



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

January 6, 2017

JR SIMPLOT
PO BOX 27
BOISE ID 83707

RE: Expiration of Water Supply Bank Rental Agreement for water rights: 2-10471, 24-4017, 36-4179

Renter,

This letter is to inform you that your rental agreement(s) to rent the above listed water rights from the Water Supply Bank (Bank) expired at the end of 2016.

Once the rental agreement concludes, any diversion or use of water under the rental agreement will no longer be authorized and, if occurring, may be subject to an enforcement action.

If you wish to rent water in the future, please download a rental application from: <http://idwr.idaho.gov>. You may submit rental applications on November 1 of the year prior to the intended use of rental water. **YOU ARE ENCOURAGED TO FILE AN APPLICATION AT LEAST 3 MONTHS PRIOR TO THE DATE YOU DESIRE TO USE RENTAL WATER.**

If you have any questions about this matter, please contact me at (208) 287-4918.

Sincerely,

A handwritten signature in black ink, appearing to read 'RB', with a long horizontal stroke extending to the right.

Remington Buyer
Water Supply Bank Coordinator

Enclosures:

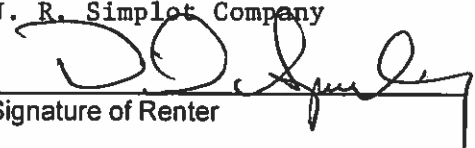
DEPARTMENT OF
WATER RESOURCES

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:

J. R. Simplot Company

David Spurling, Senior Vice
President, Secretary and
General Counsel

By: 

Signature of Renter

Printed Name and Title*

Date

19 JAN 2016

Signature of Renter

Printed Name and Title*

Date

*Please provide title of signatory 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

1/21/2016

Rental Approved by IDWR 

Date

1-21-2016

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

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SW¼SE¼ Sec. 14 Twp 08S Rge 16E JEROME County

BENEFICIAL USE

INDUSTRIAL

SEASON OF USE

01/01 TO 12/31

RENTER'S PLACE OF USE: INDUSTRIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	16E	14														X	X		

CONDITIONS APPLICABLE TO ALL RENTED WATER RIGHTS

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 does not constitute a dedication of the water to renter's place of use, and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.
4. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
5. 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.
6. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
7. 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.
8. Renter acknowledges and agrees that the Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
9. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
10. This rental agreement does not authorize the construction of a well.
11. Use of water under this agreement 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. 130.
12. The following right is diverted through the point of diversion described above: 36-8471
13. Industrial use is for an office, mixing fertilizer and pesticides and for washing equipment.

STATE OF IDAHO
WATER RESOURCE BOARDAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKRECEIVED
APR 22 2015
DEPARTMENT OF
WATER RESOURCESApplicant Name: J. R. Simplot CompanyIs this application being submitted with a lease application as a lease/rental package? Yes ☐ No ☒

An *Application to Rent Water from the Board's Water Supply Bank* must be completed in accordance with the minimum requirement checklist below to be acceptable for processing by the Idaho Department of Water Resources (IDWR). 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.

Applications to rent water should be submitted well in advance of the desired start date for the use of water. Rental applications may be submitted as early as November 1 of the year prior to the intended use of rental water. Rental applications submitted more than one year in advance of the proposed start date for water use will not be accepted and will be returned to applicants. Rental applications will not be processed if they are received after the end of the rental season of use.

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

For additional instructions on completing a rental application, visit the Department's website at www.idwr.idaho.gov.

Checked All Items as Either Attached (Yes) or Not Applicable (N/A)		
YES		
	☒	Completed <i>Application to Rent Water from the Board's Water Supply Bank</i>
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
3E	☒	☐ Authorization from the owner/operator of the rental point(s) of diversion
3G	☒	☐ Water modeling to account for the impacts of the rental request
3J	☒	☐ Documents justifying a need to rent water for irrigation at 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)
36-4179

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

Email Address _____ Phone Number 208-336-2110

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 _____ Professional Title _____

Organization _____ Relationship to Applicant _____

Mailing Address _____

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 place of use is outlined with an obvious, bolded line. For irrigation purposes, note that the place of use outlined on your map cannot exceed the number of acres you are proposing to rent. Attach the map to this application and label it **Attachment 2**.

