

RECEIVED

STATE OF IDAHO

Transfer No. 81657

MAY 12 2017

DEPARTMENT OF WATER RESOURCES

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DEPT OF WATER RESOURCES  
SOUTHERN REGION**MINIMUM REQUIREMENTS CHECKLIST**  
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

MAY 08 2017

An application for transfer must be prepared in accordance with the minimum requirements listed below to be accepted for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional requirements are available from any Department office or on the Department's website at [www.idwr.idaho.gov](http://www.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 [www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm](http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm).
- ☐ ☒ #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: \_\_\_\_\_

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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESMAY 12 2017 APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1

DEPT OF WATER RESOURCES

Name of Applicant(s) SOUTHERN REGION J. R. Simplot CompanyPhone 208-336-2110Mailing address P. O. Box 27, Boise, Idaho 83707

Email \_\_\_\_\_

- ☐ 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.

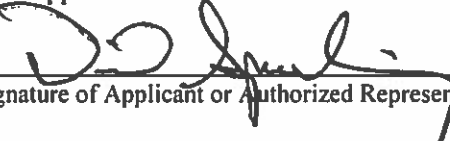
☐ No Representative

Name of Representative \_\_\_\_\_ Phone \_\_\_\_\_

Mailing address \_\_\_\_\_ Email \_\_\_\_\_

- ☐ 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.



Signature of Applicant or Authorized Representative

David Spurling, Senior V.P. and Secretary  
Print Name and Title if applicable

3 May 2017  
Date

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  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_

2. 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.2**.

The current permissible place of use for water rights 43-2378, 43-2484, 43-2522, 43-2547, 43-2548 and 43-10426 needs to be modified to cover changes to the methods of sprinkler irrigation. There are no increases in the amount of land irrigated under these water rights.

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<br>(cfs/ac-ft) | Nature of Use | Period of Use | Source & Tributary |
|-----------------------------------------------------------------------------|--------------|-----------------------|---------------|---------------|--------------------|
| All or Part<br><input checked="" type="checkbox"/> <input type="checkbox"/> | 43-2378      | 2.4/640               | Irrigation    | 3/15 to 11/15 | Ground Water       |
| <input type="checkbox"/> <input type="checkbox"/>                           | 43-2484      | 6.4/1468              | Irrigation    | 3/15 to 11/15 | Ground Water       |
| <input type="checkbox"/> <input type="checkbox"/>                           | 43-2547      | 4.0/800               | Irrigation    | 3/15 to 11/15 | Ground Water       |
| <input type="checkbox"/> <input type="checkbox"/>                           | 43-2548      | 3.03/605.2            | Irrigation    | 3/15 to 11/15 | Ground Water       |
| <input type="checkbox"/> <input type="checkbox"/>                           | 43-2522      | 2.99/598              | Irrigation    | 3/15 to 11/15 | Ground Water       |
| <input type="checkbox"/> <input type="checkbox"/>                           | 43-10426     | 2.36/472.8            | Irrigation    | 3/15 to 11/15 | Ground Water       |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |

Total authorized under rights 21.18 cfs and/or 4,584 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.58 cubic feet per second and/or 128 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<br>? | 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.)

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

| Twp                              | Rge | Sec | NE ¼ |    |    |    | NW ¼ |    |    |    | SW ¼ |    |    |    | SE ¼ |    |    |    | Acre<br>Totals |
|----------------------------------|-----|-----|------|----|----|----|------|----|----|----|------|----|----|----|------|----|----|----|----------------|
|                                  |     |     | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE |                |
| 12S                              | 27E | 6   |      |    |    |    |      |    |    |    |      |    | 45 | 12 |      |    |    |    | 57             |
|                                  |     | 7   |      |    |    |    | 14   |    |    |    |      |    |    |    |      |    |    |    | 14             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |                |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |                |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |                |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |                |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |                |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |                |
| Total Acres (for irrigation use) |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    | 71             |

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, pumps, underground pipelines and sprinkler systems

- 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:

The applicant is irrigating as much as possible with the water available. With water levels declining in the aquifer, the amount of water that can be diverted is also declining. The applicant is installing new irrigation systems to make the most efficient use of the reduced quantity of water that can be diverted.

- 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:

- 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.: 43-2378

Current Owner: J R SIMPLOT CO

Priority Date: 3/22/1952

Origin: Water Right

Status: Active

Basis: Decreed

SourceTributary

GROUND WATER

Beneficial UseFrom ToDiversion RateAnnual Volume

IRRIGATION

03/15 to 11/15

2.4 CFS

640 AF

Total Diversion

2.4 CFS

640 AF

Location of Point(s) of Diversion

GROUND WATER

NE1/4SE1/4SE1/4

Sec. 12, Twp 12S, Rge 26E B.M.

CASSIA County

GROUND WATER

SW1/4SW1/4NE1/4

Sec. 13, Twp 12S, Rge 26E B.M.

CASSIA County

GROUND WATER

NE1/4NE1/4SW1/4

Sec. 19, Twp 12S, Rge 27E B.M.

CASSIA County

GROUND WATER

NW1/4NE1/4NE1/4

Sec. 24, Twp 12S, Rge 26E B.M.

CASSIA County

GROUND WATER

SW1/4NE1/4SW1/4

Sec. 19, Twp 12S, Rge 27E B.M.

