

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT NO. 208

This is to certify that:

J R SIMPLOT CO
1099 W FRONT ST PO BOX 27
BOISE, ID 83707-0027

RECEIVED

MAR 01 2018

**DEPARTMENT OF
WATER RESOURCES**

filed an application to rent water from the Water Supply Bank ("Bank"). The Idaho Water Resource Board ("Board"), being authorized to operate a Bank and to contract by and through the Director of the Idaho Department of Water Resources ("Director, Department") for rental of water from the Bank, agrees to rent water as follows:

Summary of Water Rights or Portions Rented from the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)
24-4017	9/18/1890	SAGE CREEK	0.90	158.6	45.3
Rental Totals			0.90	158.6	45.3

Term of Rental: This rental shall take effect when all parties have signed it and shall continue in effect until December 31, 2019

Annual Rental Fee:
2018 - 2022: \$317.20

The full fee for the rental of the above-described right(s) is \$317.20 per year for years 2018 - 2022. The rental fee includes an administrative fee of \$317.20 per year for years 2018 - 2022. Note that the renter is obligated to pay only the administrative fees associated with the water right(s) 24-4017.

An annual payment shall be received by the Department on or before December 31 each year preceding the use of the rented water rights. The agreement will be void if payment is not received by the due date in a given year. Rental fees are non-refundable. To voluntarily terminate the agreement early, notify the Department in writing prior to the rental fee due date.

Total Water Use Authorized Under Rental Agreement

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)
INDUSTRIAL	0.90	113.3
Total	0.90	113.3

*** The authorized water usage reflects a reduction from the water right elements rented, to account for a change in nature of use.**

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER SUPPLY BANK RENTAL AGREEMENT

The undersigned renter agrees to use the water rented under this agreement in accordance with the Water Supply Bank rules and in compliance with the limitations and conditions of use described in this agreement:



Signature of Renter

2-12-18

Date

James B. Alderman

Printed Name

Senior Vice President and Secretary

Title

*Title required if signing on behalf of a company or organization or with power of attorney

Having determined that this agreement satisfied the provisions of Idaho Code § 42-1763 and IDAPA 37.02.03.030 (Water Supply Bank Rule 30), for the rental and use of water under the terms and condition herein provided, and none other, I hereby execute this Rental Agreement on behalf of the Idaho Water Resource Board.

By 

BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Date 3/2/2018

Rental approved by IDWR 

Date 3-2-2018

WATER SUPPLY BANK RENTAL AGREEMENT No. 208

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

SAGE CREEK NESE Sec. 18, Twp 09S, Rge 46E, CARIBOU County

Beneficial Use
INDUSTRIAL

Diversion Rate
0.90 CFS

Volume
113.3 AF

SEASON OF USE

Water Right No. **From** **To**
24-4017 4/15 10/31

RENTERS PLACE OF USE: SEE REMARKS

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	45E	25																X	NA
08S	45E	36	X																NA
08S	46E	30											X						NA
08S	46E	31						X	X		X	X	X	X			X		NA
09S	45E	13													X	X	X	X	NA
09S	45E	21									X		X	X	X	X	X	X	NA
09S	45E	22									X	X	X	X	X	X	X	X	NA
09S	45E	23	X	X	X	X			X	X	X	X			X			X	NA
09S	45E	24		X	X		X	X	X	X	X	X	X	X					NA
09S	45E	25						X											NA
09S	45E	26	X																NA
09S	45E	28					X	X											NA
09S	46E	6		X L2	X		X X L3							X		X	X		NA
09S	46E	7			X		X			X	X			X		X	X		NA
09S	46E	18		X			X			X	X	X	X	X			X		NA
09S	46E	19		X			X	X											NA

Total Acres: NA

RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
3. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
4. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
5. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
6. Renter acknowledges and agrees that the Director may terminate authorization for the use of a water right based on a water right's priority date. This rental for mitigation by non-use may be ineffective if the mitigating water right is not in priority.
7. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
8. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
9. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
10. This right does not grant any right-of-way or easement across the land of another.
11. Industrial use is for dust abatement for a mining access road.

