



IDAHO DEPARTMENT OF
WATER RESOURCES

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Governor Brad Little

Director Mathew Weaver

May 13, 2026

TJ Budge
Racine Olson Attorneys
PO Box 1391
Pocatello, ID 83204-1391

Re: **L. Simmons Farms LLC**
1498 Larsen Road
Soda Springs, Idaho 83276

SUBJECT: Bear River Basin Adjudication Claim Nos. 11-4085, 11-4040, 11-4039, 11-9915, and 11-9908.

Dear Claimant,

The Idaho Department of Water Resources is reviewing your claims for recommendation. These items need to be addressed before we can proceed:

1. 11-4085:
 - a. Date of Priority: 05/01/1890. For all uses claimed: To confirm this priority date, please provide evidence of historical use of the source and place of use, going back to this date. The statutory claim filed in 1979 does not suffice as evidence on its own.
 - b. The lower pond does not appear in aerial imagery until 2003. An explanation of how irrigation occurred prior to the pond being formed is needed.
 - c. The northwest pivot appears to have increased the acres irrigated in 2019. Before 2019, there is no evidence that the land was irrigated. An explanation for this increase in acres irrigated is needed.
2. 11-4040:
 - a. Date of Priority: 06/01/1921. For all uses claimed: To confirm this priority date, please provide evidence of historical use of the source and place of use, going back to this date. The statutory claim filed in 1974 does not suffice as evidence on its own. Also, the 1974 statutory claim has two priority dates, 1921 and 1934. The three affidavits filed with the statutory claim do not detail the source, place of use, or priority date.
 - b. The claim does not describe the diversion system in sufficient detail. Currently, the claim leads to the conclusion that the use is from multiple sources, and the diversion system is not interconnected amongst these sources and systems. Because of this, multiple claims are required to describe each source and system separately. If this is not the case, an amended claim is required to describe the diversion system in more detail.

3. 11-4039:
 - a. Date of Priority: 06/01/1921. For all uses claimed: To confirm this priority date, please provide evidence of historical use of the source and place of use going back to this date. The statutory claim filed in 1974 does not suffice as evidence on its own. The three affidavits filed with the statutory claim do not detail the source, rate, point of diversion, place of use, or priority date.
4. 11-9915:
 - a. Date of Priority: 06/01/1921. For all uses claimed: To confirm this priority date, please provide evidence of historical use of the source and place of use going back to this date.
 - b. The claim does not describe the diversion system in sufficient detail. The maps do not indicate the spring location.
5. 11-9908:
 - a. Date of Priority: 06/01/1921. For all uses claimed: To confirm this priority date, please provide evidence of historical use of the source and place of use going back to this date.
 - b. The northwest pivot appears to have increased the acres irrigated in 2019. An explanation for this increase in acres irrigated is needed.

Please make contact if you would like to discuss this. If we do not hear from you or receive additional evidence, your claims will be recommended as disallowed.

Sincerely,



Jose Pacheco
Senior Water Resource Agent
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