

RECEIVED

SEP 07 2016

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

Fee is \$100 per § 42-221C, Idaho Code

Applicant(s) CS Property Development LLC Phone 208-336-2110
 Name connector (check one) ☐ and ☐ or ☐ and/or
 Mailing address P. O. Box 27 City Boise
 State ID Zip 83707 Email: vic.conrad@simplot.com

I am the owner of Water Appropriation Permit No. 63-33207 and request that the permit be amended as follows:

- ☐ Change point of diversion ☐ Add point of diversion ☐ Change period of use
☐ Change nature of use ☒ Change place of use ☐ Other _____

1. Point of diversion: ☒ No changes to point(s) of diversion. Skip item #1 and proceed to #2.
☐ Attach Eastern Snake Plain Aquifer analysis if this proposes to change a point of diversion affecting the ESPA.

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #

2. Period and nature of use: ☒ No changes to period and/or nature of use. Skip item #2 and proceed to #3.

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year) (water use) (month/day) (month/day)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year) (water use) (month/day) (month/day)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year) (water use) (month/day) (month/day)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year) (water use) (month/day) (month/day)

3. Place of use or land to be irrigated: ☐ No changes to place of use. Skip item #3 and proceed to #4.

Twp	Rge	Sec	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	1E	11																	
		12																	
		13																	
		14																	
		23																	
		24																	
	2E																		

Total number of acres to be irrigated _____

4. Property ownership: ☐ No changes to point of diversion and/or place of use. Skip item #4 and proceed to #5.

- a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant, Tom & Diana Nicholson, Jon and Ronda Nicholson
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:
The land owned by the Nicholsons is leased to the Applicant

5. Describe the proposed change in narrative form:

The proposed change is to increase the size of the place of Industrial Use.

6. Map: ☐ The point(s) of diversion and/or the place of use are not amended, therefore a map is not attached.

Attach a map showing the proposed point(s) of diversion and/or place(s) of use. Clearly label the map with township, range, section, and ¼ ¼ of section information. A photocopy of a USGS 7.5 minute topographic quadrangle is commonly used, or the *Map Tool* available on the Department website provides a satisfactory template for creating the required map (<http://maps.idwr.idaho.gov/TransferApplicationLayouts/Map>).

7. Signature:

The information in this application is true to the best of my knowledge. I understand that any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

CS Property Development LLC by Simplot BP
Idaho, LLC, Member, by J. R. Simplot Company,
Manager

Signature of applicant or authorized agent

Print name (and title, if applicable)

Date

By:

Signature of applicant or authorized agent

Print name (and title, if applicable)

Date

David Spurling, Senior Vice President
and Secretary

FOR DEPARTMENT USE ONLY

Received by AG

Date 9-7-16

Received by PH

Date 9/7/2016

Reviewed by PH

Date 10/19/16

Receipt No. W044600





FOREIGN REGISTRATION STATEMENT

Title 30, Chapter 21, Idaho Code

Filing fee: \$100 typed, \$120 not typed

Complete and submit the form in duplicate.

2016 JAN 14 PM 2:09

SECRETARY OF STATE
STATE OF IDAHO

1. The name of the entity is: CS Property Development, LLC
2. The name which it shall use in Idaho is: _____
(Enter a name here, only if you are required to adopt an alternate name)
3. Select the type of entity you wish to register:

☐ Business Corporation	☐ General Partnership
☐ Nonprofit Corporation	☐ General Cooperative Association
☐ Limited Liability Partnership	☐ Limited Partnership (Including a limited liability limited partnership)
☒ Limited Liability Company	☐ Statutory Trust, Business Trust, or Common-law Business Trust
☐ Other: _____ (Use "Other" only if your foreign entity type is not listed above, and enter the type here.)	
4. Jurisdiction of formation: DE
(Provide the domestic jurisdiction where the entity was formed)
5. The address of its principal office is:
999 Main Street, Suite 1300, Boise, ID 83702
(Street Address)

(Mailing Address, if different)
6. The address of its domestic principal office (if required by the laws of the jurisdiction of formation) is:

(Street Address)

(Mailing Address, if different)
7. The mailing address to which correspondence should be addressed, if different from item 5, is:

(Address)
8. The name of the registered agent and street address of registered agent in Idaho:
Corporation Service Company 12550 W. Explorer Drive, Suite 100, Boise, ID 83713
(Name) (Address)
9. The name, capacity, and mailing address of at least one governor:
Simplot BP Idaho, LLC Member 999 Main Street, Ste 1300, Boise, ID 83702
(Name) (Capacity) (Address)