Idaho Water Resource Board
Water Supply Bank Rental Agreement #208

Effective until December 31, 2019

This map depicts the **rental place of use** pursuant to the rental agreement and is attached to the agreement solely for illustrative purposes.



-  Authorized Rental Point of Diversion
-  Authorized Rental Place of Use
-  Townships
-  PLS Sections



0 1 2 Miles

STATE OF IDAHO
WATER RESOURCE BOARD

**APPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANK**

RECEIVED

JAN 05 2018

**DEPARTMENT OF
WATER RESOURCES**

Applicant Name: J. R. Simplot Company

Is this application being submitted with a lease application as a lease/rental package?

Yes ☒ No ☐

If yes, specify companion water rights in Section 4

This application must be completed according to the minimum requirement checklist below. This checklist is part of the rental application and must be included with the rental application. **Applications that do not meet the minimum requirements will not be placed in the processing queue and may be returned until all minimum requirements have been met.**

Rental applications should be submitted well in advance of the desired start date for the use of rental water. Rental applications may be processed as early as November 1 of the year prior to the intended use of rental water. Any rental application received on or before November 1 for use in the next year will be assigned a received date of November 1. Rental applications submitted more than one year in advance of the proposed start date for the use of rental water will not be accepted and will be returned to applicants. Rental applications may be returned to applicants if the desired start date for the use of rental water cannot be accommodated by the Water Supply Bank. Rental requests will not be accepted once the rental season of use period has concluded.

One rental application per beneficial use of water. For multiple beneficial uses of water, separate rental requests should be submitted for each unique beneficial use of water. One rental application can be submitted if you propose to rent water from multiple sources.

For additional instructions on completing a rental application, visit the Bank's website at http://idwr.idaho.gov/water_supply_bank.

MINIMUM REQUIREMENT CHECKLIST

Check All Items as Either Attached (Yes) or Not Applicable (N/A)

Yes

- ☒ Completed *Application to Rent Water from the Board's Water Supply Bank*
- ☒ Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank

Attachment N/A Yes

- | | | |
|----|--|--|
| 2 | ☒ | A map showing the proposed point(s) of diversion, place(s) of use, and water diversion and distribution systems proposed to be used with your rental request |
| 3A | ☒ ☐ | Detailed information on a proposed use of rental water |
| 3F | ☒ ☐ | Authorization from the owner/operator of the rental point(s) of diversion |
| 3H | ☒ ☐ | Water modeling to account for the impacts of the rental request |
| 3J | ☒ ☐ | Documents justifying a rate of flow greater than 0.02 cfs/acre |
| 3K | ☒ ☐ | Authorization from the owner/operator of the property at the proposed rental place(s) of use |
| 4B | ☒ ☐ | Explanation of how the rental water will sufficiently accomplish your rental purposes |
| 4C | ☒ ☐ | Explanation of consumptive use amounts for water rights experiencing a change in nature of use |

Department Use Only – Proposed Water Right(s)

24-4017

974

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant J. R. Simplot Company

Mailing Address P. O. Box 27, Boise, Idaho 83707

Street City State Zip Code

Email Address vic.conrad@simplot.com Phone Number 208-780-7359

B. Is this application being completed by an authorized representative on behalf of the applicant? Yes ☒ No ☐
If yes, representatives (includes company employees if the applicant is a corporation, as well as legal counsel or consultants) should provide their information below if they desire to be included on correspondence with the rental applicant.

Representative James B. Alderman Professional Title Sr. V.P. and Secretary

Organization Same as Applicant Relationship to Applicant Same as Applicant

Mailing Address Same as Applicant

Email Address _____ Phone Number _____

2. MAP

Create a map of the proposed point(s) of diversion, place(s) of use and water diversion, delivery and distribution systems. Make sure the rental place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to irrigate. Attach the map to this application and label it **Attachment 2**.

