

FEB 04 2020

WATER RESOURCES  
WESTERN REGIONSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESTransfer No. **83876****MINIMUM REQUIREMENTS CHECKLIST**  
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at [idwr.idaho.gov](http://idwr.idaho.gov).

Name of Applicant(s) J. R. Simplot CompanyCheck whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.Yes ☒ N/A ☐ \* Means the item is always required and must be included with the application.

- ☒ \* Completed Application for Transfer of Water Right form, Part 1.
- ☒ \* Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ \* Application for Transfer Part 2A. Attach a [Part 2A](#) report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer [Part 2B](#) for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ \* Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ \* Correct fee submitted with transfer application form. ([Fee schedule](#) is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. \*\*
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). \*\*  
\*\* Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at [idwr.idaho.gov/water-rights/transfers/resources.html](http://idwr.idaho.gov/water-rights/transfers/resources.html).
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ \* #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☒ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System ([GIS](#)) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☒ #10 Other. Please describe: \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) J. R. Simplot Company Phone 208-336-2110  
Mailing address c/o James B. Alderman, 1099 W. Front St., PO Box 27, Boise, 83707- Email \_\_\_\_\_  
0027

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative SPF Water Engineering Phone 208-383-4140  
Mailing address 300 E. Mallard Dr., Ste. 350, Boise, ID 83706 Email lgraves@spfwater.com

☐ Send all correspondence for this application to the representative and not to the applicant.

OR

☒ Send original correspondence to the applicant and copies to the representative.

☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

James B. Alderman

Senior Vice President and Secretary

  
Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date January 21, 2020

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

### A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use (Industrial use only)  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_

2. Is this a transfer for changes pursuant to [Idaho Code § 42-221.O.8?](#)

If yes, ☐ attach an explanation and any supporting documentation labeled as **Part1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

Applicants wish to update the authorized industrial place of use authorized under integrated water rights 63-2731, 63-4968, 63-5036, 63-5038, 63-5039 and 63-10034 to reflect recent expansions to their food processing plant site and waste water reuse area.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR TRANSFER OF WATER RIGHT

### PART 1 Continued

**B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.**

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part <input checked="" type="checkbox"/> <input type="checkbox"/>	63-2731	2.37/1551.3	Industrial	1/1 to 12/31	Ground Water
<input checked="" type="checkbox"/> <input type="checkbox"/>	63-4968	0.67/438.6	Industrial	1/1 to 12/31	Ground Water
<input checked="" type="checkbox"/> <input type="checkbox"/>	63-5036	2.67/1146.9	Industrial	1/1 to 12/31	Ground Water
<input type="checkbox"/> <input type="checkbox"/>		2.67/600.8	Irrigation	3/1 to 11/15	
<input checked="" type="checkbox"/> <input type="checkbox"/>	63-5038	1.34/575.6	Industrial	1/1 to 12/31	Ground Water
<input type="checkbox"/> <input type="checkbox"/>		1.34/301.5	Irrigation	3/1 to 11/15	
<input checked="" type="checkbox"/> <input type="checkbox"/>	63-5039	1.78/764.6	Industrial	1/1 to 12/31	Ground Water
<input type="checkbox"/> <input type="checkbox"/>		1.78/400.5	Irrigation	3/1 to 11/15	
<input checked="" type="checkbox"/> <input type="checkbox"/>	63-10034	8.83/1839	Industrial	1/1 to 12/31	Ground Water & Waste Water
		4.46/2300 12.48	Irrigation	3/1 to 11/15	
Total authorized under rights _____ cfs and/or _____ acre-feet.					

2. Total amount of water proposed to be transferred or changed 9.63 cubic feet per second and/or 4,477 acre-feet per year.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

Current authorized irrigation pou  
not proposed for change

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Proposed industrial place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	3W	7											X-L6	X-L7					
		17									X-L7	X-L6	X	X					
		18		X-L3	X-L3	X-L2	X-L4	X-L5	X-L6	X	X	X-L7	X-L8	X	X	X	X	X	
		19	X	X	X	X	X	X-L1	X-L2	X	X	X-L3	X-L4	X	X	X	X	X	
		20					X	X	X	X	X	X	X	X	X	X	X	X	
		29	X	X	X	X	X	X	X	X									
		30	X	X															

See attached place of use supplement for more...

Total Acres (for irrigation use) \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Ident. No. \_\_\_\_\_

**Point of Diversion/Place of Use Supplement**

Attachment to: ☐ Application for Permit to Appropriate Water ☒ Application for Transfer\*\* ☐ Adjudication Claim  
☐ Application for Amendment of Permit ☐ Beneficial Use Field Report ☐ Statutory Claim

**Location of points of diversion (POD):**

New POD?	Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or well/diversion tag #
<input type="checkbox"/> Yes										
<input type="checkbox"/> Yes										
<input type="checkbox"/> Yes										
<input type="checkbox"/> Yes										
<input type="checkbox"/> Yes										
<input type="checkbox"/> Yes										
<input type="checkbox"/> Yes										
<input type="checkbox"/> Yes										
<input type="checkbox"/> Yes										
<input type="checkbox"/> Yes										

**Description of place of use (POU):** Proposed industrial place of use continued:

- 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 the use (example: D for Domestic) in the corresponding place of use below.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	4W	12													X			X	
															L10			L10	
		13	X	X	X	X			X	X	X	X	X	X	X	X	X	X	
		14												X			X		
		23			X		X			X									
		24	X	X	X	X	X								X	X			

\*\*If this supplemental sheet is for an Application for Transfer, insert this page into Part 1B of the application.

Page \_\_\_\_\_

**83876**

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 1 Continued**

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:  
Wells, food processing plant, waste water recovery system including lagoons, pipes and ditches. If not in place, measuring devices and controlling works will be accommodated upon Department request.

- b. Who owns the property at the point(s) of diversion? Applicant  
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?  
**If yes,** ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: \_\_\_\_\_

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?  
**If yes,** ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:  
n/a

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:  
Within the reuse area, applicants also have surface water rights 63-2239 and 63-2440 that authorize industrial use from small separate systems for dust control purposes.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

**Yes No**

- ☐ ☒ undergone a period of five or more consecutive years of non-use,  
☐ ☒ currently leased to the Water Supply Bank,  
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or  
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

**If yes, describe:**

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2A**

**Current Water Right No.: 63-2731**

Current Owner: J R SIMPLOT CO  
Priority Date: 11/4/1948  
Origin: Water Right  
Status: Active  
Basis: Decreed

**Source**

**Tributary**

GROUND WATER

<b><u>Beneficial Use</u></b>	<b><u>From To</u></b>	<b><u>Diversion Rate</u></b>	<b><u>Annual Volume</u></b>
INDUSTRIAL	01/01 to 12/31	2.37 CFS	1551.3 AF
	<u>Total Diversion</u>	2.37 CFS	1551.3 AF