(Name) (Capacity) (Address)
By: Simplot BP Idaho, LLC, an ID llc
Its: Member
By: J. R. Simplot Company, a NV corporation
Its: Member
Signature: Joel G. Barker
Typed Name: Joel G. Barker
Capacity: Vice President and Treasurer

Secretary of State use only

IDAHO SECRETARY OF STATE

01/14/2016 05:00

CK:3520990 CT:172099 BH:1508848
1@ 100.00 = 100.00 FOR REG ST #2
1@ 20.00 = 20.00 EXPEDITE C #3

W160691

No. W 145807	Due no later than Dec 31, 2015 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. SIMPLOT BP IDAHO, LLC DAVID SPURLING PO BOX 27 BOISE ID 83707		CORPORATION SERVICE COMPANY 12550 W EXPLORER DR STE 100 BOISE ID 83713			
			3. New Registered Agent Signature:*			
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.						
Office Held MEMBER	Name J. R. SIMPLOT COMPANY	Street or PO Address PO BOX 27	City BOISE	State ID	Country USA	Postal Code 83707
5. Organized Under the Laws of: ID W 145807	6. Annual Report must be signed.* Signature: DAVID SPURLING Name (type or print): DAVID SPURLING					
Date: 10/28/2015		Title: SECRETARY				
Processed 10/28/2015		* Electronically provided signatures are accepted as original signatures.				

81186

Attachments pg 3 - Authority to Sign

Recording requested by:

CS Property Development, LLC
P. O. Box 27
Boise, Idaho 83707



MEMORANDUM OF LEASE AGREEMENT AND CONSENT TO APPLY INDUSTRIAL EFFLUENT

This Memorandum of Lease Agreement and Consent to Apply Industrial Effluent ("Memorandum") is made and entered into as of this 8th day of February, 2016 (the "Effective Date") between Thomas T. Nicholson and Diana Nicholson, husband and wife ("Landlord") and CS Property Development, LLC, a Delaware limited liability company ("Tenant").

RECITALS

A. Landlord and Tenant entered into that certain Lease Agreement and Consent to Apply Industrial Effluent dated February 8, 2016 (the "Lease").

B. Landlord and Tenant desire to execute and record this Memorandum to reflect certain terms of the Lease.

AGREEMENT

NOW, THEREFORE, in consideration of the above recitals and for other good and valuable consideration, the sufficiency of which is hereby acknowledged, Landlord and Tenant hereby execute and record this Memorandum to provide notice of the following:

1. **DESCRIPTION OF THE LEASED PREMISES.** As of the Effective Date, the real property subject to the Lease (and described therein as the Property) is the 640 acres of land legally described on Exhibit 1, attached hereto (the "Leased Premises").

2. **TERM.** The term of the Lease shall commence on September 1, 2016 and shall expire on August 31, 2026 (unless extended for additional ten (10) year terms or earlier terminated as set forth therein).

3. **RELEASE ON TERMINATION.** Upon termination of the term of the Lease (whether by expiration of the stated term thereof or otherwise), Tenant agrees, within ten (10) days following request by Landlord, to execute and deliver to Landlord a written release of this Memorandum in recordable form. If Tenant fails to timely deliver such release to Landlord, Tenant hereby appoints Landlord as its agent and attorney-in-fact (which appointment is coupled with an interest and is irrevocable) to execute such release on Tenant's behalf.

DATED as of the Effective Date.

"Landlord"

Thomas T. Nicholson

Thomas T. Nicholson
Date: January 29, 2016

Diana Nicholson

Diana Nicholson
Date: January 29, 2016

"Tenant"

CS Property Development, LLC., a Delaware limited liability company

By: Simplot BP Idaho, LLC, Member

By: J. R. Simplot Company, Manager

By: [Signature]
Name: David Spurling
Title: Senior Vice President and Secretary

Date: 8 FEB 2016

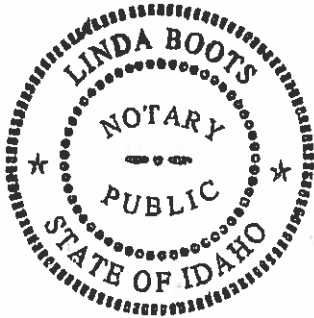
Exhibits:

Exhibit 1 – Legal Description of the Leased Premises

STATE OF IDAHO)
) ss.
County of Ada)