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

A. Describe why you desire to rent water and provide a detailed description of your proposed use. If the proposed use is not for irrigation, describe in detail how you determined the amount of rental water required. If the space below is insufficient, attach additional sheets as required and label them **Attachment 3A**:

Water will be diverted from the South Fork of Sage Creek into a storage that will be used to fill water trucks. After the trucks are filled, water will be applied for dust suppression on a mine haul road.

B. Enter the desired and/or minimum rates of flow, volume, or irrigable acres requested for your rental purposes:

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
0.9 CFS	113.5 AF	CFS	AF	AC

* Sometimes water rights provide an exceptionally low rate per acre and/or low volume per acre. This section is meant to establish an acceptable range of water sufficient for your proposed water use. Please see question 4B and complete if necessary.

C. This section must be completed in full. Enter the proposed start date and latest possible start date for using rental water as well as the number of years you would like to rent water. The latest possible start is the latest possible date by which you would be willing to pay for a rental and be able to benefit from utilizing rental water.

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
April 15, 2018		☐ 1	☒ 2	☐ 3	☐ 4	☐ 5	☒ Process application as soon as possible	☐ Return application to applicant

* The number of years permissible for a rental is subject to the lease contract duration for the water right(s) being rented.

** Per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right. Water Supply Bank rental applicants are not authorized to utilize rental water prior to the execution of an approved rental agreement. Rental requests may be returned to applicants if no water is available from the Bank to fulfill a rental request.

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

- D. Describe your water distribution system and how rental water will be delivered from the point(s) of diversion (POD) to the proposed place of use (POU):

Water will be diverted using a suction intake, pump, motor & pipeline into a water storage. Water trucks will be filled from the storage then will be applied to a mine haul road for dust suppression.

- E. Describe the physical type (pump, headgate, etc.) and location of the POD from which rental water is proposed to be diverted:

POD Description	Water Source	Other Water Rights Diverted from this POD
T9S R46E Sec 18 SENESE	South Fork Sage Creek	None

If the POD(s) above are located where water is turned into a canal, lateral or ditch, or if they are located on your property but are serviced by water that is delivered via a canal, lateral or ditch, your rental request must include documented authorization from all relevant canal companies, irrigation districts and/or water delivery entities, confirming that they consent to your diversion of water from their system.

- F. Has documented consent from all relevant water delivery entities been obtained? Yes ☒ N/A ☐
If yes, include documented consent as Attachment 3F.

- G. Do any POD(s) identified in Question 3E divert from a water source that may require water modeling? Yes ☐ No ☒
Refer to the Water Modeling Requirements Information Sheet to determine if a rental POD may require water modeling.

- H. Has water modeling been provided with your rental request? Yes ☐ N/A ☒
If yes, label modeling Attachment 3 H.
Rental applications that require modeling will be returned if modeling is not provided.

- I. Specify the desired beneficial use of water and the requested season of use or number of acres required:

- ☐ Irrigation _____ (number of acres) Duration: Subject to IDWR standard seasons of use
- ☐ Commercial from: _____ (mm/dd) to: _____ (mm/dd)
- ☐ Stockwater from: _____ (mm/dd) to: _____ (mm/dd)
- ☐ Industrial from: _____ (mm/dd) to: _____ (mm/dd)
- ☐ Other: Dust Suppression from: April 15 (mm/dd) to: Oct 15 (mm/dd)

- J. For irrigation uses, do you propose to divert water at a rate greater than 0.02 cfs/acre? N/A ☒ Yes ☐ No ☐
If yes, justify the rate of flow and attach any supporting documents as Attachment 3J. Justification may include information on soil composition, conveyance losses, crop type, irrigation systems, public access areas, etc. A rate of 0.03 cfs/acre is permissible for irrigation of 5 acres or less.

- K. Do you own the land at the proposed rental place of use (POU)? Yes ☐ No ☒
If no, attach documentation from the POU owner/operator confirming your authorization to use the POU and label it Attachment 3K.