CASSIA County

Place of UseIRRIGATION Within CASSIA County

|               |       |       |               |              |       |
|---------------|-------|-------|---------------|--------------|-------|
| T12S R26E S1  | SESE  | 14.00 | T12S R26E S12 | NENE         | 11.00 |
| T12S R26E S12 | SENE  | 14.00 | T12S R26E S12 | NESE         | 32.00 |
| T12S R26E S12 | SESE  | 39.00 | T12S R26E S13 | NENE         | 39.00 |
| T12S R26E S13 | SWNE  | 27.00 | T12S R26E S13 | SENE         | 40.00 |
| T12S R26E S13 | NESE  | 39.00 | T12S R26E S13 | SESE         | 39.00 |
| T12S R26E S24 | NENE  | 39.00 | T12S R26E S24 | SENE         | 39.00 |
| T12S R27E S6  | Lot 3 | NENW  | 11.00         | T12S R27E S6 | Lot 4 |
| T12S R27E S6  | Lot 5 | SWNW  | 49.00         | T12S R27E S6 | SENW  |
|               |       |       |               |              | 21.00 |
|               |       |       |               |              | 30.00 |

|               |       |      |       |               |       |      |       |
|---------------|-------|------|-------|---------------|-------|------|-------|
| T12S R27E S6  |       | NESW | 30.00 | T12S R27E S6  | Lot 6 | NWSW | 49.00 |
| T12S R27E S6  | Lot 7 | SWSW | 39.00 | T12S R27E S7  | Lot 1 | NWNW | 45.00 |
| T12S R27E S7  | Lot 2 | SWNW | 51.00 | T12S R27E S7  |       | SENW | 17.00 |
| T12S R27E S7  |       | NESW | 19.00 | T12S R27E S7  | Lot 3 | NWSW | 51.00 |
| T12S R27E S7  | Lot 4 | SWSW | 51.00 | T12S R27E S7  |       | SESW | 38.00 |
| T12S R27E S18 |       | NENW | 40.00 | T12S R27E S18 | Lot 1 | NWNW | 51.00 |
| T12S R27E S18 | Lot 2 | SWNW | 51.00 | T12S R27E S18 |       | SENW | 39.00 |
| T12S R27E S18 |       | NESW | 39.00 | T12S R27E S18 | Lot 3 | NWSW | 51.00 |
| T12S R27E S18 | Lot 4 | SWSW | 51.00 | T12S R27E S18 |       | SESW | 39.00 |
| T12S R27E S19 |       | NENW | 36.00 | T12S R27E S19 | Lot 1 | NWNW | 51.00 |
| T12S R27E S19 | Lot 2 | SWNW | 51.00 | T12S R27E S19 |       | SENW | 7.00  |

Total Acres: 1379

**Conditions of Approval:**

1. E56 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1146 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2378, 43-2484, 43-2522, 43-2547, 43-2548, & 43-10426.
2. 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.
3. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Decreed Date: 1/6/2003

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

**Current Water Right No.:** 43-2484

**Current Owner:** J R SIMPLOT CO

**Priority Date:** 12/23/1959

**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                   | 03/15 to 11/15                | 6.4 CFS                      | 1468 AF                     |
|                              | <b><u>Total Diversion</u></b> | 6.4 CFS                      | 1468 AF                     |

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

|               |                 |          |          |              |
|---------------|-----------------|----------|----------|--------------|
| GROUND WATER  | NW1/4NE1/4NE1/4 | Sec. 24, | Twp 12S, | Rge 26E B.M. |
| CASSIA County |                 |          |          |              |
| GROUND WATER  | NE1/4NE1/4SW1/4 | Sec. 19, | Twp 12S, | Rge 27E B.M. |
| CASSIA County |                 |          |          |              |
| GROUND WATER  | NE1/4SE1/4SE1/4 | Sec. 12, | Twp 12S, | Rge 26E B.M. |
| CASSIA County |                 |          |          |              |
| GROUND WATER  | SW1/4SW1/4NE1/4 | Sec. 13, | Twp 12S, | Rge 26E B.M. |
| CASSIA County |                 |          |          |              |
| GROUND WATER  | SW1/4NE1/4SW1/4 | Sec. 19, | Twp 12S, | Rge 27E B.M. |
| CASSIA County |                 |          |          |              |

**Place of Use**

**IRRIGATION Within CASSIA County**

|               |            |       |               |            |       |
|---------------|------------|-------|---------------|------------|-------|
| T12S R26E S1  | SESE       | 14.00 | T12S R26E S12 | NENE       | 11.00 |
| T12S R26E S12 | SENE       | 14.00 | T12S R26E S12 | NESE       | 32.00 |
| T12S R26E S12 | SESE       | 39.00 | T12S R26E S13 | NENE       | 39.00 |
| T12S R26E S13 | SWNE       | 27.00 | T12S R26E S13 | SENE       | 40.00 |
| T12S R26E S13 | NESE       | 39.00 | T12S R26E S13 | SESE       | 39.00 |
| T12S R26E S24 | NENE       | 39.00 | T12S R26E S24 | SENE       | 39.00 |
| T12S R27E S6  | Lot 3 NENW | 11.00 | T12S R27E S6  | Lot 4 NWNW | 21.00 |
| T12S R27E S6  | Lot 5 SWNW | 49.00 | T12S R27E S6  | SENW       | 30.00 |

|               |       |      |       |               |       |      |       |
|---------------|-------|------|-------|---------------|-------|------|-------|
| T12S R27E S6  |       | NESW | 30.00 | T12S R27E S6  | Lot 6 | NWSW | 49.00 |
| T12S R27E S6  | Lot 7 | SWSW | 39.00 | T12S R27E S7  | Lot 1 | NWNW | 45.00 |
| T12S R27E S7  | Lot 2 | SWNW | 51.00 | T12S R27E S7  |       | SENW | 17.00 |
| T12S R27E S7  |       | NESW | 19.00 | T12S R27E S7  | Lot 3 | NWSW | 51.00 |
| T12S R27E S7  | Lot 4 | SWSW | 51.00 | T12S R27E S7  |       | SESW | 38.00 |
| T12S R27E S18 |       | NENW | 40.00 | T12S R27E S18 | Lot 1 | NWNW | 51.00 |
| T12S R27E S18 | Lot 2 | SWNW | 51.00 | T12S R27E S18 |       | SENW | 39.00 |
| T12S R27E S18 |       | NESW | 39.00 | T12S R27E S18 | Lot 3 | NWSW | 51.00 |
| T12S R27E S18 | Lot 4 | SWSW | 51.00 | T12S R27E S18 |       | SESW | 39.00 |
| T12S R27E S19 |       | NENW | 36.00 | T12S R27E S19 | Lot 1 | NWNW | 51.00 |
| T12S R27E S19 | Lot 2 | SWNW | 51.00 | T12S R27E S19 |       | SENW | 7.00  |

Total Acres: 1379

**Conditions of Approval:**

1. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 367 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. E56 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1146 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2378, 43-2484, 43-2522, 43-2547, 43-2548, & 43-10426.
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.

