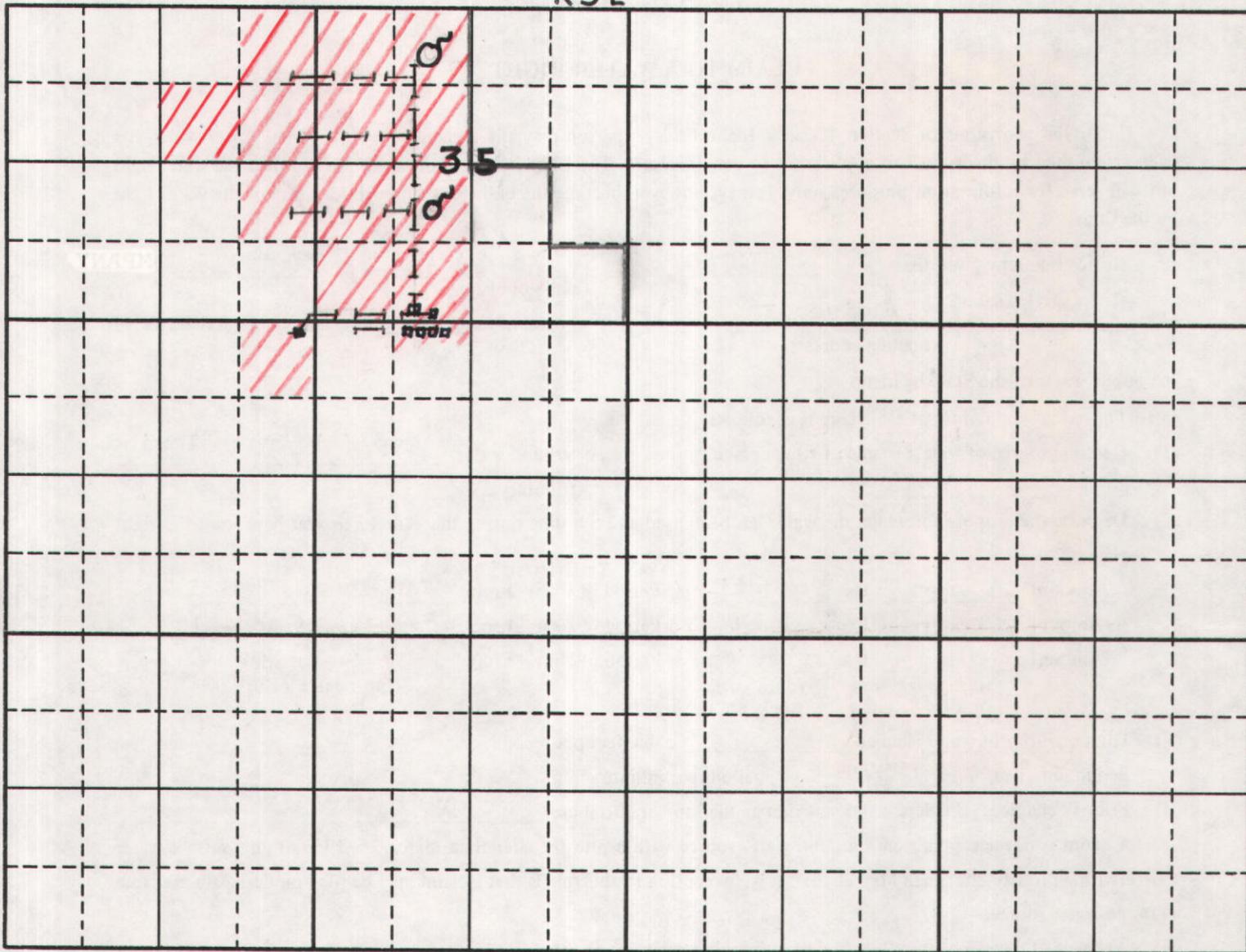


(8) Remarks HH Pipeline
Spring
Residences & Office

R3E



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
 County of Ada)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

J. R. SIMPLOT COMPANY
 BY Ronald W. Grimes
 Sworn to before me this 21st day of April

SIMPLOT LIVESTOCK CO.
 BY Ronald W. Grimes
 ASST. SECRETARY (Claimant), 19 76.

Jean M. Weaver
 Notary Public
 Residing at Boise, Idaho

My commission expires May 29, 1979

For Department Use Only

Received by <u>sw</u>	Date <u>4-21-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>sw</u>	Date <u>4-21-76</u>		claimant by:	
\$10.00 fee received by <u>MLB</u>	Date <u>4-21-76</u>			
Approved for publication by <u>RB</u>	Date <u>5-6-76</u>			
Published in <u>Mtn. Home News</u>				
Dates <u>May 13 + 20 1976</u>				

RECEIVED

MAY 24 1976

Department of Water Resources

Affidavit of Publication

**NOTICE OF CLAIM
TO A WATER RIGHT
No. 61-4017**

Notice is hereby given that J. R. SIMPLOT CO. & SIMPLOT LIVE-STOCK CO. Boise, ID has filed a claim to a water right established by diversion and application to beneficial use of 0.836 cubic feet per second from two free flowing springs with the point of diversion in the NE 1/4 NW 1/4, NE 1/4 SW 1/4 Sec 35 T4S-R3E, B.M. Elmore County.