**Location of Point(s) of Diversion**

GROUND WATER	NW1/4SW1/4	Sec. 20,	Twp 04N,	Rge 03W B.M.
CANYON County				
GROUND WATER	NW1/4SW1/4	Sec. 20,	Twp 04N,	Rge 03W B.M.
CANYON County				
GROUND WATER	SE1/4NE1/4	Sec. 19,	Twp 04N,	Rge 03W B.M.
CANYON County				
GROUND WATER	NW1/4SE1/4	Sec. 18,	Twp 04N,	Rge 03W B.M.
CANYON County				
GROUND WATER	L8(SW1/4SW1/4)	Sec. 18,	Twp 04N,	Rge 03W B.M.
CANYON County				
GROUND WATER	SE1/4SW1/4	Sec. 18,	Twp 04N,	Rge 03W B.M.
CANYON County				
GROUND WATER	NE1/4SE1/4	Sec. 19,	Twp 04N,	Rge 03W B.M.
CANYON County				
GROUND WATER	NW1/4SE1/4	Sec. 19,	Twp 04N,	Rge 03W B.M.
CANYON County				
GROUND WATER	NE1/4SW1/4	Sec. 20,	Twp 04N,	Rge 03W B.M.
CANYON County				

**Place of Use**

INDUSTRIAL Within CANYON County

T04N R03W S7	Lot 6	SWSW	T04N R03W S7	Lot 7	SESW
T04N R03W S17	Lot 7	NESW	T04N R03W S17	Lot 6	NWSW
T04N R03W S17		SWSW	T04N R03W S17		SESW
T04N R03W S18	Lot 3	NWNE	T04N R03W S18	Lot 4	NENW
T04N R03W S18	Lot 5	NWNW	T04N R03W S18	Lot 6	SWNW
T04N R03W S18		SENW	T04N R03W S18		NESW
T04N R03W S18		NESE	T04N R03W S18		NWSE
T04N R03W S18		SESE	T04N R03W S19		NENE
T04N R03W S19		NWNE	T04N R03W S19		SWNE
T04N R03W S19		SENE	T04N R03W S19		NENW
T04N R03W S19	Lot 1	NWNW	T04N R03W S19	Lot 2	SWNW
T04N R03W S19		SENW	T04N R03W S19		NESE
T04N R03W S19		NWSE	T04N R03W S20		NENW
T04N R03W S20		NWNW	T04N R03W S20		SWNW
T04N R03W S20		SENW	T04N R03W S20		NWSW
T04N R04W S12		NESE	T04N R04W S12	Lot 10	NESE
T04N R04W S12		SESE	T04N R04W S12	Lot 10	SESE
T04N R04W S13		NENE	T04N R04W S13		NWNE
T04N R04W S13		SWNE	T04N R04W S13		SENE
T04N R04W S13		SWNW	T04N R04W S13		SENW
T04N R04W S13		NESW	T04N R04W S13		NWSW
T04N R04W S13		SWSW	T04N R04W S13		SESW
T04N R04W S13		SWSE	T04N R04W S13		SESE
T04N R04W S24		NENE	T04N R04W S24		NWNE
T04N R04W S24		SWNE	T04N R04W S24		SENE

Conditions of Approval:

1. E60 The rights listed below are limited to a total combined diversion rate of 12.48 cfs and a total combined annual diversion volume of 5779.7 AF. Combined Right Nos.: 63-4968, 63-5036, 63-5038, 63-5039, 63-2731, 63-5037, 63-21537, 63-21541 and 63-7678.
2. F06 The following rights are diverted through points of diversion described above: 63-4968, 63-5036, 63-5038, 63-5039, 63-2731, 63-5037, 63-21537, 63-21541 and 63-7678.
3. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
4. WD8 The place of industrial use authorized by this right includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this right for industrial purposes shall not be used for irrigation unless the water is first used in the industrial facility as authorized by this water right.
5. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
6. Industrial use is for food processing plant.
7. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2A**

**Current Water Right No.: 63-4968**

Current Owner: J R SIMPLOT CO  
Priority Date: 1/1/1942  
Origin: Water Right  
Status: Active  
Basis: Decreed

**Source**

**Tributary**

GROUND WATER

**Beneficial Use**

**From To**

**Diversion Rate**

**Annual Volume**

INDUSTRIAL

01/01 to 12/31

0.67 CFS

438.6 AF

**Total Diversion**

0.67 CFS

438.6 AF

**Location of Point(s) of Diversion**

GROUND WATER

NW1/4SE1/4

Sec. 19,

Twp 04N,

Rge 03W B.M.

CANYON County

GROUND WATER

NW1/4SW1/4

Sec. 20,

Twp 04N,

Rge 03W B.M.

CANYON County

GROUND WATER

NW1/4SW1/4

Sec. 20,

Twp 04N,

Rge 03W B.M.

CANYON County

GROUND WATER

L8(SW1/4SW1/4)

Sec. 18,

Twp 04N,

Rge 03W B.M.

CANYON County

GROUND WATER

SE1/4SW1/4

Sec. 18,

Twp 04N,

Rge 03W B.M.

CANYON County

GROUND WATER

NW1/4SE1/4

Sec. 18,

Twp 04N,

Rge 03W B.M.

CANYON County

GROUND WATER

SE1/4NE1/4

Sec. 19,

Twp 04N,

Rge 03W B.M.

CANYON County

GROUND WATER

NE1/4SE1/4

Sec. 19,

Twp 04N,

Rge 03W B.M.

CANYON County

GROUND WATER

NE1/4SW1/4

Sec. 20,

Twp 04N,

Rge 03W B.M.

CANYON County

**Place of Use**



INDUSTRIAL Within CANYON County

T04N R03W S7	Lot 6	SWSW	T04N R03W S7	Lot 7	SESW
T04N R03W S17	Lot 7	NESW	T04N R03W S17	Lot 6	NWSW
T04N R03W S17		SWSW	T04N R03W S17		SESW
T04N R03W S18	Lot 3	NWNE	T04N R03W S18	Lot 4	NENW
T04N R03W S18	Lot 5	NWNW	T04N R03W S18	Lot 6	SWNW
T04N R03W S18		SENW	T04N R03W S18		NESW
T04N R03W S18		NESE	T04N R03W S18		NWSE
T04N R03W S18		SESE	T04N R03W S19		NENE
T04N R03W S19		NWNE	T04N R03W S19		SWNE
T04N R03W S19		SENE	T04N R03W S19		NENW
T04N R03W S19	Lot 1	NWNW	T04N R03W S19	Lot 2	SWNW
T04N R03W S19		SENW	T04N R03W S19		NESE
T04N R03W S19		NWSE	T04N R03W S20		NENW
T04N R03W S20		NWNW	T04N R03W S20		SWNW
T04N R03W S20		SENW	T04N R03W S20		NWSW
T04N R04W S12		NESE	T04N R04W S12	Lot 10	NESE
T04N R04W S12		SESE	T04N R04W S12	Lot 10	SESE
T04N R04W S13		NENE	T04N R04W S13		NWNE
T04N R04W S13		SWNE	T04N R04W S13		SENE
T04N R04W S13		SWNW	T04N R04W S13		SENW
T04N R04W S13		NESW	T04N R04W S13		NWSW
T04N R04W S13		SWSW	T04N R04W S13		SESW
T04N R04W S13		SWSE	T04N R04W S13		SESE
T04N R04W S24		NENE	T04N R04W S24		NWNE
T04N R04W S24		SWNE	T04N R04W S24		SENE