Decreed Date: 1/6/2003

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

Current Water Right No.: 43-2522

Current Owner: J R SIMPLOT CO

Priority Date: 5/1/1961

Origin: Water Right

Status: Active

Basis: Decreed

SourceTributary

GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>  | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|------------------------|-----------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15         | 2.99 CFS              | 598 AF               |
|                       | <u>Total Diversion</u> | 2.99 CFS              | 598 AF               |

Location of Point(s) of Diversion

|               |                 |          |          |              |
|---------------|-----------------|----------|----------|--------------|
| GROUND WATER  | NE1/4SE1/4SE1/4 | Sec. 12, | Twp 12S, | Rge 26E B.M. |
| CASSIA County |                 |          |          |              |
| GROUND WATER  | NW1/4NE1/4NE1/4 | Sec. 24, | Twp 12S, | Rge 26E B.M. |
| CASSIA County |                 |          |          |              |
| GROUND WATER  | SW1/4SW1/4NE1/4 | Sec. 13, | Twp 12S, | Rge 26E B.M. |
| CASSIA County |                 |          |          |              |
| GROUND WATER  | SW1/4NE1/4SW1/4 | Sec. 19, | Twp 12S, | Rge 27E B.M. |
| CASSIA County |                 |          |          |              |
| GROUND WATER  | NE1/4NE1/4SW1/4 | Sec. 19, | Twp 12S, | Rge 27E B.M. |
| CASSIA County |                 |          |          |              |

Place of UseIRRIGATION Within CASSIA County

|               |            |       |               |            |       |
|---------------|------------|-------|---------------|------------|-------|
| T12S R26E S1  | SESE       | 14.00 | T12S R26E S12 | NENE       | 11.00 |
| T12S R26E S12 | SENE       | 14.00 | T12S R26E S12 | NESE       | 32.00 |
| T12S R26E S12 | SESE       | 39.00 | T12S R26E S13 | NENE       | 39.00 |
| T12S R26E S13 | SWNE       | 27.00 | T12S R26E S13 | SENE       | 40.00 |
| T12S R26E S13 | NESE       | 39.00 | T12S R26E S13 | SESE       | 39.00 |
| T12S R26E S24 | NENE       | 39.00 | T12S R26E S24 | SENE       | 39.00 |
| T12S R27E S6  | Lot 3 NENW | 11.00 | T12S R27E S6  | Lot 4 NWNW | 21.00 |
| T12S R27E S6  | Lot 5 SWNW | 49.00 | T12S R27E S6  | SENE       | 30.00 |

|               |       |      |       |               |       |      |       |
|---------------|-------|------|-------|---------------|-------|------|-------|
| T12S R27E S6  |       | NESW | 30.00 | T12S R27E S6  | Lot 6 | NWSW | 49.00 |
| T12S R27E S6  | Lot 7 | SWSW | 39.00 | T12S R27E S7  | Lot 1 | NWNW | 45.00 |
| T12S R27E S7  | Lot 2 | SWNW | 51.00 | T12S R27E S7  |       | SENW | 17.00 |
| T12S R27E S7  |       | NESW | 19.00 | T12S R27E S7  | Lot 3 | NWSW | 51.00 |
| T12S R27E S7  | Lot 4 | SWSW | 51.00 | T12S R27E S7  |       | SESW | 38.00 |
| T12S R27E S18 |       | NENW | 40.00 | T12S R27E S18 | Lot 1 | NWNW | 51.00 |
| T12S R27E S18 | Lot 2 | SWNW | 51.00 | T12S R27E S18 |       | SENW | 39.00 |
| T12S R27E S18 |       | NESW | 39.00 | T12S R27E S18 | Lot 3 | NWSW | 51.00 |
| T12S R27E S18 | Lot 4 | SWSW | 51.00 | T12S R27E S18 |       | SESW | 39.00 |
| T12S R27E S19 |       | NENW | 36.00 | T12S R27E S19 | Lot 1 | NWNW | 51.00 |
| T12S R27E S19 | Lot 2 | SWNW | 51.00 | T12S R27E S19 |       | SENW | 7.00  |

Total Acres: 1379

**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. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 149.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. E56 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1146 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2378, 43-2484, 43-2522, 43-2547, 43-2548, & 43-10426.

Decreed Date: 1/6/2003

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

Current Water Right No.: 43-2547

Current Owner: J R SIMPLOT CO

Priority Date: 4/25/1962

Origin: Water Right

Status: Active

Basis: Decreed

SourceTributary

GROUND WATER

| <u>Beneficial Use</u> | <u>From To</u>         | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|------------------------|-----------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15         | 4 CFS                 | 800 AF               |
|                       | <u>Total Diversion</u> | 4 CFS                 | 800 AF               |

Location of Point(s) of Diversion

|               |                 |          |          |              |
|---------------|-----------------|----------|----------|--------------|
| GROUND WATER  | NE1/4SE1/4SE1/4 | Sec. 12, | Twp 12S, | Rge 26E B.M. |
| CASSIA County |                 |          |          |              |
| GROUND WATER  | NE1/4NE1/4SW1/4 | Sec. 19, | Twp 12S, | Rge 27E B.M. |
| CASSIA County |                 |          |          |              |
| GROUND WATER  | NW1/4NE1/4NE1/4 | Sec. 24, | Twp 12S, | Rge 26E B.M. |
| CASSIA County |                 |          |          |              |
| GROUND WATER  | SW1/4SW1/4NE1/4 | Sec. 13, | Twp 12S, | Rge 26E B.M. |
| CASSIA County |                 |          |          |              |
| GROUND WATER  | SW1/4NE1/4SW1/4 | Sec. 19, | Twp 12S, | Rge 27E B.M. |
| CASSIA County |                 |          |          |              |