- L. List all other water rights and sources of water at the rental place of use for the same purpose, including privately owned water rights and water received from a municipal supplier, an irrigation district, a canal company or any other water delivery entity. Explain why additional water is required:

NA

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights?

Yes ☒ No ☐

If yes, specify below the elements of the water rights you are requesting to rent. If no, continue to Question 4B.

Important Information: Diversion rates and volumes sought for rent must be proportionate to the per acre diversion rates and per acre volume limits of the water right under lease contract to the Water Supply Bank. Prior to completing this section, applicants should review all water right lease contracts and any active rental agreements to determine which elements of a water right are available to satisfy a rental request. Lease and rental documents are searchable via [IDWR's website](#).

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany this rental request. **Rental requests for water rights not yet leased to the Bank will be returned if companion lease applications are not provided with the rental request.** For leased rights featuring combined limits, rentals must be consistent with combined diversion rate, volume or acre limits. Combined limits should be listed on a row below water right numbers.

Water Right Elements Leased to Water Supply Bank					Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent	Water Supply Bank Rental Request		
Water Right Number (leave blank if sub-total of combined limits)	Nature of Use	Diversion Rate (CFS)	Volume (AF)	Acres (AC)		Diversion Rate (CFS)	Volume (AF)	Acres (AC)
24-4017	Irrigation	0.9	181.2	45.3		0.9	181.2	45.3
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					TOTAL	0.9	181.2	45.3
						CFS	AF	AC

**Attach multiple copies of this page if space above is insufficient to list all water rights requested to be rented on this application.*

B. If water right conditions, combined limits, or the sum of all water right elements being requested provide an unconventional duty of water (e.g., an unusually low rate per acre or volume per acre for irrigation use), explain how your proposed rental will sufficiently accomplish your intended purposes. Attach a separate page if space is insufficient and label it **Attachment 4B**:

C. Does your rental request propose to change the nature of use for any water right(s) being rented?

Yes ☒ No ☐

If yes, explain how the water right(s) will be converted to new uses. Include the historic, consumptive use amounts for the water right being rented if you have it, as well as the new consumptive use amount for your proposed beneficial use. If space below is insufficient, attach a separate page and label it **Attachment 4C**:

Water will be used for dust suppression in lieu of irrigation

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

- A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☐ No ☒

If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

Water has been rented for the same purpose for the last several years. The proposed use is temporary and will cease once mining is complete.

- B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental? Yes ☐ No ☒

If yes, describe:

- C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? Yes ☐ No ☒

If yes, describe the date and location of the NOV.

- D. Additional Information

DECLARATION

I hereby assert that 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. I understand that if this rental application is approved, it will be subject to the provisions of Section 42-1766, Idaho Code and all applicable state and federal laws. I understand that the submission of a rental application provides no guarantee for approval of a rental agreement. I also understand that, per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right and that I am not authorized to utilize water as proposed in this application prior to the execution of an approved rental agreement.