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Industrial use is for food processing plant.
3. E60 The rights listed below are limited to a total combined diversion rate of 12.48 cfs and a total combined annual diversion volume of 5779.7 AF. Combined Right Nos.: 63-4968, 63-5036, 63-5038, 63-5039, 63-2731, 63-5037, 63-21537, 63-21541 and 63-7678.
4. WD8 The place of industrial use authorized by this right includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this right shall not be used for irrigation unless the water is first used in the industrial facility as authorized by this water right.
5. F06 The following rights are diverted through points of diversion described above: 63-4968, 63-5036, 63-5038, 63-5039, 63-2731, 63-5037, 63-21537, 63-21541 and 63-7678.

Decreed Date: 6/4/2009

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2A**

**Current Water Right No.: 63-5036**

Current Owner: J R SIMPLOT CO  
Priority Date: 3/10/1943  
Origin: Water Right  
Status: Active  
Basis: Decreed

**Source**

**Tributary**

GROUND WATER

<b><u>Beneficial Use</u></b>	<b><u>From To</u></b>	<b><u>Diversion Rate</u></b>	<b><u>Annual Volume</u></b>
IRRIGATION	03/01 to 11/15	2.67 CFS	600.8 AF
INDUSTRIAL	01/01 to 12/31	2.67 CFS	1146.9 AF
	<b><u>Total Diversion</u></b>	2.67 CFS	1747.7 AF

**Location of Point(s) of Diversion**

GROUND WATER CANYON County	NE1/4SE1/4	Sec. 19,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	NE1/4SW1/4	Sec. 20,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	NW1/4SE1/4	Sec. 19,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	NW1/4SE1/4	Sec. 18,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	L8(SW1/4SW1/4)	Sec. 18,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	SE1/4SW1/4	Sec. 18,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	SE1/4NE1/4	Sec. 19,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	NW1/4SW1/4	Sec. 20,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	NW1/4SW1/4	Sec. 20,	Twp 04N,	Rge 03W B.M.

**Place of Use**

Page \_\_\_\_\_ of \_\_\_\_\_

IRRIGATION Within CANYON County

T04N R03W S7	Lot 6	SWSW	7.00	T04N R03W S7	Lot 7	SESW	3.00
T04N R03W S17	Lot 7	NESW	9.00	T04N R03W S17	Lot 6	NWSW	5.00
T04N R03W S17		SWSW	21.00	T04N R03W S17		SESW	34.00
T04N R03W S18	Lot 3	NWNE	14.00	T04N R03W S18	Lot 4	NENW	31.00
T04N R03W S18	Lot 5	NWNW	35.00	T04N R03W S18	Lot 6	SWNW	29.00
T04N R03W S18		SESW	33.00	T04N R03W S18		NESW	3.00
T04N R03W S18		NESE	1.00	T04N R03W S18		NWSE	12.00
T04N R03W S18		SESE	26.00	T04N R03W S19		NENE	30.00
T04N R03W S19		NENW	24.00	T04N R03W S19	Lot 1	NWNW	25.00
T04N R03W S19	Lot 2	SWNW	31.00	T04N R03W S19		SESW	25.00
T04N R03W S20		NENW	36.00	T04N R03W S20		NWNW	20.00
T04N R03W S20		SWNW	25.00	T04N R03W S20		SESW	32.00
T04N R04W S12		NESE	1.00	T04N R04W S12	Lot 10	NESE	2.00
T04N R04W S12		SESE	1.00	T04N R04W S12	Lot 10	SESE	31.00
T04N R04W S13		NENE	34.00	T04N R04W S13		NWNE	35.00
T04N R04W S13		SWNE	31.00	T04N R04W S13		SENE	33.00
T04N R04W S13		SWNW	30.00	T04N R04W S13		SESW	26.00
T04N R04W S13		NESW	34.00	T04N R04W S13		NWSW	28.00
T04N R04W S13		SWSW	27.00	T04N R04W S13		SESW	30.00
T04N R04W S13		SWSE	33.00	T04N R04W S13		SESE	30.00
T04N R04W S24		NENE	7.00	T04N R04W S24		SENE	9.00

Total Acres: 933

Page \_\_\_\_\_ of \_\_\_\_\_

INDUSTRIAL Within CANYON County

T04N R03W S7	Lot 6	SWSW
T04N R03W S17	Lot 7	NESW
T04N R03W S17		SWSW
T04N R03W S18	Lot 3	NWNE
T04N R03W S18	Lot 5	NWNW
T04N R03W S18		SENW
T04N R03W S18		NESE
T04N R03W S18		SESE
T04N R03W S19		NWNE
T04N R03W S19		SENE
T04N R03W S19	Lot 1	NWNW
T04N R03W S19		SENW
T04N R03W S19		NWSE
T04N R03W S20		NWNW
T04N R03W S20		SENW
T04N R04W S12		NESE
T04N R04W S12		SESE
T04N R04W S13		NENE
T04N R04W S13		SWNE
T04N R04W S13		SWNW
T04N R04W S13		NESW
T04N R04W S13		SWSW
T04N R04W S13		SWSE
T04N R04W S24		NENE
T04N R04W S24		SWNE

T04N R03W S7	Lot 7	SESW
T04N R03W S17	Lot 6	NWSW
T04N R03W S17		SESW
T04N R03W S18	Lot 4	NENW
T04N R03W S18	Lot 6	SWNW
T04N R03W S18		NESW
T04N R03W S18		NWSE
T04N R03W S19		NENE
T04N R03W S19		SWNE
T04N R03W S19		NENW
T04N R03W S19	Lot 2	SWNW
T04N R03W S19		NESE
T04N R03W S20		NENW
T04N R03W S20		SWNW
T04N R03W S20		NWSW
T04N R04W S12	Lot 10	NESE
T04N R04W S12	Lot 10	SESE
T04N R04W S13		NWNE
T04N R04W S13		SENE
T04N R04W S13		SENW
T04N R04W S13		NWSW
T04N R04W S13		SESW
T04N R04W S13		SESE
T04N R04W S24		NWNE
T04N R04W S24		SENE

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. Industrial use is for food processing plant.
4. E60 The rights listed below are limited to a total combined diversion rate of 12.48 cfs and a total combined annual diversion volume of 5779.7 AF. Combined Right Nos.: 63-4968, 63-5036, 63-5038, 63-5039, 63-2731, 63-5037, 63-21537, 63-21541 and 63-7678.
5. Use of this right is combined with water from Pioneer Dixie Ditch Co.
6. K06 This right is limited to the irrigation of 133.5 acres within the place of use described above in a single irrigation season.
7. F06 The following rights are diverted through points of diversion described above: 63-4968, 63-5036, 63-5038, 63-5039, 63-2731, 63-5037, 63-21537, 63-21541 and 63-7678.
8. WD8 The place of industrial use authorized by this right includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this right for industrial purposes shall not be used for irrigation unless the water is first used in the industrial facility as authorized by this water right.