On this 29 day of January, 2016, before me, a Notary Public in and for the State of Idaho, personally appeared **Thomas T. Nicholson and Diana Nicholson**, known or identified to me to be the people who acknowledged to me that they executed the foregoing instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

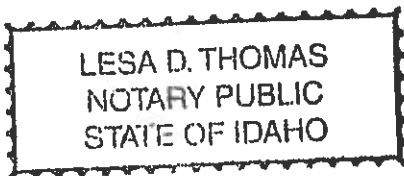


Linda Boots
Notary Public for Idaho
Residing at: Boise ID
My commission expires: 5/31/17

STATE OF IDAHO)
) ss.
County of Ada)

On this 8th day of February, 2016, before me, a Notary Public in and for the State of Idaho, personally appeared **David Spurling**, known or identified to me to be the **Senior Vice President and Secretary of J. R. Simplot Company**, a Nevada corporation, the person who subscribed said corporation's name to the foregoing instrument and acknowledged to me that he executed the same in said corporation's name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Lesa D. Thomas
Notary Public for Idaho
Residing at: Boise
My commission expires: 11-11-17

EXHIBIT 1

LEGAL DESCRIPTION OF THE LEASED PREMISES

Township 1 North Range 1 East, B.M. Ada County Idaho

Section 14: SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$

Section 23: NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$

Section 24: NW $\frac{1}{4}$

Recording requested by:

CS Property Development, LLC
P. O. Box 27
Boise, Idaho 83707



MEMORANDUM OF LEASE AGREEMENT AND CONSENT TO APPLY INDUSTRIAL EFFLUENT

This Memorandum of Lease Agreement and Consent to Apply Industrial Effluent ("Memorandum") is made and entered into as of this 16th day of February, 2016 (the "Effective Date") between Jon A. Nicholson and Ronda Nicholson, husband and wife ("Landlord") and CS Property Development, LLC, a Delaware limited liability company ("Tenant").

RECITALS

- A. Landlord and Tenant entered into that certain Lease Agreement and Consent to Apply Industrial Effluent dated February 16, 2016 (the "Lease").
- B. Landlord and Tenant desire to execute and record this Memorandum to reflect certain terms of the Lease.

AGREEMENT

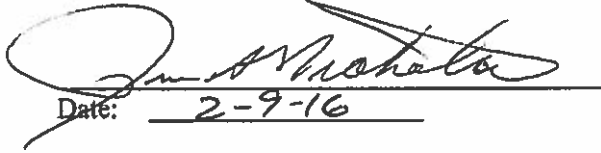
NOW, THEREFORE, in consideration of the above recitals and for other good and valuable consideration, the sufficiency of which is hereby acknowledged, Landlord and Tenant hereby execute and record this Memorandum to provide notice of the following:

1. **DESCRIPTION OF THE LEASED PREMISES.** As of the Effective Date, the real property subject to the Lease (and described therein as the Property) is the 80 acres of land legally described on Exhibit 1, attached hereto (the "Leased Premises").
2. **TERM.** The term of the Lease shall commence on September 1, 2016 and shall expire on August 31, 2026 (unless extended for an additional ten (10) year term or earlier terminated as set forth therein).
3. **OPTION.** During the term of the Lease, Tenant shall have an option to purchase the Leased Premises under the terms, provisions, covenants and conditions as set forth in the Lease.
4. **RELEASE ON TERMINATION.** Upon termination of the term of the Lease (whether by expiration of the stated term thereof or otherwise), Tenant agrees, within ten (10) days following request by Landlord, to execute and deliver to Landlord a written release of this Memorandum in recordable form. If Tenant fails to timely deliver such release to Landlord, Tenant hereby appoints Landlord as its agent and attorney-in-fact (which appointment is coupled with an interest and is irrevocable) to execute such release on Tenant's behalf.

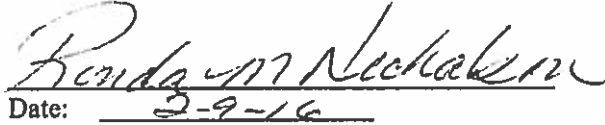
DATED as of the Effective Date.

