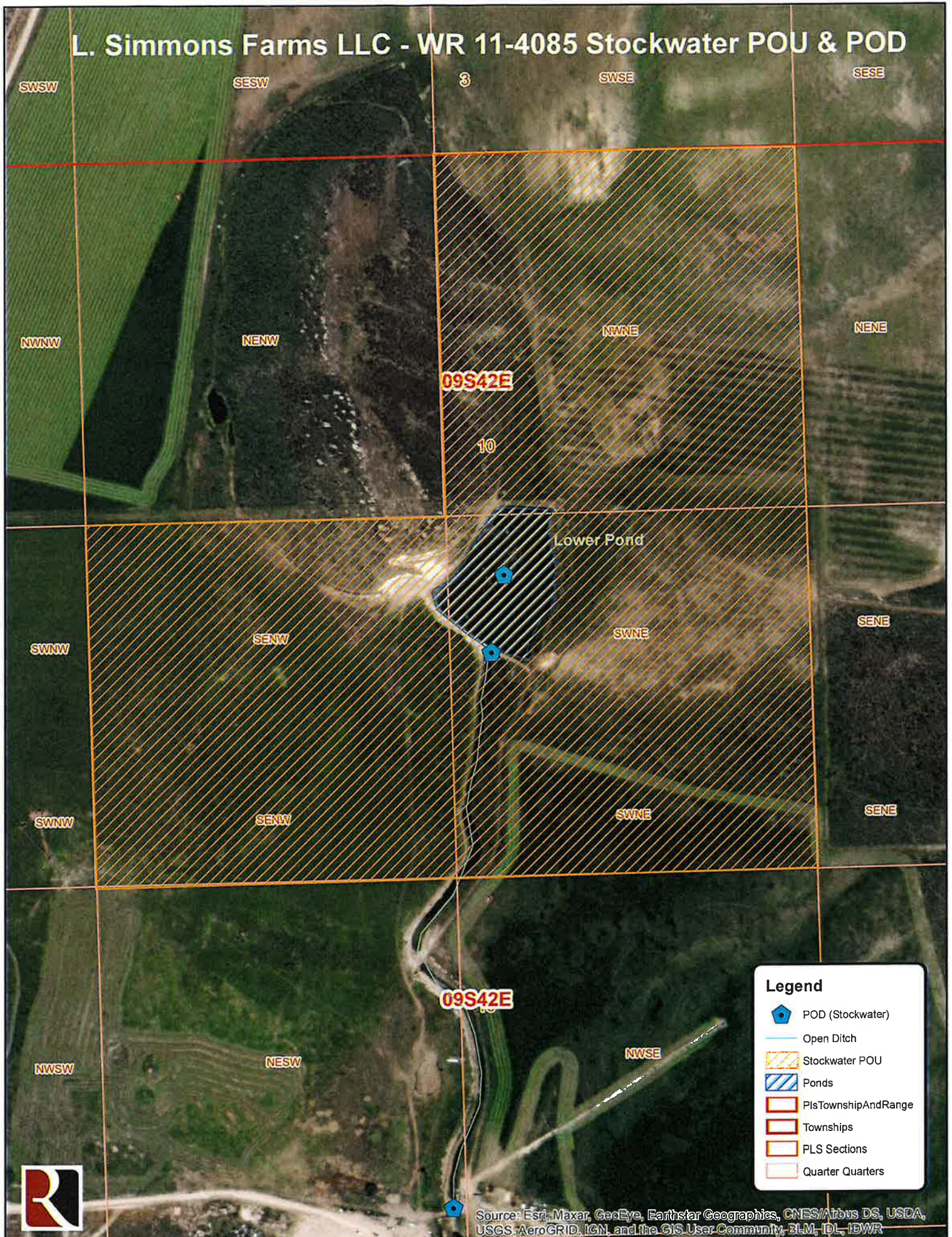
Legend

-  Lower Farm POU
-  Electric Pump
-  Diesel Pump
-  POD (Irrigation)
-  Ponds
-  PlsTownshipAndRange
-  Townships
-  PLS Sections
-  Quarter Quarters



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, BLM, IDL, IDWR

L. Simmons Farms LLC - WR 11-4085 Stockwater POU & POD



IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

1/4/2024
IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report
WATER RIGHT NO. 11-4085

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BONNIE L GRADY
Current Owner	JAMES E GRADY
	96 SO MAIN
	SODA SPRINGS, ID 83276
	2085473582
Original Owner	HINES RANCH
	ENCIL H HINES AGENT
	10701 JAVA DR
	BOISE, ID 83704

Priority Date: 05/01/1890
Basis: Statutory Claim
Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	15 CFS	
STOCKWATER	1/01	12/31	15 CFS	
Total Diversion			15 CFS	

Location of Point(s) of Diversion:

SPRING|SENW|Sec. 10|Township 09S|Range 42E|CARIBOU County
Place(s) of use:
Place of Use Legal Description: IRRIGATION CARIBOU County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
09S	42E	10		SWNW	30		SENW	30						

L. Simmons Farms LLC

		NESW	30	NWSW	40	SESW	40		
		SWSE	15						
	15	NWNE	30	SWNE	15				
		NENW	40	SWNW	40	SENW	40		

Total Acres: 350

Conditions of Approval:

1. STOCK WATER FOR 50 CATTLE AND 2000 SHEEP

Dates:

Licensed Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector: AND/OR

Water District Number: 11

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

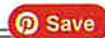
Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