Place of UseIRRIGATION Within CASSIA County

|               |            |       |               |            |       |
|---------------|------------|-------|---------------|------------|-------|
| T12S R26E S1  | SESE       | 14.00 | T12S R26E S12 | NENE       | 11.00 |
| T12S R26E S12 | SENE       | 14.00 | T12S R26E S12 | NESE       | 32.00 |
| T12S R26E S12 | SESE       | 39.00 | T12S R26E S13 | NENE       | 39.00 |
| T12S R26E S13 | SWNE       | 27.00 | T12S R26E S13 | SENE       | 40.00 |
| T12S R26E S13 | NESE       | 39.00 | T12S R26E S13 | SESE       | 39.00 |
| T12S R26E S24 | NENE       | 39.00 | T12S R26E S24 | SENE       | 39.00 |
| T12S R27E S6  | Lot 3 NENW | 11.00 | T12S R27E S6  | Lot 4 NWNW | 21.00 |
| T12S R27E S6  | Lot 5 SWNW | 49.00 | T12S R27E S6  | SENW       | 30.00 |

|               |       |      |       |               |       |      |       |
|---------------|-------|------|-------|---------------|-------|------|-------|
| T12S R27E S6  |       | NESW | 30.00 | T12S R27E S6  | Lot 6 | NWSW | 49.00 |
| T12S R27E S6  | Lot 7 | SWSW | 39.00 | T12S R27E S7  | Lot 1 | NWNW | 45.00 |
| T12S R27E S7  | Lot 2 | SWNW | 51.00 | T12S R27E S7  |       | SENW | 17.00 |
| T12S R27E S7  |       | NESW | 19.00 | T12S R27E S7  | Lot 3 | NWSW | 51.00 |
| T12S R27E S7  | Lot 4 | SWSW | 51.00 | T12S R27E S7  |       | SESW | 38.00 |
| T12S R27E S18 |       | NENW | 40.00 | T12S R27E S18 | Lot 1 | NWNW | 51.00 |
| T12S R27E S18 | Lot 2 | SWNW | 51.00 | T12S R27E S18 |       | SENW | 39.00 |
| T12S R27E S18 |       | NESW | 39.00 | T12S R27E S18 | Lot 3 | NWSW | 51.00 |
| T12S R27E S18 | Lot 4 | SWSW | 51.00 | T12S R27E S18 |       | SESW | 39.00 |
| T12S R27E S19 |       | NENW | 36.00 | T12S R27E S19 | Lot 1 | NWNW | 51.00 |
| T12S R27E S19 | Lot 2 | SWNW | 51.00 | T12S R27E S19 |       | SENW | 7.00  |

Total Acres: 1379

**Conditions of Approval:**

1. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 200 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. 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.
3. E56 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1146 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2378, 43-2484, 43-2522, 43-2547, 43-2548, & 43-10426.

Decreed Date: 1/6/2003

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

Current Water Right No.: 43-2548

Current Owner: J R SIMPLOT CO

Priority Date: 4/25/1962

Origin: Water Right

Status: Active

Basis: Decreed

SourceTributary

GROUND WATER

| <u>Beneficial Use</u> | <u>From To</u>         | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|------------------------|-----------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15         | 3.03 CFS              | 605.2 AF             |
|                       | <u>Total Diversion</u> | 3.03 CFS              | 605.2 AF             |

Location of Point(s) of Diversion

|               |                 |          |          |              |
|---------------|-----------------|----------|----------|--------------|
| GROUND WATER  | SW1/4NE1/4SW1/4 | Sec. 19, | Twp 12S, | Rge 27E B.M. |
| CASSIA County |                 |          |          |              |
| GROUND WATER  | SW1/4SW1/4NE1/4 | Sec. 13, | Twp 12S, | Rge 26E B.M. |
| CASSIA County |                 |          |          |              |
| GROUND WATER  | NE1/4SE1/4SE1/4 | Sec. 12, | Twp 12S, | Rge 26E B.M. |
| CASSIA County |                 |          |          |              |
| GROUND WATER  | NW1/4NE1/4NE1/4 | Sec. 24, | Twp 12S, | Rge 26E B.M. |
| CASSIA County |                 |          |          |              |
| GROUND WATER  | NE1/4NE1/4SW1/4 | Sec. 19, | Twp 12S, | Rge 27E B.M. |
| CASSIA County |                 |          |          |              |

Place of UseIRRIGATION Within CASSIA County

|               |            |       |               |            |       |
|---------------|------------|-------|---------------|------------|-------|
| T12S R26E S1  | SESE       | 14.00 | T12S R26E S12 | NENE       | 11.00 |
| T12S R26E S12 | SENE       | 14.00 | T12S R26E S12 | NESE       | 32.00 |
| T12S R26E S12 | SESE       | 39.00 | T12S R26E S13 | NENE       | 39.00 |
| T12S R26E S13 | SWNE       | 27.00 | T12S R26E S13 | SENE       | 40.00 |
| T12S R26E S13 | NESE       | 39.00 | T12S R26E S13 | SESE       | 39.00 |
| T12S R26E S24 | NENE       | 39.00 | T12S R26E S24 | SENE       | 39.00 |
| T12S R27E S6  | Lot 3 NENW | 11.00 | T12S R27E S6  | Lot 4 NWNW | 21.00 |
| T12S R27E S6  | Lot 5 SWNW | 49.00 | T12S R27E S6  | SENW       | 30.00 |

|               |       |      |       |               |       |      |       |
|---------------|-------|------|-------|---------------|-------|------|-------|
| T12S R27E S6  |       | NESW | 30.00 | T12S R27E S6  | Lot 6 | NWSW | 49.00 |
| T12S R27E S6  | Lot 7 | SWSW | 39.00 | T12S R27E S7  | Lot 1 | NWNW | 45.00 |
| T12S R27E S7  | Lot 2 | SWNW | 51.00 | T12S R27E S7  |       | SENW | 17.00 |
| T12S R27E S7  |       | NESW | 19.00 | T12S R27E S7  | Lot 3 | NWSW | 51.00 |
| T12S R27E S7  | Lot 4 | SWSW | 51.00 | T12S R27E S7  |       | SESW | 38.00 |
| T12S R27E S18 |       | NENW | 40.00 | T12S R27E S18 | Lot 1 | NWNW | 51.00 |
| T12S R27E S18 | Lot 2 | SWNW | 51.00 | T12S R27E S18 |       | SENW | 39.00 |
| T12S R27E S18 |       | NESW | 39.00 | T12S R27E S18 | Lot 3 | NWSW | 51.00 |
| T12S R27E S18 | Lot 4 | SWSW | 51.00 | T12S R27E S18 |       | SESW | 39.00 |
| T12S R27E S19 |       | NENW | 36.00 | T12S R27E S19 | Lot 1 | NWNW | 51.00 |
| T12S R27E S19 | Lot 2 | SWNW | 51.00 | T12S R27E S19 |       | SENW | 7.00  |