The water is claimed to be used from Jan 1 to Dec 31 for domestic, stockwater and industrial purposes and from Mar 1 to Nov 30 for irrigation of 80 acres with a priority of March 1, 1927; the place of use is within the NE 1/4 NE 1/4, S 1/2 NE 1/4 Sec 34; W 1/2 Sec 35 T4S-R3E; NE 1/4 NW 1/4 Sec 2; NE 1/4 NE 1/4 Sec 3 T5S-R3E B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON
Director

Published in the Mountain Home News, Mountain Home, ID on May 13, 1976 and May 20, 1976.

County of Elmore }
STATE OF IDAHO } ss.

I, *Floyd S. Waters* 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 *13* day

of *May*, 19*76*, and

the last publication having been made on the

20 day of *May*

19*76*; every Thursday 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 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.

Floyd S. Waters

Subscribed and sworn to me this *20*.....

day of *May*, 19*76*

Lin A. Waters
Notary Public

*OK
5-24-76*

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
 Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that J. R. SIMPLOT COMPANY and SIMPLOT LIVESTOCK CO.
 (name of claimant)
 of P. O. Box 2777, Boise, ID 83701, claims a right to the diversion and beneficial use of
 (mailing address)
 the public water of the State of Idaho

The extent and nature of said claim is as follows:

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) two (2) free flowing springs, tributary to _____

(2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount	<u>15 gpm</u>	Use	<u>Domestic</u>	and Industrial	Period of Use:	From	<u>Jan 1</u>	To	<u>Dec 31</u>
Amount	<u>375 gpm</u>	Use	<u>Stock Water</u>		Period of Use:	From	<u>Jan 1</u>	To	<u>Dec 31</u>
Amount	<u>15 gpm</u>	Use	<u>Irrigation</u>		Period of Use:	From	<u>Mar 1</u>	To	<u>Nov 30</u>
	(cfs, gpm or a/f)		(dom., irri., stock, etc)				(both dates inclusive)		

(3) Total quantity of water claimed: _____ cubic feet per second, or _____ acre feet per annum, and/or 375 gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) prior to March 1, 1927

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source

(5) A) Point of diversion: (give location of point where water is diverted from its source)
NE ¼ NW ¼, Sec. 35 Twp 4 S Rge 3 E B M County of Elmore
 Additional points of diversion: NE ¼ SW ¼, Sec. 35, T4S, R3E, B.M.

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc) Give sizes and capacities; be as specific as possible. Two cement retention boxes 10'x6'x5' and 10'x8'x4' in which water is captured and transmitted through a pipeline approximately 1-3/4 miles in length varying in diameter from 4" to 3/4"

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC	NE ¼				NW ¼				SW ¼				SE ¼				TOTAL
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
4S	3E	34	X		40	40													80
4S	3E	35					X	X	X	X	X	X	X						
5S	3E	2					X												
5S	3E	3	X																

