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Form 202A 07/13

SEP 10 2015

ID No. PG3-211

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
WATER RESOURCES WESTERN REGION

APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION

(For a use not intended to become an established water right, not to exceed a total diverted volume of five (5) acre-feet, and not to exceed one (1) year duration in accordance with Section 42-202A, Idaho Code.)

Name of applicant: J. R. Simplot Company Phone: 208-336-2110

Mailing address: P. O. Box 27 City: Boise

State Idaho ZIP 83707 Email: \_\_\_\_\_

1. Source of water: Indian Creek tributary to Boise River

2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
3N	2W	16			SE	NW	Canyon	Indian Creek	

3. Location of place of use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE														
3N	2W	16								X										

4. Describe proposed use of water Water will be used to suppress dust during demolition and removal of a former meat processing facility.

5. Amount of water:

Maximum rate of diversion \_\_\_\_\_ cfs or 600 gpm.

Maximum daily volume 0.031 AF; total volume 5 AF.

6. Duration of diversion: from September 15 (day-month) to March 1 (day-month).

7. Describe proposed diverting works: Screened suction intake attached to 4 inch flex hose.

8. a. Who owns the property at the requested point of diversion? Simplot Meat Products, LLC

b. Who owns the land to be irrigated or place of use? Simplot Meat Products, LLC

c. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:

9. Additional remarks: Maximum daily use will be no more than 10,000 gallons per day.

I hereby acknowledge that I assume all risk if the diversion and use of the water under this approval injures other water rights. I certify this is a temporary use and that I am not seeking a continuing right to use water.

Signature of applicant [Signature]

Date 8 September 2015

Received by [Signature] Date 9/10/15 Time 10:50

\$50.00 fee received by [Signature] # W043481 Date 9/10/15

Watermaster comments received? Yes - no rental Date \_\_\_\_\_

### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that the department has examined this application for temporary approval to use water under the provisions of Section 42-202A, Idaho Code, and has determined that:

- A. The application for temporary approval should be denied.
- B. The application for temporary approval should be approved, since
  1. The temporary approval can be properly administered.
  2. Other water sources are not readily available.
  3. The approval is in the public interest.
  4. The approval will not injure known public values associated with the water source or any known water rights.

This application is therefore hereby:

- A. DENIED
- B. APPROVED, subject to the following conditions:
  1. Diversion and use of water under this approval is subject to all valid existing water rights.
  2. The applicant assumes all risk the use of the water under this approval may injure other water rights.
  3. This approval authorizes a maximum diversion of 5 AF and a maximum rate of diversion of 1.3 cfs.
  4. This approval does not grant a right-of-way across the land of another, does not create a continuing right to use the water and may not be used in connection with a use which requires a continuing water supply.
  5. The department may cancel this approval at any time if the department identifies injury to other water rights.
  6. This approval does not create a continuing right to use water.
  7. The holder of this temporary permit shall not divert at a rate or in a manner that will significantly reduce the flow in the water source or otherwise adversely affect fish, wildlife or other public values.
  8. Other: max daily use not more than 10,000 gal
  9. This approval expires on 3/1/16.

Signed this 14<sup>th</sup> day of September, 2015.

  
\_\_\_\_\_  
For the Director



CORPORATE HEADQUARTERS

**September 9, 2015**

Nick Miller  
State of Idaho  
Department of Water Resources  
2735 Airport Way  
Boise, Idaho 83705

RECEIVED

SEP 10 2015

WATER RESOURCES  
WESTERN REGION

**Re: Temporary Water Appropriation; Indian Creek, Nampa, Idaho.**

Dear Nick:

Enclosed is an application to allow water to be diverted from Indian Creek for dust abatement purposes during a demolition project near Nampa, Idaho. Our plan is to fill a 5,000 gallon water truck up to two times per day during the demolition effort. Demolition will begin October 15, with the bulk of the work to be conducted after November 15. We will continue until the work is completed – which may extend into 2016.

With the season chosen for the work, we anticipate the dust suppression requirements will be less than during the summer months. Nevertheless, we are planning for worst case with the understanding that we will only use water from Indian Creek as needed.

I am enclosing a \$50.00 check to cover your fee for submitting the enclosed application. Please contact me if I can assist with any questions about our project.

Sincerely,

Vic Conrad

Land, Water & Asset Recovery

Enclosure



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

September 14, 2015

J R SIMPLOT COMPANY  
PO BOX 27  
BOISE ID 83707

**RE: Temporary Permit No. TP-63-211**

Dear Applicant(s):

Your application for Temporary Water Appropriation has been approved and is enclosed.

Please be advised the approval only authorizes the temporary use of water. It does not grant trespass or other activity on public land or on private property.

Please note the conditions of approval to understand the limitations associated with the temporary use of water. The expiration date cannot be extended under this temporary approval.

If you have any questions regarding this matter, please call me at 208-334-2190.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nick Miller', written over a white background.

*for* Nick Miller  
Manager  
Western Region Office

Enclosure