Total Acres: 1379

**Conditions of Approval:**

1. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 151.3 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. E56 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1146 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2378, 43-2484, 43-2522, 43-2547, 43-2548, & 43-10426.
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.

Decreed Date: 1/6/2003

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

Current Water Right No.: 43-10426

Current Owner: J R SIMPLOT CO

Priority Date: 3/15/1962

Origin: Water Right

Status: Active

Basis: Decreed

SourceTributary

GROUND WATER

| <u>Beneficial Use</u> | <u>From To</u>         | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|------------------------|-----------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15         | 2.36 CFS              | 472.8 AF             |
|                       | <u>Total Diversion</u> | 2.36 CFS              | 472.8 AF             |

Location of Point(s) of Diversion

|               |                 |          |          |              |
|---------------|-----------------|----------|----------|--------------|
| GROUND WATER  | SW1/4NE1/4SW1/4 | Sec. 19, | Twp 12S, | Rge 27E B.M. |
| CASSIA County |                 |          |          |              |
| GROUND WATER  | NE1/4SE1/4SE1/4 | Sec. 12, | Twp 12S, | Rge 26E B.M. |
| CASSIA County |                 |          |          |              |
| GROUND WATER  | NW1/4NE1/4NE1/4 | Sec. 24, | Twp 12S, | Rge 26E B.M. |
| CASSIA County |                 |          |          |              |
| GROUND WATER  | SW1/4SW1/4NE1/4 | Sec. 13, | Twp 12S, | Rge 26E B.M. |
| CASSIA County |                 |          |          |              |
| GROUND WATER  | NE1/4NE1/4SW1/4 | Sec. 19, | Twp 12S, | Rge 27E B.M. |
| CASSIA County |                 |          |          |              |

Place of UseIRRIGATION Within CASSIA County

|               |            |       |               |            |       |
|---------------|------------|-------|---------------|------------|-------|
| T12S R26E S1  | SESE       | 14.00 | T12S R26E S12 | NENE       | 11.00 |
| T12S R26E S12 | SENE       | 14.00 | T12S R26E S12 | NESE       | 32.00 |
| T12S R26E S12 | SESE       | 39.00 | T12S R26E S13 | NENE       | 39.00 |
| T12S R26E S13 | SWNE       | 27.00 | T12S R26E S13 | SENE       | 40.00 |
| T12S R26E S13 | NESE       | 39.00 | T12S R26E S13 | SESE       | 39.00 |
| T12S R26E S24 | NENE       | 39.00 | T12S R26E S24 | SENE       | 39.00 |
| T12S R27E S6  | Lot 3 NENW | 11.00 | T12S R27E S6  | Lot 4 NWNW | 21.00 |
| T12S R27E S6  | Lot 5 SWNW | 49.00 | T12S R27E S6  | SENV       | 30.00 |

|               |       |      |       |               |       |      |       |
|---------------|-------|------|-------|---------------|-------|------|-------|
| T12S R27E S6  |       | NESW | 30.00 | T12S R27E S6  | Lot 6 | NWSW | 49.00 |
| T12S R27E S6  | Lot 7 | SWSW | 39.00 | T12S R27E S7  | Lot 1 | NWNW | 45.00 |
| T12S R27E S7  | Lot 2 | SWNW | 51.00 | T12S R27E S7  |       | SENV | 17.00 |
| T12S R27E S7  |       | NESW | 19.00 | T12S R27E S7  | Lot 3 | NWSW | 51.00 |
| T12S R27E S7  | Lot 4 | SWSW | 51.00 | T12S R27E S7  |       | SESW | 38.00 |
| T12S R27E S18 |       | NENW | 40.00 | T12S R27E S18 | Lot 1 | NWNW | 51.00 |
| T12S R27E S18 | Lot 2 | SWNW | 51.00 | T12S R27E S18 |       | SENV | 39.00 |
| T12S R27E S18 |       | NESW | 39.00 | T12S R27E S18 | Lot 3 | NWSW | 51.00 |
| T12S R27E S18 | Lot 4 | SWSW | 51.00 | T12S R27E S18 |       | SESW | 39.00 |
| T12S R27E S19 |       | NENW | 36.00 | T12S R27E S19 | Lot 1 | NWNW | 51.00 |
| T12S R27E S19 | Lot 2 | SWNW | 51.00 | T12S R27E S19 |       | SENV | 7.00  |

Total Acres: 1379

**Conditions of Approval:**

1. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 118.2 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. E56 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1146 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2378, 43-2484, 43-2522, 43-2547, 43-2548, & 43-10426.
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.

Decreed Date: 1/6/2003

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

- 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:

[illegible]

Transfer contains 18 pages and 1 attachments.