Decreed Date: 6/4/2009

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2A**

**Current Water Right No.: 63-5038**

Current Owner: J R SIMPLOT CO  
Priority Date: 7/20/1944  
Origin: Water Right  
Status: Active  
Basis: Decreed

**Source**

GROUND WATER

**Tributary**

<b><u>Beneficial Use</u></b>	<b><u>From To</u></b>	<b><u>Diversion Rate</u></b>	<b><u>Annual Volume</u></b>
INDUSTRIAL	01/01 to 12/31	1.34 CFS	575.6 AF
IRRIGATION	03/01 to 11/15	1.34 CFS	301.5 AF
	<b><u>Total Diversion</u></b>	1.34 CFS	877.1 AF

**Location of Point(s) of Diversion**

GROUND WATER CANYON County	NE1/4SW1/4	Sec. 20,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	NE1/4SE1/4	Sec. 19,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	NW1/4SW1/4	Sec. 20,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	NW1/4SE1/4	Sec. 18,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	L8(SW1/4SW1/4)	Sec. 18,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	SE1/4SW1/4	Sec. 18,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	SE1/4NE1/4	Sec. 19,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	NW1/4SE1/4	Sec. 19,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	NW1/4SW1/4	Sec. 20,	Twp 04N,	Rge 03W B.M.

**Place of Use**

IRRIGATION Within CANYON County

T04N R03W S7	Lot 6	SWSW	7.00	T04N R03W S7	Lot 7	SESW	3.00
T04N R03W S17	Lot 7	NESW	9.00	T04N R03W S17	Lot 6	NWSW	5.00
T04N R03W S17		SWSW	21.00	T04N R03W S17		SESW	34.00
T04N R03W S18	Lot 3	NWNE	14.00	T04N R03W S18	Lot 4	NENW	31.00
T04N R03W S18	Lot 5	NWNW	35.00	T04N R03W S18	Lot 6	SWNW	29.00
T04N R03W S18		SENW	33.00	T04N R03W S18		NESW	3.00
T04N R03W S18		NESE	1.00	T04N R03W S18		NWSE	12.00
T04N R03W S18		SESE	26.00	T04N R03W S19		NENE	30.00
T04N R03W S19		NENW	24.00	T04N R03W S19	Lot 1	NWNW	25.00
T04N R03W S19	Lot 2	SWNW	31.00	T04N R03W S19		SENW	25.00
T04N R03W S20		NENW	36.00	T04N R03W S20		NWNW	20.00
T04N R03W S20		SWNW	25.00	T04N R03W S20		SENW	32.00
T04N R04W S12		NESE	1.00	T04N R04W S12	Lot 10	NESE	2.00
T04N R04W S12		SESE	1.00	T04N R04W S12	Lot 10	SESE	31.00
T04N R04W S13		NENE	34.00	T04N R04W S13		NWNE	35.00
T04N R04W S13		SWNE	31.00	T04N R04W S13		SENE	33.00
T04N R04W S13		SWNW	30.00	T04N R04W S13		SENW	26.00
T04N R04W S13		NESW	34.00	T04N R04W S13		NWSW	28.00
T04N R04W S13		SWSW	27.00	T04N R04W S13		SESW	30.00
T04N R04W S13		SWSE	33.00	T04N R04W S13		SESE	30.00
T04N R04W S24		NENE	7.00	T04N R04W S24		SENE	9.00

Total Acres: 933

INDUSTRIAL Within CANYON County

T04N R03W S7	Lot 6	SWSW	T04N R03W S7	Lot 7	SESW
T04N R03W S17	Lot 7	NESW	T04N R03W S17	Lot 6	NWSW
T04N R03W S17		SWSW	T04N R03W S17		SESW
T04N R03W S18	Lot 3	NWNE	T04N R03W S18	Lot 4	NENW
T04N R03W S18	Lot 5	NWNW	T04N R03W S18	Lot 6	SWNW
T04N R03W S18		SENW	T04N R03W S18		NESW
T04N R03W S18		NESE	T04N R03W S18		NWSE
T04N R03W S18		SESE	T04N R03W S19		NENE
T04N R03W S19		NWNE	T04N R03W S19		SWNE
T04N R03W S19		SENE	T04N R03W S19		NENW
T04N R03W S19	Lot 1	NWNW	T04N R03W S19	Lot 2	SWNW
T04N R03W S19		SENW	T04N R03W S19		NESE
T04N R03W S19		NWSE	T04N R03W S20		NENW
T04N R03W S20		NWNW	T04N R03W S20		SWNW
T04N R03W S20		SENW	T04N R03W S20		NWSW
T04N R04W S12		NESE	T04N R04W S12	Lot 10	NESE
T04N R04W S12		SESE	T04N R04W S12	Lot 10	SESE
T04N R04W S13		NENE	T04N R04W S13		NWNE
T04N R04W S13		SWNE	T04N R04W S13		SENE
T04N R04W S13		SWNW	T04N R04W S13		SENW
T04N R04W S13		NESW	T04N R04W S13		NWSW
T04N R04W S13		SWSW	T04N R04W S13		SESW
T04N R04W S13		SWSE	T04N R04W S13		SESE
T04N R04W S24		NENE	T04N R04W S24		NWNE
T04N R04W S24		SWNE	T04N R04W S24		SENE



Conditions of Approval:

1. K06 This right is limited to the irrigation of 67 acres within the place of use described above in a single irrigation season.
2. F06 The following rights are diverted through points of diversion described above: 63-4968, 63-5036, 63-5039, 63-2731, 63-5037, 63-21537, 63-21541 and 63-7678.
3. WD8 The place of industrial use authorized by this right includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this right for industrial purposes shall not be used for irrigation unless the water is first used in the industrial facility as authorized by this water right.
4. Industrial use is for food processing plant.
5. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
6. E60 The rights listed below are limited to a total combined diversion rate of 12.48 cfs and a total combined annual diversion volume of 5779.7 AF. Combined Right Nos.: 63-4968, 63-5036, 63-5038, 63-5039, 63-2731, 63-5037, 63-21537, 63-21541 and 63-7678.
7. Use of this right is combined with water from Pioneer Dixie Ditch Co.
8. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Decreed Date: 6/4/2009