"Landlord"

Jon A. Nicholson


Date: 2-9-16

Ronda Nicholson


Date: 2-9-16

"Tenant"

CS Property Development, LLC., a Delaware limited liability company

By: Simplot BP Idaho, LLC, Member

By: J. R. Simplot Company, Manager

By:

Name: David Spurling

Title: Senior Vice President and Secretary

Date: 16 FEB 2016

Exhibits:

Exhibit 1 – Legal Description of the Leased Premises

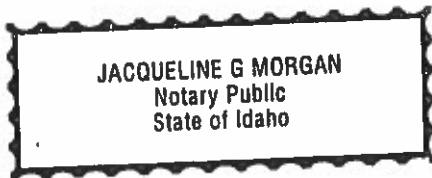
STATE OF IDAHO)

County of Ada)

) ss.

On this 9th day of February, 2016, before me, a Notary Public in and for the State of Idaho, personally appeared Jon A. Nicholson and Ronda Nicholson, known or identified to me to be the people who acknowledged to me that they executed the foregoing instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Jacqueline G Morgan
Notary Public for Idaho
Residing at: Kuna
My commission expires: 4-13-19

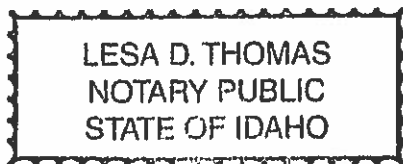
STATE OF IDAHO)

County of Ada)

) ss.

On this 16th day of February, 2016, before me, a Notary Public in and for the State of Idaho, personally appeared David Spurling, known or identified to me to be the **Senior Vice President, Secretary and** of **J. R. Simplot Company**, a Nevada corporation, the person who subscribed said corporation's name to the foregoing instrument and acknowledged to me that he executed the same in said corporation's name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Lesa D. Thomas
Notary Public for Idaho
Residing at: Boise
My commission expires: 11-11-17

EXHIBIT 1

LEGAL DESCRIPTION OF THE LEASED PREMISES

**Township 1 North Range 1 East, B.M. Ada County Idaho
Section 14: S½NW¼**



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 8, 2016

CS PROPERTY DEVELOPMENT LLC
PO BOX 27
BOISE, ID 83707

Application to Amend Permit No. 63-32680
Application to Amend Permit No. 63-34207
Application to Amend Permit No. 63-34296
Application to Amend Permit No. 63-34038

Dear Applicant(s):

The Department of Water Resources has received your applications to amend the permits referenced above. Please refer to the permit numbers referenced above in all future correspondence regarding these applications.

Legal notices of these applications have been prepared and are scheduled for publication in the IDAHO STATESMAN on 12/15/2016 and 12/22/2016. Protests to any of these applications may be submitted for a period ending ten (10) days after the second publication.

If any of the applications are 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 any of the applications are not protested, the Department will process your application(s) and notify you of any action taken on the application(s). If your application(s) to amend the permit is approved, the Department will send you a copy of the amended permit(s).

Please contact this office if you have any questions regarding these applications.

Sincerely,

Rachel Neely
Administrative Assistant

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, December 08, 2016 2:00 PM
To: 'BOI Legals'
Subject: Ada Legal Ads
Attachments: Ada Cover Letter.docx; Ada Legal Ad.docx

PLEASE NOTE THAT 63-34242 ZWJ PROPERTIES HAS ALREADY BEEN ADVERTISED AND DUE TO NEWSPAPER ERROR WILL NEED TO BE RE-ADVERTISED.

PLEASE DO NOT CHARGE THE DEPARTMENT FOR THIS PUBLICATION.

Thank you!

Good Afternoon Legal Clerk,

Please see the attached ads for publication on 12/15/2016 & 12/22/2016.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

December 8, 2016

LEGAL NOTICE DEPARTMENT
IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

RE: Application for Permit No. 63-34300
 Application for Permit No. 63-34242
 Application for Transfer No. 80626
 Application for Transfer No. 80941
 Application to Amend Permit No: 63-32680
 Application to Amend Permit No. 63-33207
 Application to Amend Permit No. 63-33296
 Application to Amend Permit No. 63-34038

Dear Legal Notice Department:

Please publish the enclosed legal notices on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notices 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 1/2/2017. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

The following applications have been filed to appropriate the public waters of the State of Idaho:

63-34300

JAMES M PROCHASKA
PATRICIA O PROCHASKA
2304 RIBIER DR
MERIDIAN, ID 83642

Point of Diversion SWSWNE S23 T04N R01W ADA County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 0.09 CFS

Total Diversion: 0.09 CFS

Date Filed: 10/5/2016

Place of Use: IRRIGATION

T04N R01W S23 SWNE

Total Acres: 3

Water bearing zone to be appropriated is from 222 to 262 feet.