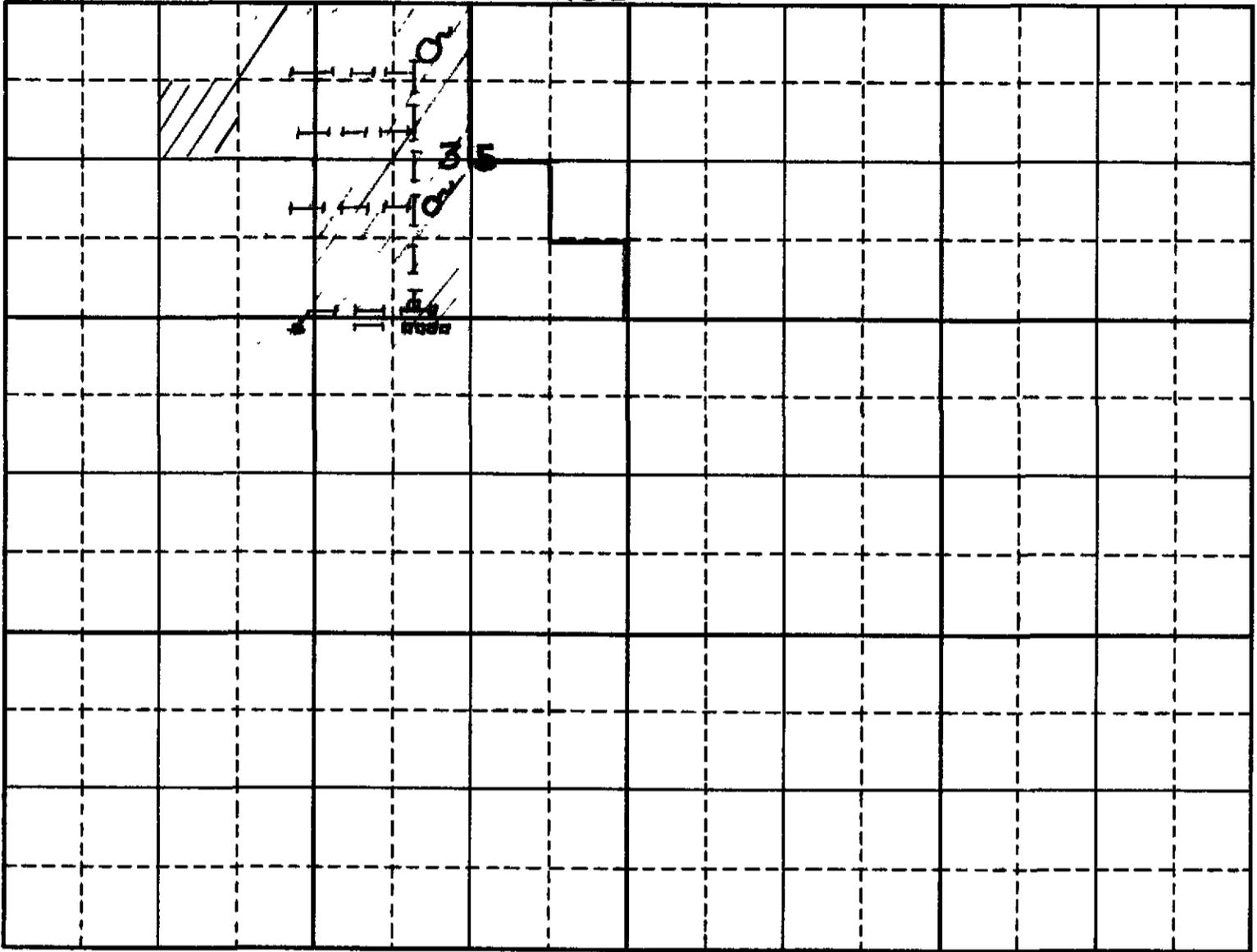
Total No. of acres 80

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Water for 20,000 head livestock, 600 gpm for feed mill, 19 residences, 30-40 person bunkhouse, cookhouse serving 90-120 meals per day, office housing 20 employees.

(7) If you are claiming water as a member of an organization, list name of organization. _____

(8) Remarks HH Pipeline
o Spring
■ Residences & Office

R3E



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
 County of Ada)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge

J. R. SIMPLOT COMPANY
 BY Russell W. Grimes
 SECRETARY
 Sworn to before me this 21st day of April

SIMPLOT LIVESTOCK CO.
 BY Russell W. Grimes
 ASST SECRETARY (Claimant)
 , 19 76.

Juan M. Wallace
 Notary Public
 Residing at Boise, Idaho

My commission expires May 29, 1979

For Department Use Only

Received by <u> </u>	Date <u>4-21-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u> </u>	Date <u>4-21-76</u>		claimant by	
\$10.00 fee received by <u> </u>	Date <u>4-21-76</u>			
Approved for publication by <u>RB</u>	<u>5-6-76</u>			
Published in <u>MHA Home News</u>				
Dates <u>May 13 + 20, 1976</u>				

Affidavit of Publication

NOTICE OF CLAIM TO A WATER RIGHT No. 61-4017

Notice is hereby given that J. R. SIMPLOT CO. & SIMPLOT LIVE-STOCK CO. Boise, ID has filed a claim to a water right established by diversion and application to beneficial use of 0.836 cubic feet per second from two free flowing springs with the point of diversion in the NE 1/4 NW 1/4, NE 1/4 SW 1/4 Sec 35 T4S-R3E, B.M. Elmore County.

The water is claimed to be used from Jan 1 to Dec 31 for domestic, stockwater and industrial purposes and from Mar 1 to Nov 30 for irrigation of 80 acres with a priority of March 1, 1927; the place of use is within the NE 1/4 NE 1/4, S 1/2 NE 1/4 Sec 34; W 1/2 Sec 35 T4S-R3E; NE 1/4 NW 1/4 Sec 2; NE 1/4 NE 1/4 Sec 3 T5S-R3E B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON
Director

Published in the Mountain Home News, Mountain Home, ID on May 13, 1976 and May 20, 1976.

OK
5-24-76

County of Elmore }
STATE OF IDAHO } ss.