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2A**

**Current Water Right No.:** 63-5039

**Current Owner:** J R SIMPLOT CO

**Priority Date:** 9/15/1947

**Origin:** Water Right

**Status:** Active

**Basis:** Decreed

**Source**

**Tributary**

GROUND WATER

<b><u>Beneficial Use</u></b>	<b><u>From To</u></b>	<b><u>Diversion Rate</u></b>	<b><u>Annual Volume</u></b>
INDUSTRIAL	01/01 to 12/31	1.78 CFS	764.6 AF
IRRIGATION	03/01 to 11/15	1.78 CFS	400.5 AF
	<b><u>Total Diversion</u></b>	1.78 CFS	1165.1 AF

**Location of Point(s) of Diversion**

GROUND WATER CANYON County	NW1/4SW1/4	Sec. 20,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	NW1/4SE1/4	Sec. 19,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	NW1/4SW1/4	Sec. 20,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	NW1/4SE1/4	Sec. 18,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	L8(SW1/4SW1/4)	Sec. 18,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	SE1/4SW1/4	Sec. 18,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	SE1/4NE1/4	Sec. 19,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	NE1/4SE1/4	Sec. 19,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	NE1/4SW1/4	Sec. 20,	Twp 04N,	Rge 03W B.M.

**Place of Use**

Page \_\_\_\_\_ of \_\_\_\_\_

IRRIGATION Within CANYON County

T04N R03W S7	Lot 6	SWSW	7.00	T04N R03W S7	Lot 7	SESW	3.00
T04N R03W S17	Lot 7	NESW	9.00	T04N R03W S17	Lot 6	NWSW	5.00
T04N R03W S17		SWSW	21.00	T04N R03W S17		SESW	34.00
T04N R03W S18	Lot 3	NWNE	14.00	T04N R03W S18	Lot 4	NENW	31.00
T04N R03W S18	Lot 5	NWNW	35.00	T04N R03W S18	Lot 6	SWNW	29.00
T04N R03W S18		SENE	33.00	T04N R03W S18		NESW	3.00
T04N R03W S18		NESE	1.00	T04N R03W S18		NWSE	12.00
T04N R03W S18		SESE	26.00	T04N R03W S19		NENE	30.00
T04N R03W S19		NENW	24.00	T04N R03W S19	Lot 1	NWNW	25.00
T04N R03W S19	Lot 2	SWNW	31.00	T04N R03W S19		SENE	25.00
T04N R03W S20		NENW	36.00	T04N R03W S20		NWNW	20.00
T04N R03W S20		SWNW	25.00	T04N R03W S20		SENE	32.00
T04N R04W S12		NESE	1.00	T04N R04W S12	Lot 10	NESE	2.00
T04N R04W S12		SESE	1.00	T04N R04W S12	Lot 10	SESE	31.00
T04N R04W S13		NENE	34.00	T04N R04W S13		NWNE	35.00
T04N R04W S13		SWNE	31.00	T04N R04W S13		SENE	33.00
T04N R04W S13		SWNW	30.00	T04N R04W S13		SENE	26.00
T04N R04W S13		NESW	34.00	T04N R04W S13		NWSW	28.00
T04N R04W S13		SWSW	27.00	T04N R04W S13		SESW	30.00
T04N R04W S13		SWSE	33.00	T04N R04W S13		SESE	30.00
T04N R04W S24		NENE	7.00	T04N R04W S24		SENE	9.00

Total Acres: 933

INDUSTRIAL Within CANYON County

T04N R03W S7	Lot 6	SWSW	T04N R03W S7	Lot 7	SESW
T04N R03W S17	Lot 7	NESW	T04N R03W S17	Lot 6	NWSW
T04N R03W S17		SWSW	T04N R03W S17		SESW
T04N R03W S18	Lot 3	NWNE	T04N R03W S18	Lot 4	NENW
T04N R03W S18	Lot 5	NWNW	T04N R03W S18	Lot 6	SWNW
T04N R03W S18		SESW	T04N R03W S18		NESW
T04N R03W S18		NESE	T04N R03W S18		NWSE
T04N R03W S18		SESE	T04N R03W S19		NENE
T04N R03W S19		NWNE	T04N R03W S19		SWNE
T04N R03W S19		SENE	T04N R03W S19		NENW
T04N R03W S19	Lot 1	NWNW	T04N R03W S19	Lot 2	SWNW
T04N R03W S19		SESW	T04N R03W S19		NESE
T04N R03W S19		NWSE	T04N R03W S20		NENW
T04N R03W S20		NWNW	T04N R03W S20		SWNW
T04N R03W S20		SESW	T04N R03W S20		NWSW
T04N R04W S12		NESE	T04N R04W S12	Lot 10	NESE
T04N R04W S12		SESE	T04N R04W S12	Lot 10	SESE
T04N R04W S13		NENE	T04N R04W S13		NWNE
T04N R04W S13		SWNE	T04N R04W S13		SENE
T04N R04W S13		SWNW	T04N R04W S13		SESW
T04N R04W S13		NESW	T04N R04W S13		NWSW
T04N R04W S13		SWSW	T04N R04W S13		SESW
T04N R04W S13		SWSE	T04N R04W S13		SESE
T04N R04W S24		NENE	T04N R04W S24		NWNE
T04N R04W S24		SWNE	T04N R04W S24		SENE

Conditions of Approval:

1. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
2. E60 The rights listed below are limited to a total combined diversion rate of 12.48 cfs and a total combined annual diversion volume of 5779.7 AF. Combined Right Nos.: 63-4968, 63-5036, 63-5038, 63-5039, 63-2731, 63-5037, 63-21537, 63-21541 and 63-7678.
3. WD8 The place of industrial use authorized by this right includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this right for industrial purposes shall not be used for irrigation unless the water is first used in the industrial facility as authorized by this water right.
4. F06 The following rights are diverted through points of diversion described above: 63-4968, 63-5036, 63-5038, 63-5039, 63-2731, 63-5037, 63-21537, 63-21541 and 63-7678.
5. Industrial use is for food processing plant.
6. K06 This right is limited to the irrigation of 89 acres within the place of use described above in a single irrigation season.
7. W59 Use of this right is combined with water from Pioneer Dixie Ditch Co.
8. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 6/4/2009

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2A**

**Current Water Right No.: 63-10034**

Current Owner: J R SIMPLOT CO

Priority Date: 3/17/1983

Origin: Water Right

Status: Active

Basis: Decreed

**Source**

**Tributary**

GROUND WATER  
WASTE WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	4.46 CFS	
INDUSTRIAL	11/16 to 02/28	8.83 CFS	
	<u>Total Diversion</u>	8.83 CFS	

**Location of Point(s) of Diversion**

GROUND WATER CANYON County	NW1/4SW1/4	Sec. 20,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	NE1/4SW1/4	Sec. 20,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	NE1/4SE1/4	Sec. 19,	Twp 04N,	Rge 03W B.M.
WASTE WATER CANYON County	NW1/4SE1/4	Sec. 18,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	SE1/4NE1/4	Sec. 19,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	NW1/4SE1/4	Sec. 19,	Twp 04N,	Rge 03W B.M.
WASTE WATER CANYON County	NE1/4NW1/4	Sec. 20,	Twp 04N,	Rge 03W B.M.
GROUND WATER CANYON County	NW1/4SW1/4	Sec. 20,	Twp 04N,	Rge 03W B.M.