Signature of Applicant

James B. Alderman
Printed Name of Applicant

1-3-18
Date

Signature of Representative

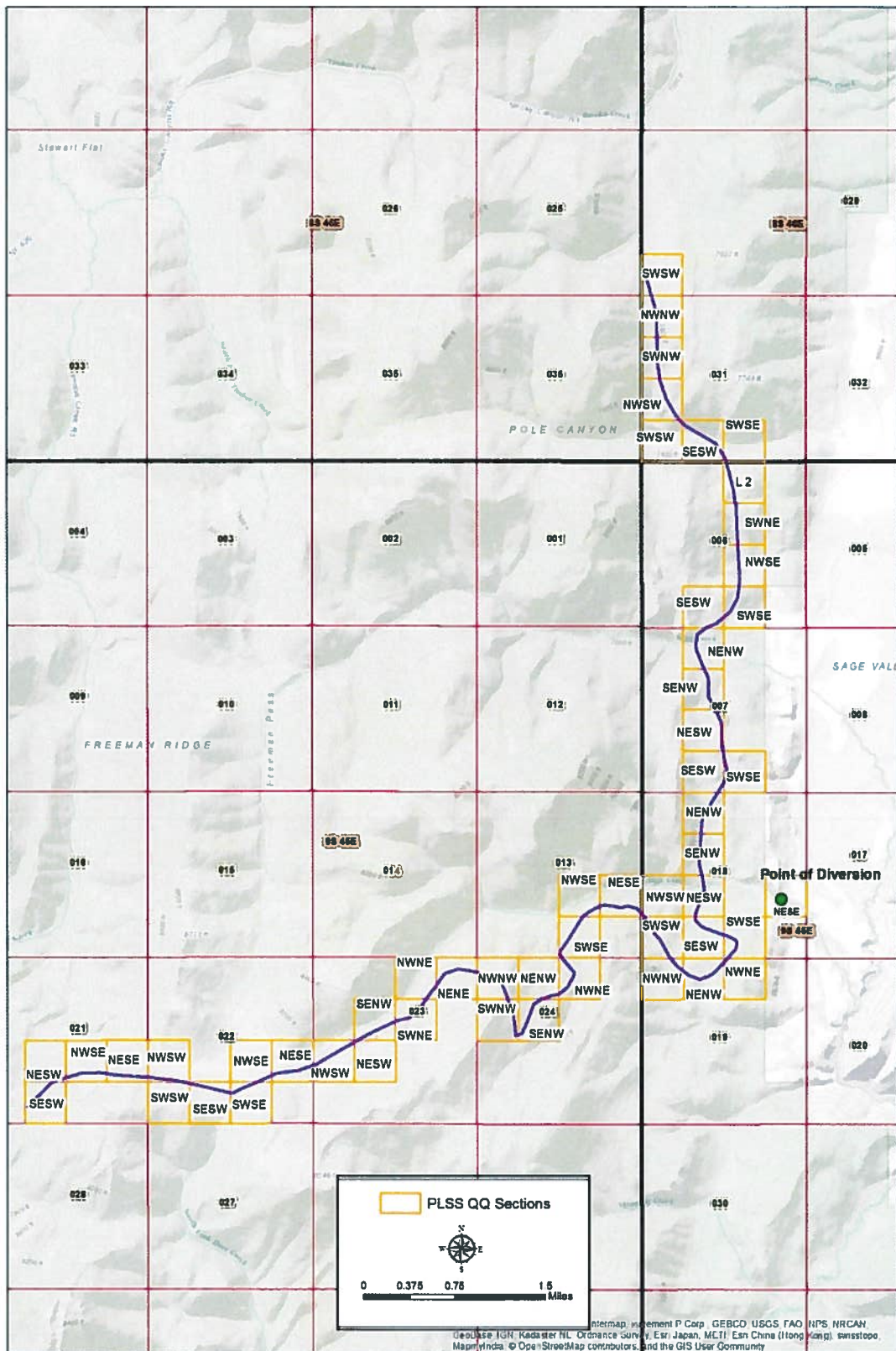
Senior Vice President and Secretary
Printed Name of Representative

Date

Mail to:

Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Map for 2018 – 2023 Water Bank Rental Application





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 5, 2018

J R SIMPLOT CO
PO BOX 27
BOISE ID 83707-0027

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 24-4017**

Dear Renter:

Please find enclosed a receipt in the amount of **\$317.20** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 113.3 acre-feet of water for industrial use during 2018. Upon receipt of this fully executed agreement, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

Pursuant to the Water Supply Bank Rules, the rental fee will be retained by the Department to offset administrative costs since you are the owner of the right.

If you have any questions, please contact this office at (208) 287-4800.