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

A. Describe the purpose of your rental request. Include any anticipated rates of water application, water use practices or number of stock (if any). If the proposed use is not for irrigation, please provide a detailed description of the proposed use and how you determined the amount of rental water required. Attach additional sheets if required and label it **Attachment 3A**:
Water will be used for an office, blending fertilizer and crop protection products and washing equipment.

B. Enter the desired and/or minimum necessary 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)	Acres (if applicable) (Acre)
0.23 CFS	5 AF	.23 CFS	5 AF	AC

Sometimes water rights available for rent 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. Enter the proposed start date and latest possible start date for using rental water. Also provide the number of years you would like to rent water:

Proposed Start Date (month/day/year)	Latest Possible Start (month/day/year)	* Proposed Rental Duration (Max 5 Years)	** For multi-year rentals, indicate whether you desire to rent water for remaining years if a rental request cannot be approved for the first year?
May 1, 2015	May 1, 2015	2	☒ Yes, approve rental for all remaining future years. ☐ No, return rental request if first year is unapprovable.

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

** Subject to the availability of rentable water. A multi-year rental that cannot begin during the first year requested may be approved for some or all remaining years, depending on availability. Rental requests will be returned if no water is available to rent in the first and/or subsequent years of the rental request.

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

- D. Refer to the map you created in item 2 and specify the location of the point(s) of diversion (POD) from which rental water is proposed to be diverted:

Water Source	TWP	RGE	SEC	¼	¼	¼	County	Other water rights for the same purpose diverted from this POD
Groundwater	8S	16E	14		SW	SE	Jerome	36-8471

The entry in this grid must match the map from item 2 on the application.

- E. Do you own and/or possess the authority to divert water from the above POD(s)? Yes ☒ No ☐
If no, provide documentation from the owner/operator confirming your authorization to use the POD(s) and label it Attachment 3E.
- F. Do any POD(s) identified in Question 3D 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.
- G. Has water modeling been provided with your rental request? Yes ☐ No ☒
If yes, include as Attachment 3G. Otherwise please explain why modeling was not provided:

Rental applications that require modeling will be returned if modeling is not provided.

- H. Specify the proposed beneficial use: ☐ Irrigation ☐ Commercial ☒ Industrial ☐ Municipal
☐ Groundwater Recharge ☐ Mining ☐ Stockwater ☐ Other: _____
- I. Refer to the map you created in item 2 and specify below the places you propose to use water. If for irrigation, specify the number of acres to be irrigated per ¼ ¼ tract. Otherwise indicate usage by marking the ¼ ¼ tracts with the first letter of your proposed use identified above:

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8S	16E	14														Ind	Ind		
The entry in this grid must match the map from item 2 on the application.																			Total Acres (for irrigation)

- J. For irrigation uses, do you propose a water diversion rate greater than 0.02 cfs/acre? N/A ☒ Yes ☐ No ☐
If yes, explain the justification for this rate of flow and attach any supporting documents as Attachment 3J:
- 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. Describe your water distribution system and how water will be delivered from the POD(s) to the proposed POU(s):
Well, pump, motor, underground pipelines.

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

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

Existing Water Right 36-8471 was curtailed due to Rangen call.

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights?

Yes ☒ No ☐

If yes, specify below the water rights you are requesting to rent. Otherwise continue to Section 5 of this application form.

Please note: Diversion rates and volumes to be rented from a leased water right must be proportionate to the per acre diversion rates and per acre volume limits of the water right leased to the Bank. Applicants should query a water right's rental availability by reviewing active lease and rental documents, searchable via [IDWR's website](#), to ensure all elements of a water right remain available in sufficient quantity to satisfy a rental request.

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany the 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 with combined limits, applicants should request to rent against the combined limit diversion rate, volume or acre limits.