**Place of Use**

IRRIGATION Within CANYON County

T04N R03W S7	Lot 6	SWSW	5.60	T04N R03W S7	Lot 7	SESW	2.00
T04N R03W S17	Lot 7	NESW	8.50	T04N R03W S17	Lot 6	NWSW	4.50
T04N R03W S17		SWSW	21.00	T04N R03W S17		SESW	35.00
T04N R03W S18	Lot 3	SWNE	14.00	T04N R03W S18	Lot 4	NENW	32.00
T04N R03W S18	Lot 5	NWNW	37.00	T04N R03W S18	Lot 6	SWNW	29.00
T04N R03W S18		SESW	33.00	T04N R03W S18		NESW	4.10
T04N R03W S18		NESE	1.10	T04N R03W S18		NWSE	12.00
T04N R03W S18		SESE	26.00	T04N R03W S19		NENE	30.00
T04N R03W S19		NENW	24.00	T04N R03W S19	Lot 1	NWNW	24.00
T04N R03W S19	Lot 2	SWNW	31.00	T04N R03W S19		SESW	25.00
T04N R03W S20		NENW	35.00	T04N R03W S20		NWNW	20.00
T04N R03W S20		SWNW	26.00	T04N R03W S20		SESW	33.00
T04N R04W S12	Lot 10	NESE	2.20	T04N R04W S12	Lot 10	SESE	31.00
T04N R04W S13		NENE	34.00	T04N R04W S13		NWNE	35.00
T04N R04W S13		SWNE	31.00	T04N R04W S13		SENE	33.00
T04N R04W S13		SWNW	30.00	T04N R04W S13		SESW	26.00
T04N R04W S13		NESW	34.00	T04N R04W S13		NWSW	28.00
T04N R04W S13		SWSW	27.00	T04N R04W S13		SESW	30.00
T04N R04W S13		SWSE	33.00	T04N R04W S13		SESE	30.00
T04N R04W S24		NENE	7.00	T04N R04W S24		SENE	9.00

Total Acres: 933

INDUSTRIAL Within CANYON County

T04N R03W S7	Lot 6	SWSW		T04N R03W S7	Lot 7	SESW	
T04N R03W S17	Lot 7	NESW		T04N R03W S17	Lot 6	NWSW	
T04N R03W S17		SWSW		T04N R03W S17		SESW	
T04N R03W S18	Lot 3	SWNE		T04N R03W S18	Lot 4	NENW	
T04N R03W S18	Lot 5	NWNW		T04N R03W S18	Lot 6	SWNW	
T04N R03W S18		SESW		T04N R03W S18		NESW	
T04N R03W S18		NESE		T04N R03W S18		NWSE	
T04N R03W S18		SESE		T04N R03W S19		NENE	
T04N R03W S19		NENW		T04N R03W S19	Lot 1	NWNW	
T04N R03W S19	Lot 2	SWNW		T04N R03W S19		SESW	
T04N R03W S20		NENW		T04N R03W S20		NWNW	
T04N R03W S20		SWNW		T04N R03W S20		SESW	
T04N R04W S12		NESE		T04N R04W S12	Lot 10	NESE	
T04N R04W S12		SESE		T04N R04W S12	Lot 10	SESE	
T04N R04W S13		NENE		T04N R04W S13		NWNE	
T04N R04W S13		SWNE		T04N R04W S13		SENE	
T04N R04W S13		SWNW		T04N R04W S13		SESW	
T04N R04W S13		NESW		T04N R04W S13		NWSW	
T04N R04W S13		SWSW		T04N R04W S13		SESW	
T04N R04W S13		SWSE		T04N R04W S13		SESE	
T04N R04W S24		NENE		T04N R04W S24		SENE	

**Conditions of Approval:**

1. 065 The right holder shall make full beneficial use of surface water rights 63-137A, 63-222C, 63-222M, 63-222N, 63-233C, 63-233L, 63-290, 63-374, 63-2239, 63-2241, 63-2386, 63-2425, and 63-2657 for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the direct diversion of ground water for irrigation purposes under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
2. WD8 The place of industrial use authorized by this approval includes land upon which wastewater may be applied to satisfy water quality requirements.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. X35 Rights 63-2239, 63-2731, 63-4968, 63-5036, 63-5038, 63-5039, and 63-10034 when combined shall not exceed a total diversion rate of 9.63 cfs and a total annual maximum diversion volume of 4477 af for industrial purposes.
5. X35 Rights 63-2731, 63-4968, 63-5036, 63-5037, 63-5038, 63-5039, 63-7678, 63-10034, 63-21537, and 63-21541 when combined shall not exceed a total diversion rate of 12.48 cfs and a total annual maximum diversion volume of 8080 af.
6. K06 This right is limited to the irrigation of 532 acres within the place of use described above in a single irrigation season.
7. The diversion and use of water under this right for irrigation purposes shall not exceed the volume necessary to provide the difference between the surface water supply and 4.5 af per acre at the field headgate, up to a maximum total of 2300 af if no surface water is available.
8. Industrial use is for the land application of wastewater diverted and used for industrial purposes pursuant to ground water rights 63-2731, 63-4968, 63-5036, 63-5038, 63-5039, 63-10034 and surface water right 63-2239.
9. Rights 63-290, 63-2239, 63-2241, 63-2386, 63-2425, 63-2657, 63-5036, 63-5037, 63-5038, 63-5039, and 63-10034 when combined shall not exceed the irrigation of 1299 acres.
10. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre.
11. Rights 63-5036, 63-5037, 63-5038, 63-5039 and 63-10034 when combined shall not exceed the irrigation of 933 acres.
12. The use of water for industrial purposes pursuant to this right shall not exceed a total annual diversion volume of 1839 af.
13. 105 If the surface water right(s) 63-137A, 63-222C, 63-222M, 63-222N, 63-233C, 63-233L, 63-290, 63-374, 63-2239, 63-2241, 63-2386, 63-2425, and 63-2657 are abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

Decreed Date: 6/1/2012





**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 3

**A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)**

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (**GIS**) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

### B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

### C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines, typical of notebook paper. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

**FOR DEPARTMENT USE ONLY**

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments.