Sincerely,

Water Supply Bank

Enclosures: Receipt No. C104710
Rental Agreement (copy)

c: Sascha Marston – Fiscal
James Cefalo – IDWR Eastern Regional Office



J.R. Simplot Company
P.O. Box 27, Boise, Idaho
83707 0027

1099 West Front Street
Boise, Idaho 83702

Vic.conrad@simplot.com
208 780 7359 Business
208 780 7333 Fax

February 28, 2018

Water Supply Bank
c/o Debbie Judd
State of Idaho
Department of Water Resources
322 East Front Street
Boise, Idaho 83720-0098

RECEIVED

MAR 01 2018

**DEPARTMENT OF
WATER RESOURCES**

**Re: Water Supply Bank Rental Agreement and Water Supply Bank Lease Contract
No. 733; IDWR Water Right No. 24-4017.**

Dear Debbie:

Enclosed is the original partially executed Water Supply Bank Rental Agreement and Water Supply Bank Lease Contract in connection with IDWR water right no. 24-4017. I am also enclosing a check in the amount of \$317.20 to cover the annual rental for 2018.

Please arrange for the enclosed Agreement and Contract to be signed by the Idaho Water Resource Board and the Idaho Department of Water Resources, then return copies of the fully executed Contract and Agreement to me.

Sincerely,

Vic Conrad
Land, Water & Asset Recovery

Enclosures





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 6, 2018

J R SIMPLOT CO
PO BOX 27
BOISE ID 83707-0027

**RE: APPLICATIONS TO LEASE AND RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 24-4017**

*****TIME SENSITIVE RESPONSE REQUIRED*****

Dear Applicant:

The Department of Water Resources acknowledges receipt of your applications to lease water to and rent water from the Water Supply Bank. **I have enclosed two original Water Supply Bank Lease Contracts and a Water Supply Bank Rental Agreement for your review and signature. Please sign and return ALL Lease Contracts and the Rental agreement within 14 days.** Upon signature and return of the original contracts and agreement, together with the rental fee described below, the Department will also sign the original contracts and agreement and return executed copies to you. Execution of the agreement and compliance with the conditions of approval authorize diversion and use of water as provided in the agreement.

A rental fee of **\$3,172.00** was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 158.6 acre-feet. Since you are both the lessor and the renter of the right, **you are only obligated to pay the 10% administrative fee or \$317.20. Please send a check for \$317.20** made payable to the Idaho Department of Water Resources, so I can complete processing.

The Department shall receive an annual payment prior to January 1 in all subsequent years for the duration of the rental period. The rental agreement will be void if payment is not received prior to the due date in a given year. If the rental is voided and you do not terminate the lease contract, the water rights will still be subject to rental by other parties.

If you would like to terminate the lease and rental agreement prior to the end of the lease/rental period, you must submit written notice of your intent to the Department at least 30 days prior to the rental fee due date.> You may use the Request to Release a Water Right From the Bank located at <http://idwr.idaho.gov/files/water-supply-bank/WSB-Request-to-Release-a-WR-from-the-Bank.pdf>.

If all signed leased contracts, signed rental agreements, and the rental fee payment is not received within 14 days, your lease/rental package may be in danger of being returned without being executed in such case, the lease application fee will not be refunded.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

If you have any questions, please contact this office at (208) 287-4800.

Sincerely,



Water Supply Bank

Enclosures:

Proposed Lease Contracts

Proposed Rental Agreement

Receipt # C104509

c: IDWR Front Desk

Memorandum for Lease Contract #733 and Rental Agreement #208

To: Water Right 24-4017

From: Sandra Thiel

Date: February 2, 2018

Re: Review & Analysis of Application to Lease and Rent Water

PURPOSE/NARRATIVE: The JR Simplot Company submitted a lease / rental package to the Department on January 5, 2018. They intend to lease a portion of right 24-4017 to the Bank from 2018 through 2023. This right is for the irrigation of 70.3 acres in T9S R46E Section 21 and 22 in Caribou County.

This lease / rental is essentially the same as previous years. Simplot owns the water right. They lease it for dust suppression on the haul road accessing the Smoky Canyon Mine. Dust suppression is required by agreement with the land owners, and by an Idaho Department of Environmental Quality air quality permit. Caribou-Targhee National Forest owns all of the place of use

The mining haul road changes somewhat each year. Therefore the rental place of use changes and the ideal and permanent solution, a transfer, does not appear to be feasible.

