

Webster, Clay

From: Conrad, Vic [Vic.Conrad@simplot.com]
Sent: Thursday, January 21, 2016 8:33 AM
To: Webster, Clay
Subject: IDWR Water Right 61-7067.

Clay,
Recently it came to my attention that a change of ownership for this water right may have been filed with the IDWR by American Ecology Corp. This water right was appropriated to provide water to Simplot's facility that was located on the east side of Simco Road along the north side of the Union Pacific Railroad. Several years ago, Simplot sold land to American Ecology (or its predecessor) on the west side of Simco Road. Simplot sold this land to Ecology dry – without any water rights.

Simplot maintains ownership of water right 61-7067. In the event Ecology did file a change of ownership it should be denied.

MEMORANDUM

DATE: December 7, 2015
TO: Water Right File 61-7067
FROM: Clay Webster

RE: Water Right Ownership and WSB Lease Term Designation for Indefinite Lease Contract

I received an Acknowledgement Letter for the Water Supply Bank Indefinite Lease Contract Update from Vic Conrad today for the J R Simplot Company for this water right. The form designated a 5-year lease term for the indefinite lease. I called Vic for clarification on this action, because the water right ownership had been changed per an ownership change received by the department in 2003. In discussing this action with Mr. Conrad and reviewing the WR file and the tax-lot data it is apparent that the ownership change of this water right should not have been recorded with the sale of this property. Sim-Chem is the current tax-lot (fertilizer and pesticide plant) owner of the lot where this water right was developed.