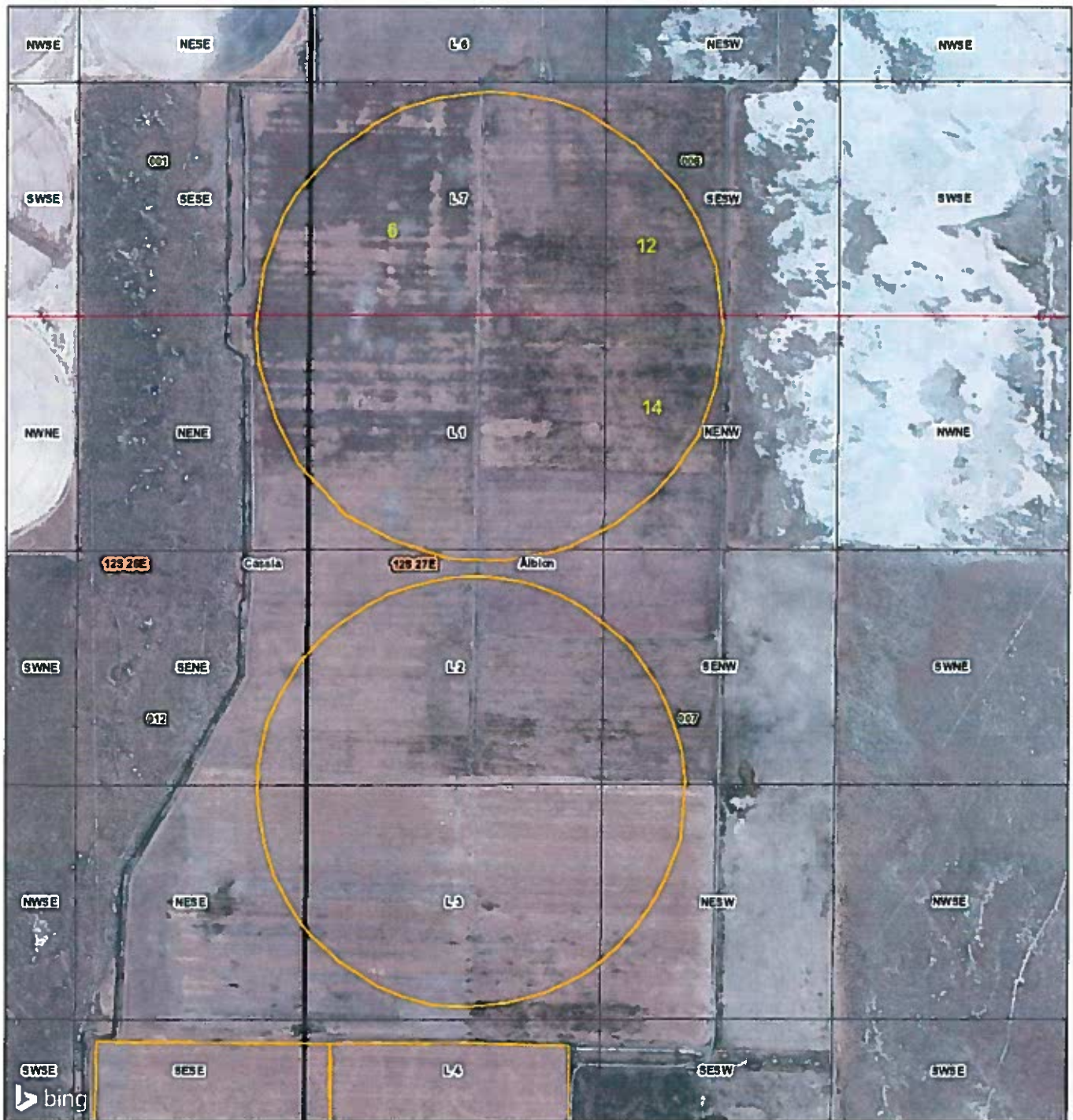
Received by S.O. Date 5-8-2017 Preliminary check by \_\_\_\_\_ Date \_\_\_\_\_

Fee paid \$500- Date 5/8/17 Received by VO Receipt # C102521

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)

# Attachment #3 (Place of Use Changes Shown in Yellow)



May 3, 2017

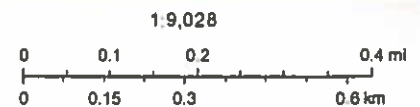


Image courtesy of USGS Earthstar Geographics SIO © 2017  
Microsoft Corporation © 2010 NAVTEQ © AND

**TRANSFER 81657**

Yellow Numbers Above Show Place of Use Changes  
Image courtesy of USGS, Earthstar Geographics SIO, © 2017 Microsoft Corporation, © 2017 HERE, © AND | SimplotGIS |



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858  
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

May 26, 2017

WATER DISTRICT #143  
NATHAN ERICKSON  
650 ADDISON AVE W, STE 500  
TWIN FALLS, ID 83301

*via hand delivery*

RE: Transfer No. 81657  
Water Right No(s). 43-2378, 43-2484, 43-2522, 43-2547, 43-2548, 43-10426

Dear Nathan:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the water master, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline  
Administrative Assistant

Enclosure(s)

## MEMORANDUM

**Date:** May 25, 2017

**To:** Transfer 81657

**From:** William Mills

**Re:** Legal Notice Not Required

This application only modifies the place of use and there is no actual hydrologic change. Therefore, pursuant to Section 42-222, Idaho Code, this transfer can be processed and approved without advertising.

Legal Notice Not Required  
5/25/2017

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

## MEMORANDUM

**Date:** May 25, 2017  
**To:** Transfer 81657 File  
**From:** Bill Mills  
**Re:** Evaluation of Sufficiency of Information Submitted

---

Application for transfer proposes changing the current 1,379 acre authorized permissible place of use (PPU) for six irrigation ground water rights to a 1411 acre PPU. The water rights are: 43-2378; 43-2484; 43-2522; 43-2547; 43-2548 and 43-10426 (combined: 21.18 cfs; 4584 af and 1146 acre limit). All rights share the same five authorized points of diversion (PODs) and there will be no changes to the PODs. Current place of use (POU), proposed PPU and PODs are all located approximately 3.7 to 7.2 miles north and 0.7 to 1.5 miles east of Malta.

The applicant provided a land list for the 206 condition and an electronic shapefile was created internally based upon the land list.

Overlap analysis finds a Raft River irrigation water right, 43-257 (9.6 cfs; 4/1/1910 priority date) overlaps 14 acres that are being added to the PPU in this transfer in the NENW of Sec. 7, Twp 12S, Rge 27E. I discussed the overlap and potential stacking with the applicant and he indicated he was aware of it and doesn't intend to make any further changes. Supplemental conditions have been added to the rights in this transfer. PODs and PPU are located in Water District 143 and the Raft River Critical Ground Water Management Area. Water District 143 Watermaster comments will be solicited.