I, Floyd S. Waters 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 publication having been made on the 13 day

of May, 1976, and

the last publication having been made on the

20 day of May

1976; every Thursday 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 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.

Floyd S. Waters

Subscribed and sworn to me this 20.....

day of May, 1976

William J. Waters
Notary Public

IN THE MATTER OF:)
)
)
)
)
State of Idaho)
County of ELMORE)

AFFIDAVIT

I, Joel C. Campbell, being first duly sworn,

deposes and says: that affiant was previously an employee of the
Bruneau Sheep Co., now Simplot Livestock Co., whose duties included
irrigating, feeding cattle and horses and general farm work, and
has been familiar with its operations since March 1, 1927. There
are two large free-flowing springs located in the Northeast Quarter
of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$), and the Northeast Quarter of the
Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 35, Township 4 South, Range 3
East, Boise Meridian, that the company had used prior to my employ-
ment and are still being used for the continuous supply of water
for the following uses: furnishing water for 20,000 head of live-
stock (January 1 to December 31); providing domestic water for 19
residences (January 1 to December 31); domestic water for the
office providing facilities for 20 employees (January 1 to
December 31); a bunkhouse providing facilities for 30 to 40 people
(January 1 to December 31), a cookhouse serving three meals per day
to 30 to 40 persons daily; providing water for the feedmill con-
suming 500 gallons of water per hour (January 1 to December 31); and
providing irrigation water for approximately 180 acres of pasture that
I personally irrigated, as well as other related industrial uses.

Joel C. Campbell.
(signature)

Subscribed and sworn to before me this 6th day of April 19 76.

Marye L. Lisle
(notary public)

Residing at Mountain Home, Idaho.
My commission expires 11-2-78.

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Claims
Application No. 61-4017

Source
 Point of Diversion
 County
 Quantity of Water and Period of Use
 Description of Diverting Works
 Time required for B/U of water
 Place of Use or Acres Irrigated
 Map
 Signature
 Fee

(1) RJC 4-21-76

In form to receipt

(2) _____

Send Copies to:
 _____ Idaho State Health Department
 _____ Idaho Fish and Game Department
 _____ Bureau of Land Management

(3) 1 _____

_____ Request Special Use Permit from U.S.F.S.
 _____ Request Easement from B.L.M.
 _____ Request Information from Applicant

(4) RJC 4-21-76

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:
 _____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) RB OK

Affidavit of Publication received(date) 5-24-76

(12) _____

Final date for protests _____
 Protests received: yes _____ no

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:
 Approve Deny
 Proposed Priority
 Reason for Reduction _____
 Measuring device required
 See attached sheet for other conditions of approval
 No special conditions for approval

(15) District W

By JJA

Date 6-1-76



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

May 6, 1976

Re: Notice of Application for Water Right No. 61-7266 - City of Glens Ferry
Notice of Claim to a Water Right No. 61-4017-- J. R. Simplot Co. &
Simplot Livestock Co.

Mountain Home News
P. O. Drawer 0
Mountain Home, ID 83647

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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. In order to receive payment, the following certification must appear in the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(Signature of Claimant)

Sincerely,

Bill submitted
5-24-76
RB

NOTICE OF CLAIM TO A WATER RIGHT

No. 61-4017

Notice is hereby given that J. R. SIMPLOT CO. & SIMPLOT LIVESTOCK CO.
Boise, ID
has filed a claim to a water right established by diversion and application
to beneficial use of 0.936 cubic feet per second ~~acre feet of water~~
from two free flowing springs
with the point of diversion in the NE¹/₄NE¹/₄, SE¹/₄SE¹/₄, Sec 35 T4S-R3E, B.M.
Elmore County

The water is claimed to be used from Jan 1 to Dec 31
for domestic, stockwater and industrial purposes and from Mar 1 to Nov
30 for irrigation of 80 acres
with a priority of March 1, 1927;
the place of use is within the NE¹/₄NE¹/₄, S¹/₂NE¹/₄, Sec 34, W¹/₂ Sec 35 T4S-R3E;
NE¹/₄NE¹/₄, Sec 2; NE¹/₄SE¹/₄, Sec 3 T5S-R3E B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON

Director

Published in the Mountain Home News, Mountain Home, ID
on May 13, 1976 and May 20, 1976.

April 21, 1976

J. R. Simplot &
Simplot Livestock Co.
P. O. Box 2777
Boise, ID 83701

Dear Sir:

In the matter of a Claim to a Water Right No. 61-4017, the location described and the map do not agree. Please inform this office as to the correct place of use and irrigated tracts. We would like to advertise this claim correctly within ten days.

Please advise as soon as possible in written form.

Sincerely,

PETER J. CHAMBERLIN
Water Resource Agent

PJC:rb

Enc: Copy of claim