L. Simmons Farms LLC



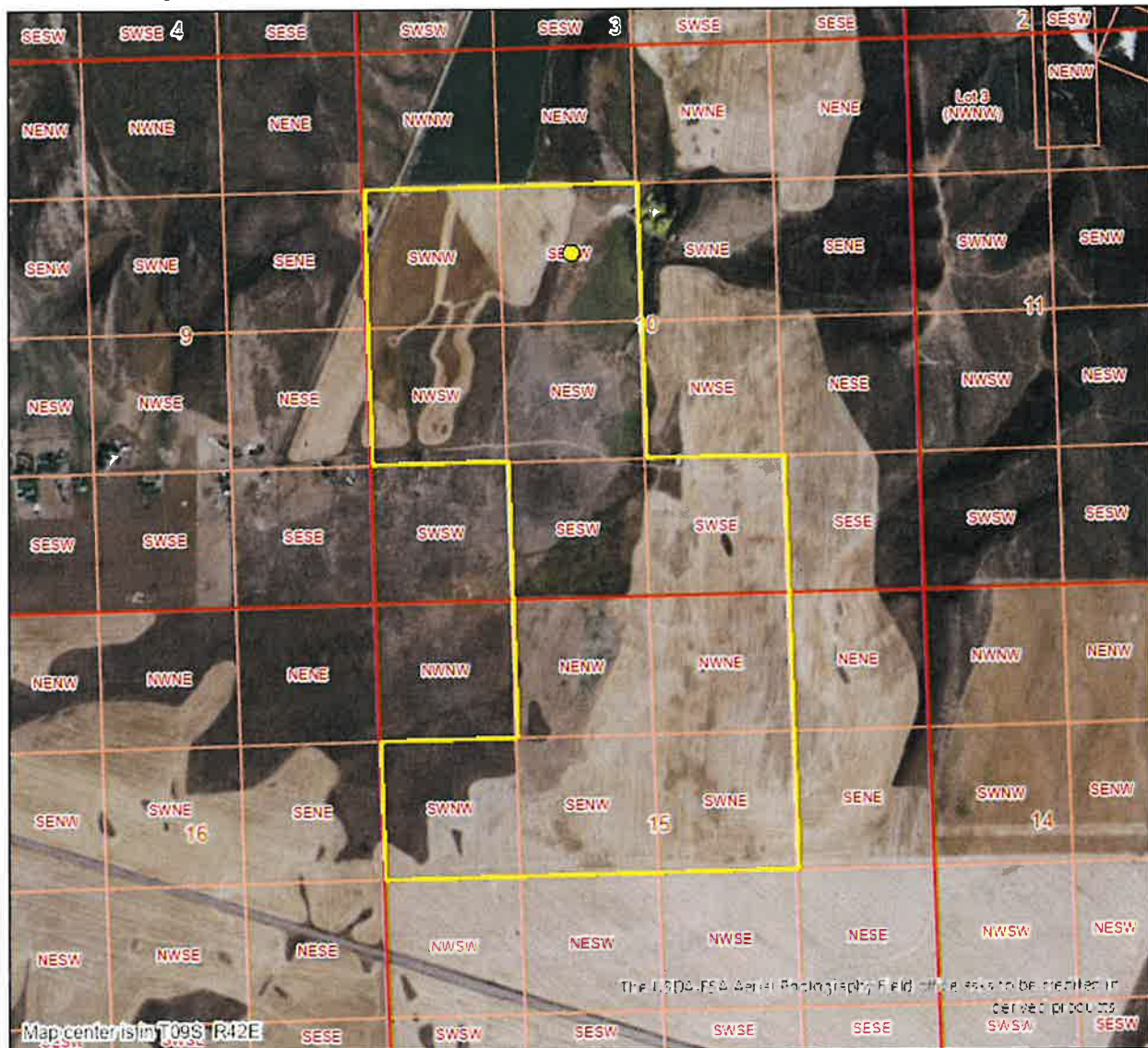
State of Idaho
Department of Water Resources

Water Right

11-4085

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion



L. Simmons Farms LLC



January 31, 2024

Idaho Department of Water Resources
325 East 600 South, Ste 300
Preston, Idaho 83263-4921
marion.beck@idwr.idaho.gov

RECEIVED

FEB 05 2024

IDWR/Preston

**Re: L. Simmons Farms LLC
Notices of Claims to Water Rights
Bear River Basin Adjudication**

To whom it may concern:

Enclosed for filing please find the originals of twelve Notices of Claims to Water Rights on behalf of L. Simmons Farms LLC, together with a check in the amount of \$1,493.00 for the filing fees, broken down as follows:

Claim 1 (11-4039): \$50 flat fee + \$5 for stockwater + (\$1.00 per acre x 628 acres) = \$683
Claim 2 (11-4040): \$50 flat fee + \$5 for stockwater + (no variable fee, claiming same POU acres) = \$55
Claim 3 (Spring): \$50 flat fee + \$16 for stockwater + (no variable fee, claiming same POU acres) = \$66
Claim 4 (11-4085): \$50 flat fee + \$16 for stockwater + (\$1.00 per acre x 423 acres) = \$489
Claim 5 (Wastewater): \$50 flat fee + (no variable fee, claiming same POU acres) = \$50
Claim 6 (Domestic & Stock): \$25 flat fee
Claim 7 (Stockwater): \$25 flat fee
Claim 8 (Domestic): \$25 flat fee
Claim 9 (Stockwater): \$25 flat fee
Claim 10 (Stockwater): \$25 flat fee
Claim (Stockwater): \$25 flat fee
Claim 12 (Stockwater): No fee
Total: \$1,493.00

Please file the originals and email the claim numbers assigned to tessa@racineolson. Thank you for your assistance. Please contact us if you have any questions.

Sincerely,


TESSA SPARROW
Paralegal

Enclosures

c: Larry Simmons