63-34242

ZWJ PROPERTIES LLC
333 ROSSI ST STE 200
BOISE, ID 83706

Point of Diversion NESW S27 T04N R02E ADA County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 0.16 CFS

Total Diversion: 0.16 CFS

Date Filed: 6/3/2016

Place of Use: IRRIGATION

T04N R02E S27 NESW SESW

Total Acres: 35

Water bearing zone to be appropriated is from 200 to 600 feet.

Applicant proposes to irrigate 8.0 acres within a 35.0 acre permissible place of use.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 80626

CITY OF BOISE, 150 N CAPITAL BLVD PO BOX 500, BOISE, ID 83701; has filed Application No. 80626 for changes to the following water rights within ADA County(s): Right No(s). 63-12461, 63-12470, 63-3013, 63-3014, 63-7005B, 63-7042B, 63-7047, 63-7053, 63-7055A, 63-7055C, 63-7055D, 63-7064A, 63-7064B, 63-7078B, 63-7755B, 63-8130B, 63-8435, 63-9243, 63-9359; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The City of Boise proposes to change the place of use of their 19 water rights so that each water right has the same permissible place of use. Each of the 19 water rights share 12 wells as points of diversion. The place of use is at Twenty-Mile South Farm 15 kilometers southeast of Kuna, ID south of Poen Rd between Cloverdale Rd and Cole Rd.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 80941

INDEPENDENT SCHOOL DISTRICT OF BOISE CITY, 8169 W VICTORY RD, BOISE, ID 83709; has filed Application No. 80941 for changes to the following water rights within ADA County(s): Right No(s). 63-29435, 63-7195; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The transfer application proposes to move 5 acres authorized for irrigation under water rights no. 63-7195 and 63-29435 to a new place of use. The new place of use is the Mountain View Elementary School located near the intersection of N Cole Rd and Ustick Rd Boise, Idaho. This transfer will allow the School District to irrigate at the site when surface water from Nampa Meridian Irrigation District is not available. The proposed point of diversion is a groundwater well owned by the City of Boise used to irrigate Mountain View Park.

PROPOSED AMENDMENT OF WATER PERMIT

CS Property Development LLC of PO BOX 27 Boise ID 83707 filed Application No. 81183 on 08/07/16 to amend water permit no. 63-32680 with a priority date of 05/22/2007 authorizing groundwater use totaling 5.22 cfs for irrigation use. The permit provides irrigation water to property located approximately 20 kilometers south of Boise, ID along S. Cole Rd. The site is south of the Kuna Mora Rd between Pleasant Valley Rd to the east and S. Cloverdale Rd to the west. The applicant proposes to amend the permit changing the place of use. The change to the permit will create an expanded place of use for the irrigation use of water. The same changes have been proposed for all the permits held by CS Property Development LLC that authorize the same use at the project site.

PROPOSED AMENDMENT OF WATER PERMIT

CS Property Development LLC of PO BOX 27 Boise ID 83707 filed Application No. 81186 on 08/07/16 to amend water permit no. 63-33207 with a priority date of 03/24/2010 authorizing groundwater use totaling 3.0 cfs for industrial use. The permit provides industrial water to property located approximately 20 kilometers south of Boise, ID along S. Cole Rd. The site is south of the Kuna Mora Rd between Pleasant Valley Rd to the east and S. Cloverdale Rd to the west. The applicant proposes to amend the permit changing the place of use. The change to the permit will create an expanded place of use for the industrial use of water. The same changes have been proposed for all the permits held by CS Property Development LLC that authorize the same use at the project site.

PROPOSED AMENDMENT OF WATER PERMIT

CS Property Development LLC of PO BOX 27 Boise ID 83707 filed Application No. 81184 on 08/07/16 to amend water permit no. 63-33296 with a priority date of 11/06/2009 authorizing groundwater use totaling 10.46 cfs for irrigation use. The permit provides irrigation water to property located approximately 20 kilometers south of Boise, ID along S. Cole Rd. The site is south of the Kuna Mora Rd between Pleasant Valley Rd to the east and S. Cloverdale Rd to the west. The applicant proposes to amend the permit changing the place of use. The change to the permit will create an expanded place of use for the irrigation use of water. The same changes have been proposed for all the permits held by CS Property Development LLC that authorize the same use at the project site.