The lessor will lease 45.3 acres of irrigation to the Bank and rent the consumptive use associated with those 45.3 acres (2.5 AF/ac). However, the renter will be required to rent the entire field headgate requirement of 158.6 AF (3.5 AF/ac) so no enlargement will occur.

AUTHORITY TO FILE: James Alderman signed both the lease and rental applications. The Secretary of State lists Mr. Alderman as a secretary for the JR Simplot Company. According to the September 2017 Caribou County parcel data Simplot owns the lease place of use and point of diversion.

WATER RIGHT VALIDITY: Right 24-4017 was decreed in 2008. Simplot has leased this right to the Bank since 2010.

INJURY TO OTHER WATER RIGHTS: There are no injury concerns.

ENLARGEMENT OF USE: This rental changes the beneficial use of the water right. Consequently, it will be limited to the consumptive use portion of the right.

LOCAL PUBLIC INTEREST: Review staff has no information to suggest this application is inconsistent with the local public interest.

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES: The rental appears consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: James Cefalo responded that he no comments or concerns.

Thiel, Sandra

From: Cefalo, James
Sent: Friday, February 02, 2018 9:54 AM
To: Thiel, Sandra
Subject: RE: Simplot lease and rental of right 24-4017

Sandra,

I don't have any comments or concerns with the proposed WSB lease/rental package.

James

From: Thiel, Sandra
Sent: Friday, February 02, 2018 9:49 AM
To: Cefalo, James <James.Cefalo@idwr.idaho.gov>
Subject: Simplot lease and rental of right 24-4017

Good Morning, The attached documents provide details of a lease and rental. This is similar to previous leases and rentals by JR Simplot Company. Please let me know if you have questions or concerns.

Sandra Beer Thiel
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83720-0098
(208)287-4881
sandra.thiel@idwr.idaho.gov

No. C 28407	Due no later than Feb 28, 2018 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. J. R. SIMPLOT COMPANY JAMES ALDERMAN P. O. BOX 27 BOISE ID 83707		CORPORATION SERVICE COMPANY 12550 W EXPLORER DR STE 100 BOISE ID 83713			
			3. <u>New</u> Registered Agent Signature:*			
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
PRESIDENT	WILLIAM J WHITACRE	1099 W. FRONT STREET	BOISE	ID	USA	83702-0027
SECRETARY	JAMES ALDERMAN	1099 W. FRONT STREET	BOISE	ID	USA	83702-0027
DIRECTOR	SCOTT R SIMPLOT	1099 W. FRONT STREET	BOISE	ID	USA	83702-0027
DIRECTOR	GAY C SIMPLOT	1099 W. FRONT STREET	BOISE	ID	USA	83702-0027
DIRECTOR	JOHN E SIMPLOT	1099 W. FRONT STREET	BOISE	ID	USA	83702-0027
DIRECTOR	A DALE DUNN	1099 W. FRONT STREET	BOISE	ID	USA	83702-0027
DIRECTOR	STEPHEN A BEEBE	1099 W. FRONT STREET	BOISE	ID	USA	83702-0027
DIRECTOR	RICHARD M HORMAECHEA	1099 W. FRONT STREET	BOISE	ID	USA	83702-0027
DIRECTOR	WILLIAM J WHITACRE	1099 W. FRONT STREET	BOISE	ID	USA	83702-0027
TREASURER	JOEL G BARKER	1099 W. FRONT STREET	BOISE	ID	USA	83702
DIRECTOR	TERRY T UHLING	1099 W. FRONT STREET	BOISE	ID	USA	83702
DIRECTOR	JOHN D SIMPLOT	1099 W. FRONT STREET	BOISE	ID	USA	83702
DIRECTOR	JOHN OTTER	1099 W. FRONT STREET	BOISE	ID	USA	83702
5. Organized Under the Laws of: NV C 28407		6. Annual Report must be signed.* Signature: James B. Alderman Name (type or print): James B. Alderman Date: 01/16/2018 Title: Secretary				
Processed 01/16/2018		* Electronically provided signatures are accepted as original signatures.				