This application only modifies the place of use and there is no actual hydrologic change. Therefore, pursuant to Section 42-222, Idaho Code, this transfer can be processed and approved without advertising.

- **Authority to File:** IDWR records indicate the applicant currently owns the water rights and all lands involved in this transfer.
- **Water Right Validity:** Water rights were decreed in the SRBA on 1/6/2003. Recent aerial and satellite imagery indicate the property involved with this transfer appears irrigated.
- **Injury to Other Water Rights:**  
None anticipated.
- **Enlargement of Use:**  
None anticipated.

- **Local Public Interest:**  
No issues anticipated.
- **Beneficial Use/Conservation of Water Resources:**  
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**  
None Anticipated.
- **Effect on Agricultural Base of the Local Economy:**  
None Anticipated.

**Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing**

## MEMORANDUM

**Date:** May 25, 2017  
**To:** Transfer 81657  
**From:** Bill Mills  
**Re:** Fee Evaluation

---

Filing fees charged for transfer application #81657 were based on the proportional increase in acres to the PPU:  $32 \text{ acres added} / 1379 \text{ acres in current PPU} = 2.3\% \text{ increase times total authorized } 21.18 \text{ cfs} = 0.49 \text{ cfs}$ , which makes the filing fee \$500.00 based on the current fee schedule. Applicant calculated fees slightly differently (see cover letter) but calculated and submitted the appropriate fee (receipt #C102521).

## Mills, William

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**From:** Mills, William  
**Sent:** Monday, May 22, 2017 5:08 PM  
**To:** 'Conrad, Vic'  
**Subject:** RE: 206 condition used on transferred water rights within a permissible place of use  
**Attachments:** JR Simplot 206 Maps.pdf

Vic,

Your PPU list indicates that there are 39 acres in the NENE and 40 acres in the SENE of S 14 TWP 12S R 26E? Did you mean S 24?

Additionally, the list indicates 49 acres in GL 1 (NWNW) of S 7 TWP 12S R 27E, is that correct. I've attached a "206" condition map I generated based on the acre list, take a look you may want to make some changes...

Other than the mentioned correction, the list is acceptable.

Sincerely,

Bill

**From:** Conrad, Vic [mailto:Vic.Conrad@simplot.com]  
**Sent:** Friday, May 19, 2017 3:43 PM  
**To:** Mills, William <William.Mills@idwr.idaho.gov>  
**Subject:** RE: 206 condition used on transferred water rights within a permissible place of use

Bill:

Let me know if the attached irrigated place of use is acceptable.

**From:** Mills, William [mailto:William.Mills@idwr.idaho.gov]  
**Sent:** Thursday, May 18, 2017 12:05 PM  
**To:** Conrad, Vic <Vic.Conrad@simplot.com>  
**Subject:** 206 condition used on transferred water rights within a permissible place of use

Vic,

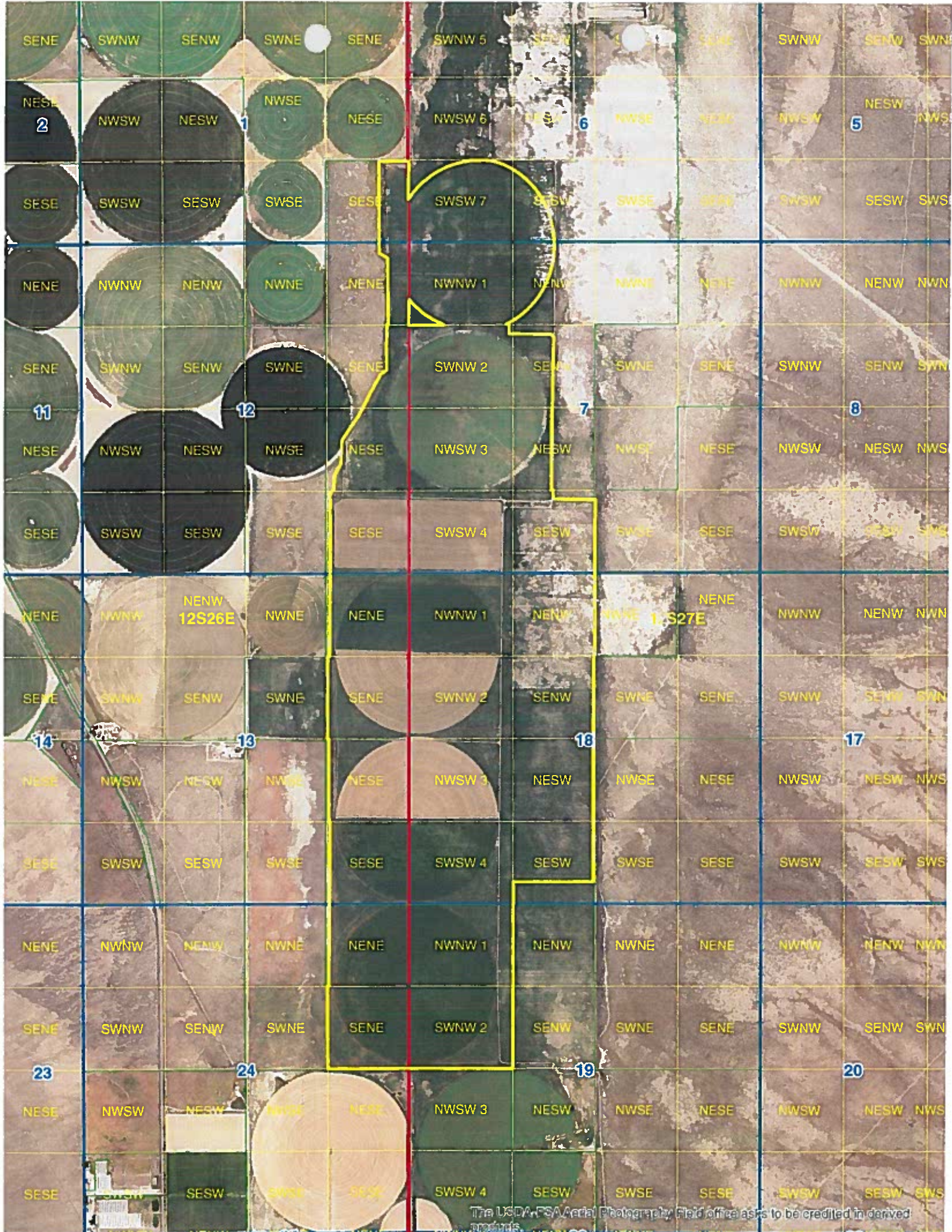
Here is the unedited 206 condition used on water rights associated with permissible places of use:

