

RECEIVE

JUN 22 2015

ID No.

TP-23-17

Department of Water Resources  
Eastern RegionSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**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: 208-873-3717Mailing address: PO Box 1270 City: AftonState WY ZIP 83110 Email: grant.williams@simplot.com1. Source of water: South Fork Deer Creek tributary to Deer Creek

2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
1S	45E	5		NE			Caribou	South Fork Deer Creek	

3. Location of place of use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1S	45E	4	X	X	X	X					X			X	X	X	X	X	
1S	45E	3					X	X	X	X	X	X	X	X		X	X		

4. Describe proposed use of water Dust abatement for construction mining and haul roads.

5. Amount of water:

Maximum rate of diversion \_\_\_\_\_ cfs or 50 gpm.Maximum daily volume \_\_\_\_\_ AF; total volume 5.0 AF.6. Duration of diversion: from 15-June Date of Approval (day-month) to 30-November (day-month).7. Describe proposed diverting works: Temporary sand-bag collection basin with plastic flex-type diversion pipe.8. a. Who owns the property at the requested point of diversion? USDA-USFS Caribou-Targhee National Forestb. Who owns the land to be irrigated or place of use? USDA-USFS Caribou-Targhee National Forestc. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:  
Public access is allowed via Wells Canyon road.

9. Additional remarks: \_\_\_\_\_

**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.**

J. R. SIMPLOT COMPANY BY David Spurling

Signature of applicant

Date

Senior Vice President, Secretary and General Counsel

Received by seDate 6/22/15

Time

\$50.00 fee receipted by se# 2041173Date 6/22/15

Watermaster comments received? \_\_\_\_\_

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 5.0 AF and a maximum rate of diversion of \_\_\_\_\_ 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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. This approval expires on November 30, 2015

Signed this 25th day of June, 2015.

Lyle Swank  
For the Director



J.R. SIMPLOT COMPANY ONE CAPITAL CENTER 999 MAIN STREET SUITE 1300  
P.O. BOX 27 BOISE, IDAHO 83707-0027 (208) 336-2110 FAX (208) 389-7515

CORPORATE HEADQUARTERS

RECEIVED

JUN 22 2015

Department of Water Resources  
Eastern Region

**June 18, 2015**

Dennis Dunn  
State of Idaho  
Department of Water Resources  
900 North Skyline Drive, Suite A  
Idaho Falls, Idaho 83402-1718

**Re: Application for Temporary Water Right Application – Dust Abatement.**

Dear Dennis:

Enclosed is an application for approval of a temporary permit to allow for water to be diverted from the South Fork of Deer Creek for dust abatement purposed during construction of our new haul road and mine site. Also enclosed is a \$50.00 check to cover your fee for filing the enclosed application.

Sincerely,

Vic Conrad  
Land, Water & Asset Recovery

Enclosure



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

**C.L. "BUTCH" OTTER**  
Governor

June 26, 2015

**GARY SPACKMAN**  
Director

**J.R. Simplot Company**  
PO Box 1270  
Afton WY 83110

**Applicant:**

Enclosed is your approved copy of Temporary Permit TP-23-17. Please take note of the effective dates on line 6 and the conditions on the back.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Sharla Cox', is written over a circular blue ink stamp.

**Sharla Cox**  
Water Resource Administrative Assistant

Enclosure