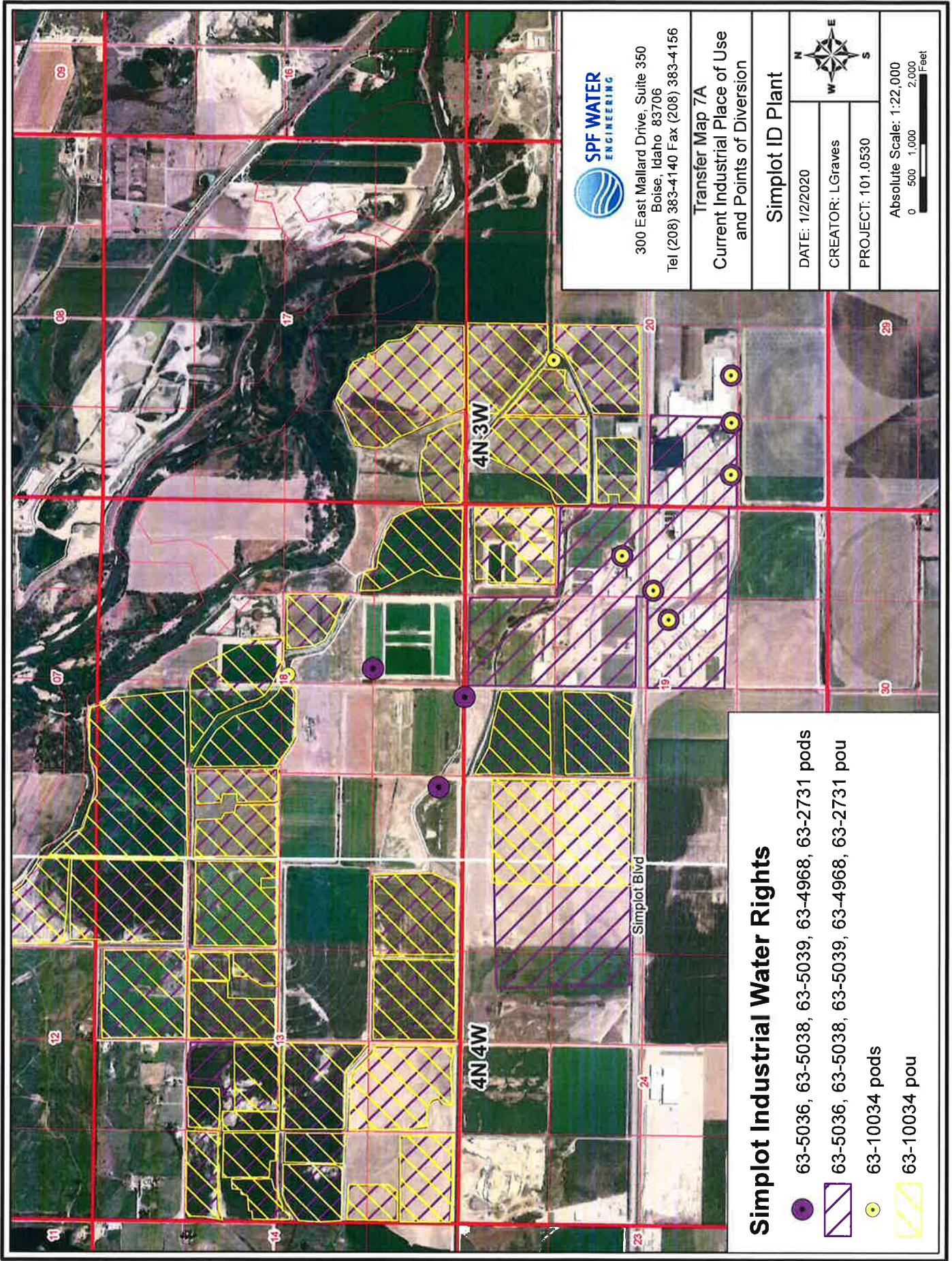
Received by LE Date 02/04/2020 Preliminary check by \_\_\_\_\_ Date \_\_\_\_\_

Fee paid \$1220.00 Date 02/04/2020 Received by LE Receipt # W048025

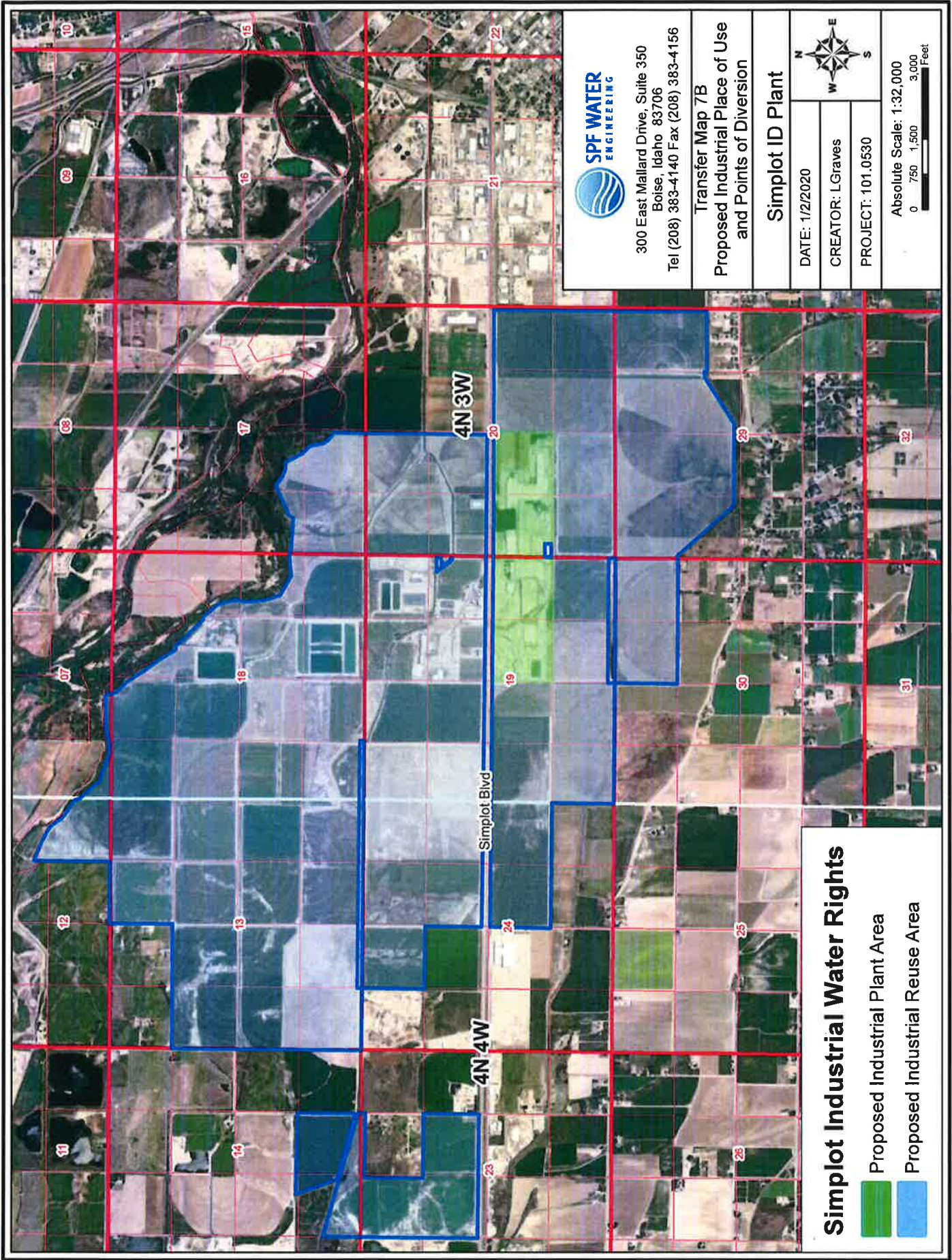
Add'l fee paid \_\_\_\_\_ Date \_\_\_\_\_ Received by \_\_\_\_\_ Receipt # \_\_\_\_\_