This right is limited to the irrigation of a specific <688.0 acres> within the <912.6 acre> place of use authorized by this right in a single irrigation season. The specific <688.0 acres> to be irrigated by the right holder <shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right> <are shown in the electronic shape file associated with this right> in the geographic information system component of the water rights database maintained by the department. Before changing the <688.0 acres> to be irrigated within the <912.6 acre> place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

As we discussed submitting a land list with a map is what I need to create the "206" map for our GIS program prior to forwarding the transfer for approval. A shapefile is only representative, the water right(s) define the limits of the water use.

Thanks,

Bill



## Mills, William

---

**From:** Conrad, Vic <Vic.Conrad@simplot.com>  
**Sent:** Friday, May 19, 2017 3:43 PM  
**To:** Mills, William  
**Subject:** RE: 206 condition used on transferred water rights within a permissible place of use  
**Attachments:** May 19, 2017 Irrigated Place of Use Requested by Bill Mills.docx

Bill:

Let me know if the attached irrigated place of use is acceptable.

**From:** Mills, William [mailto:William.Mills@idwr.idaho.gov]  
**Sent:** Thursday, May 18, 2017 12:05 PM  
**To:** Conrad, Vic <Vic.Conrad@simplot.com>  
**Subject:** 206 condition used on transferred water rights within a permissible place of use

Vic,

Here is the unedited 206 condition used on water rights associated with permissible places of use:

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As we discussed submitting a land list with a map is what I need to create the "206" map for our GIS program prior to forwarding the transfer for approval. A shapefile is only representative, the water right(s) define the limits of the water use.

Thanks,  
Bill





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

May 3, 2017

Cherie Palmer  
State of Idaho  
Department of Water Resources  
Water Compliance Bureau  
P. O. Box 83720  
Boise, Idaho 83720

RECEIVED

MAY 12 2017

DEPT OF WATER RESOURCES  
SOUTHERN REGION

RECEIVED

MAY 08 2017

DEPARTMENT OF  
WATER RESOURCES

**Re: Application for Transfer of Water Rights 43-2378, 43-2484, 43-2522, 43-2547,  
43-2548 and 43-10426.**

Dear Cherie:

The above referenced water rights provide for the diversion of up to 21.18 cfs from groundwater to irrigate 1,146 acres. Due to the declining water levels in the Raft River Basin, Simplot cannot diverting at this level and rely on a water supply that will sustain crops throughout the irrigation season.

In an attempt to conserve water, Simplot updated its irrigation systems to irrigate as many acres as possible with the water available for diversion during the irrigation season. As you pointed out in your letter dated March 10, 2017, one of the new overhead center pivot sprinkler systems is irrigating land outside the place of use described under the above referenced water rights. To correct the place of use, attached for filing is an application for transfer to add the following land to the place of use described under each of the above referenced water rights:

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>¼</u> | <u>¼</u> | <u>Number Acres Added to this ¼¼</u> |
|-----------------|--------------|----------------|----------|----------|--------------------------------------|
| 12S             | 27E          | 6              | SW       | SW       | 6 acres (aka Gov't Lot 7)            |
|                 |              |                | SE       | SW       | 12 acres                             |
|                 |              | 7              | NE       | NW       | 14 acres                             |
|                 |              |                |          |          | Total 32 acres                       |

I am also enclosing a check in the amount of \$500.00 to cover the fee for filing the enclosed application. This fee was calculated by dividing the 21.18 cfs available under all of the above rights by the 1,146 acres that can be irrigated to arrive at 0.018 cfs/acre. Multiplying 0.018 cfs/acre x 32 acres = 0.58 cfs. There are no changes to the points of diversion and Simplot is not seeking any increase in the total number of acres that can be irrigated under the above water right during an irrigation season.

The transfer application form is not well suited to modify a place of use that is common to multiple water rights. To help clarify the transfer request, the map attached to the application illustrates the location of the additional 32 acres requested. In an attempt to further clarify the requested changes, the following is the place of use that should be described under each of the above referenced water rights after the transfer:

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |
| 12S | 26E | 1   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 14 |
|     |     | 12  | 11 |    |    | 14 |    |    |    |    |    |    |    |    | 32 |    |    | 39 |
|     |     | 13  | 39 |    | 27 | 40 |    |    |    |    |    |    |    |    | 39 |    |    | 39 |
|     |     | 24  | 39 |    |    | 39 |    |    |    |    |    |    |    |    |    |    |    |    |
|     | 27E | 6   |    |    |    |    | 11 | 21 | 49 | 30 | 30 | 49 | 45 | 12 |    |    |    |    |
|     |     | 7   |    |    |    |    | 14 | 45 | 51 | 17 | 19 | 51 | 51 | 38 |    |    |    |    |
|     |     | 18  |    |    |    |    | 40 | 51 | 51 | 39 | 39 | 51 | 51 | 39 |    |    |    |    |
|     |     | 19  |    |    |    |    | 36 | 51 | 51 | 7  |    |    |    |    |    |    |    |    |

*\*Highlighted are the 1/4's modified by the transfer app.*

Use of the water rights listed above shall continue to be limited to the irrigation of a combined total of 1,146 acres in a single irrigation season.

Please contact me should you have any questions about the enclosed transfer application.

Sincerely,



Vic Conrad  
Land, Water & Asset Recovery

Enclosure

c: M. Clements  
C. Kempton