PROPOSED AMENDMENT OF WATER PERMIT

CS Property Development LLC of PO BOX 27 Boise ID 83707 filed Application No. 81185 on 08/07/16 to amend water permit no. 63-34038 with a priority date of 06/26/2015 authorizing groundwater use totaling 4.0 cfs for irrigation and industrial use. The permit provides irrigation and industrial water to property located approximately 20 kilometers south of Boise, ID along S. Cole Rd. The site is south of the Kuna Mora Rd between Pleasant Valley Rd to the east and S. Cloverdale Rd to the west. The applicant proposes to amend the permit changing the place of use for both irrigation and industrial uses. The changes to the permit will create an expanded place of use for both irrigation and industrial uses of water. The same changes have been proposed for all the permits held by CS Property Development LLC at the project site.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right(s), proposed transfer(s), or amendment(s) please see www.idwr.idaho.gov/WaterManagement/WaterRights. Protests may be submitted based on the criteria of Idaho Code §§ 42-203A, 42-222 and 42-211. Any protest against the approval of the application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 1/2/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 12/15/2016 and 12/22/2016



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

December 8, 2016

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

WELLS FARGO BANK
FOOD & AGRIBUSINESS COMMERCIAL BANKING OFFICE
905 S FILLMORE STE 701
MAC T3005-072
AMARILLO, TX 79101

**Re: Application to Amend Permit No. 63-32680
 Application to Amend Permit No. 63-34207
 Application to Amend Permit No. 63-34296
 Application to Amend Permit No. 63-34038**

Dear Interested Party:

The above referenced applications may be of interest to you. I would like to inform you that the applications have been submitted to the *Idaho Statesman* for advertising. I have enclosed copies of the applications for your convenience. This information is also available on our website www.idwr.idaho.gov.

If you desire to file a formal protest against approval of any of applications, a written protest along with the \$25.00 protest fee must be received in this office by January 2, 2017. A copy of the protest must also be sent to the applicant.

If you have any questions regarding these applications, please contact this office at 208-334-2190.

Sincerely,

Rachel Neely
Administrative Assistant
Western Regional Office

Enclosures

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, December 08, 2016 11:36 AM
To: 'Rex Barrie'
Subject: Applications for Transfer Nos. 80626 & 80941, Applications for Amendment Nos. 63-32680 & 63-33207
Attachments: Watermaster Recommendation For1.docx; Application for Transfer 80626.pdf; Application for Transfer 80941.pdf; Application for Amendment for a Permit 63-33207.pdf; Application for Amendment for a Permit 63-32680.pdf

December 8, 2016

REX BARRIE
WATER DISTRICT #63
PO BOX 767
10769 W STATE ST
STAR ID 83669-0767

**RE: Applications for Transfer Nos. 80626 & 80941
Applications for Amendment Nos. 63-32680 & 63-33207**

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right applications. Copies of the applications are enclosed with this email for your reference. Please review the applications, complete a recommendation form, and submit your reply, if any, to this office by January 2, 2017.

IDWR will assume you do not object to this application if a timely response is not received. Please contact me if you have any questions in this matter. Thank you for your help.

Sincerely,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov



CORPORATE HEADQUARTERS

September 7, 2016

Hand Delivery

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

Re: Applications to Amend IDWR Permit Nos. 63-32680, 63-33296, 63-34038 and 63-33207.

Dear Nick:

Enclosed for filing are applications to amend the places of use for the above referenced permits. So far, water is beneficially used on a portion of the places of use described under these permits. To fully develop the amount of water appropriated, additional land is required. The enclosed applications provide additional places of use to allow the applicant to put to beneficial use the full amount of water available to the permit holder.

A portion of the place of use described under the enclosed applications is leased by the applicant from two other landowners. To confirm these leases, I am enclosing a copies of two Memorandums of Lease Agreement and Consent to Apply Industrial Effluent.

1. The first Memorandum was recorded in the official real property records of Ada County, Idaho on February 18, 2016 as instrument no. 2016-13648. This covers the land described in Township 1 North, Range 1 East, B.M. Section 14: S½NW¼, and
2. The second Memorandum was recorded in the official real property records of Ada County, Idaho on February 18, 2016 as instrument no. 2016-013649. This covers the land described in Township 1 North, Range 1 East Section 14: SW¼, S½SE¼; Section 23: NW¼, N½NE¼.

To cover your \$100.00 fee for filing each of the applications, I am also enclosing a check in the amount of \$400.00.

Please do not hesitate to contact me if I can assist with any questions about the enclosed applications (phone: 208-389-7359; email: vic.conrad@simplot.com).

Sincerely,

Vic Conrad
Land, Water & Asset Recovery

Enclosures

c: M. Clements