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)









300 East Mallard Drive, Suite 350  
Boise, Idaho 83706  
Tel (208) 383-4140 Fax (208) 383-4156

Transfer Map 7B  
Proposed Industrial Place of Use  
and Points of Diversion

**Simplot ID Plant**

DATE: 1/2/2020

CREATOR: LGraves

PROJECT: 101.0530



Absolute Scale: 1:32,000  
0 750 1,500 3,000 Feet

**Simplot Industrial Water Rights**

- Proposed Industrial Plant Area
- Proposed Industrial Reuse Area





State of Idaho

**DEPARTMENT OF WATER RESOURCES**

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Brad Little  
Governor

Gary Spackman  
Director

May 14, 2020

J R SIMPLOT CO  
C/O JAMES B ALDERMAN  
PO BOX 27  
BOISE, ID 83707-0027

**RE: Transfer No. 83876**

**Water Right No(s). 63-10034, 63-2731, 63-4968, 63-5036, 63-5038, 63-5039**

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the PRESS TRIBUNE on 5/21/2020 and 5/28/2020. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Kensie Thorneycroft  
Administrative Assistant

CC:  
SPF WATER ENGINEERING LLC

## Thorneycroft, Kensie

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**From:** Thorneycroft, Kensie  
**Sent:** Thursday, May 14, 2020 2:56 PM  
**To:** 'IDAHO PRESS-TRIBUNE'  
**Subject:** Canyon Legal Notice  
**Attachments:** CoverLetter.docx; LegalNotice.docx

Good Morning Legal Clerk,

I am sending you the new legal notices, please send confirmation to my email.

Please see the attached ad for publication on 05/21/2020 and 05/28/2020.

Please confirm these are okay to publish as shown.

Kensie Thorneycroft  
Administrative Assistant  
IDWR Wester Region  
208-334-2190





**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

**WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082**

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**Brad Little**  
Governor

**Gary Spackman**  
Director

May 14, 2020

LEGAL NOTICE DEPARTMENT  
PRESS TRIBUNE  
PO BOX 9399  
NAMPA, ID 83652

RE: Transfer No. 83876

Water Right No(s). 63-10034, 63-2731, 63-4968, 63-5036, 63-5038, 63-5039

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 6/8/2020. Your cooperation is appreciated.

Sincerely,

Kensie Thorneycroft  
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT**

**TRANSFER NO. 83876**

**J R SIMPLOT CO, C/O JAMES B ALDERMAN PO BOX 27, BOISE, ID 83707-0027** has filed Application No. 83876 for changes to the following water rights within CANYON County(s): Right No(s). 63-10034, 63-2731, 63-4968, 63-5036, 63-5038, 63-5039; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: J.R. Simplot Company of 1099 W Front St., PO Box 27, Boise ID 83707 filed Application No. 83876 to transfer 6 water rights with 1942 through 1983 priority dates from ground water and waste water totaling 9.63 cfs. The purpose of the transfer is to update the authorized industrial place of use to reflect recent expansions to their food processing plant site and waste water reuse areas. Water will be used at the current place of use located roughly 1.3 miles west of the Caldwell Municipal Airport at the intersection of Dixie Road and the Wilder Highway.

For additional information concerning the property location, contact Western Region office at (208)334-2190. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 6/8/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/21/2020 and 5/28/2020



## Shearer, Justin

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**From:** Lori Graves <LGraves@spfwater.com>  
**Sent:** Friday, May 1, 2020 12:28 PM  
**To:** Shearer, Justin  
**Cc:** Terry Scanlan; john.prigge@simplot.com  
**Subject:** RE: Simplot Transfer 83876 Industrial Use

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Justin,

In response to the Department's concern regarding enlargement, Terry provided the following response. Please let me know if you have any further questions. Thanks Justin.

*Industrial water use is limited by the facility wastewater discharge/reuse permit which has become stricter with time. As a result, current wastewater discharge volume is less than historical discharge volumes. More recently, these discharge limitations have caused Simplot to implement a recycling system where a portion of the industrial wastewater is treated using reverse osmosis, further reducing freshwater diversions while allowing increased potato processing. Average production is currently 1780 gpm (4 cfs) and annual volume is approximately 4000 af, which are approximately 50% of authorized rate and volume."*

**From:** Shearer, Justin <Justin.Shearer@idwr.idaho.gov>  
**Sent:** Thursday, April 30, 2020 1:45 PM  
**To:** Lori Graves <LGraves@spfwater.com>  
**Subject:** Simplot Transfer 83876 Industrial Use

Hey Lori,

As we discussed over the phone, because the application proposes updating the POU to reflect recent expansion to plant, there is some concern for enlargement. Please show how the increased boundary for the industrial use POU does not increase historic beneficial use.

I would like to get this into the next round of advertising so we can get this approved in the next month, so a response within the next two weeks to this would be greatly appreciated and allow me address this concern so we can move forward.

Thanks and regards,

Justin Shearer  
Water Resource Agent, Sr.  
(208)-334-2190



RECEIVED

FEB 04 2020

WATER RESOURCES  
WESTERN REGION

January 30, 2020

Patrick Kelly, Water Rights Supervisor  
IDWR Western Region Office  
2735 Airport Way  
Boise, ID 83705

**Subject: *Application for Transfer***

Dear Patrick,

Enclosed on behalf of J. R. Simplot Company, is an *Application for Transfer* requesting the current industrial place of use authorized under integrated water rights 63-2731, 63-4968, 63-5036, 63-5038, 63-5039 and 63-10034 be changed to reflect recent expansions to their food processing plant site and waste water reuse area.

Check No. 014896 for \$1,220 is enclosed for the filing fee. Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lori Graves".

Lori Graves  
Water Rights Specialist

Cc: Vic Conrad

Enclosures

SPF file number: 101.0531