Elements of Water Rights Leased to the Bank (Contract Details)								Leased totals minus water actively engaged in rental agreement equals rental availability	Rental Request		
Water Right Number	Nature of Use	Water Source	Rate (CFS)	Volume (AF)	Acres (AC)	Start (year)	End (year)		Rate (CFS)	Vol. (AF)	Acres (AC)
36-4179	Industrial	groundwater	4.27	1,723.11	NA	2005	2016		0.23	5	NA
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre that have been leased to the Water Supply Bank								TOTAL	0.23 CFS	5 AF	NA 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:

NA

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

- C. Does your rental request propose to change the nature of use for any water right(s) being requested? 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, as well as the new consumptive use amount for your proposed beneficial use. Attach a separate page if space is insufficient and label it Attachment 4C:

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:

- 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.

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.


Signature of Applicant

J. R. Simplot Company by David Spurling
Printed Name of Applicant

20 April 2015
Date

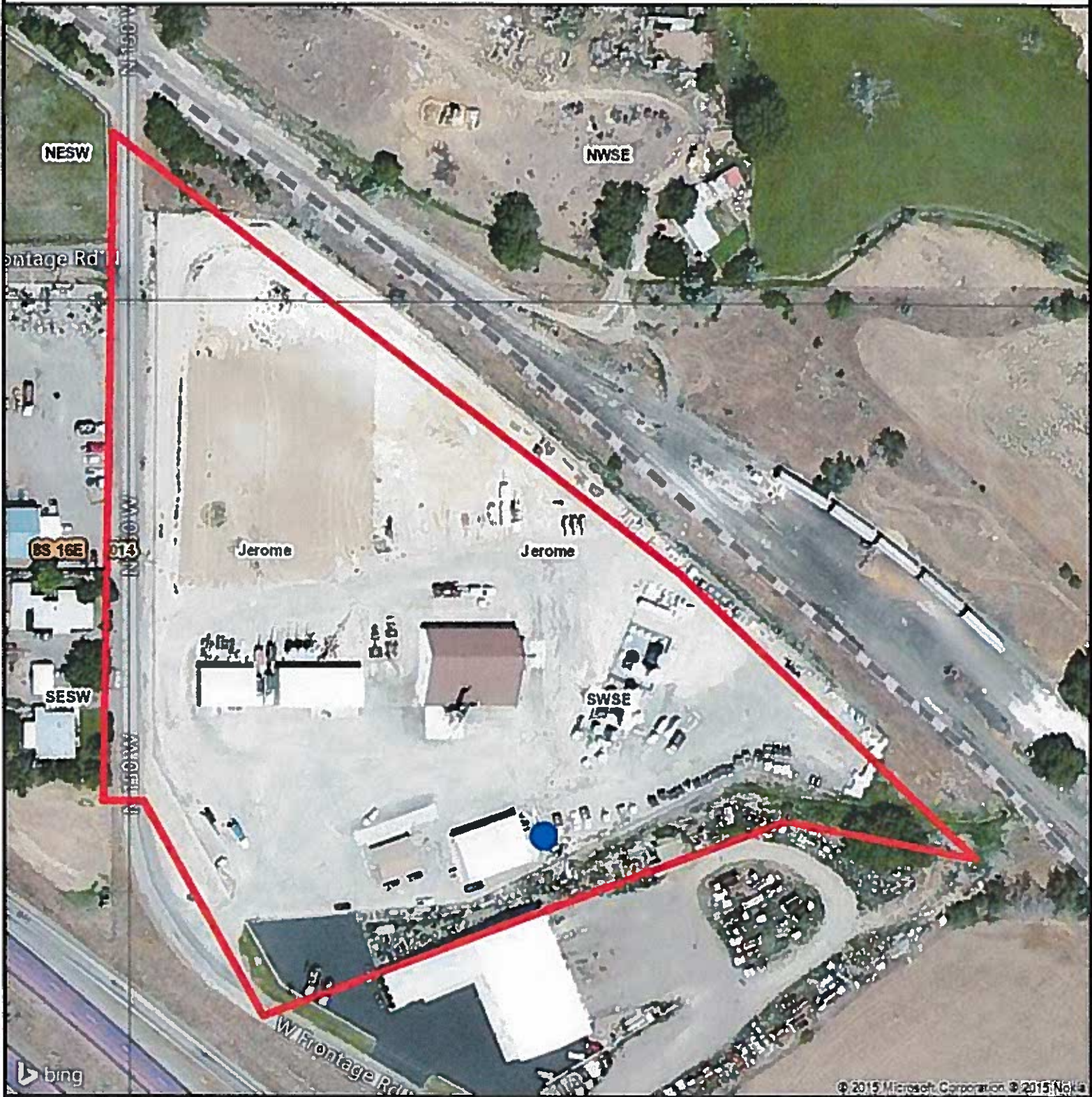
Signature of Representative

Senior V.P. Secretary and General Counsel
Printed Name of Representative

Date

Mail to:

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



Map Notes: Blue Dot = Point of Diversion

Red Outline = Place of Use

Confidential - Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.



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

January 22, 2016

J R SIMPLOT CO
PO BOX 27
BOISE ID 83707

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 36-4179**

Dear Renter:

Please find enclosed a receipt in the amount of **\$157.76** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 92.8 acre-feet of water for industrial use during 2016. 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 me at (208) 287-4910.

Sincerely,

 Clay Webster
Water Resource Agent
WSB Process Point of Contact

Enclosures: Receipt No. C101443
Rental Agreement (copy)

c: Sascha Marston – Fiscal
Allen Merritt – IDWR Southern Regional Office
Nathan Erickson – State Water District No. 130
Scott King – SPF Water Engineering



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

January 11, 2016

J R SIMPLOT CO
PO BOX 27
BOISE ID 83707

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 36-4179**

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

Dear Applicant:

The Department of Water Resources acknowledges receipt of your application to rent water from the Water Supply Bank. **I have enclosed a Water Supply Bank Rental Agreement for your review and signature.** Upon signature and return of the original agreement, together with the rental fee described below, the Department will also sign the original agreement and return an executed copy 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 **\$1,577.60** was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 92.8 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 \$157.76.**

Please send a check for \$157.76 made payable to the Idaho Department of Water Resources, together with the signed rental agreement, within 14 days so I can complete processing.

If you have any questions, please contact me at (208) 287-4910.

Sincerely,

for Clay Webster
Water Resource Agent
WSB Process Point of Contact

Enclosure

c: IDWR Front Desk
Scott King – SPF Water Engineering

SCANNED
JAN 22 2016

State of Idaho
Department of Water Resources

RECEIVED
JAN 06 2016
DEPARTMENT OF
WATER RESOURCES

RECOMMENDATION OF WATERMASTER

Application No: WSB Rental (Jerome Plant)
Water Right No: 36-4179
Applicant Name: JR Simplot Co

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application
- b) ☐ I do not oppose approval of this application if it is conditioned as follows:
- c) ☐ I oppose approval of this application(s) for the following reasons:
- d) ☐ Additional comment:

Dated: January 6, 2016

Water District 130

sent electronically
Nathan Erickson, Assistant Watermaster

SCANNED
JAN 22 2016

MEMORANDUM

To: Water Right 36-4179

From: Clay Webster

Date: 12/7/2015

Re: Review & Analysis of Application to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: The department received two applications each for renting 0.23 cfs and 5.0 af of water from this right for two separate locations on April 22, 2015. The volume will have to be for 92.8 af to get them to their requested diversion rate. This review memo will cover the rental request to be used at TWP 8S RNG 16E Sec 14 (Jerome Plant).

AUTHORITY TO FILE: This application was signed by David Spurling of JR Simplot Company. The taxlot data shows that JR Simplot Co owns the Place of use and diversion point at the rental location.

WATER RIGHT VALIDITY: 36-4179 is leased to the WSB through 2016. There are currently four active rentals on this right. However, 2.38 CFS and 1134.3 AF remain unrented at this time. This right was severed from the property it was appurtenant to and retained by JR Simplot Company when they conveyed the property to the City of Burley.

INJURY TO OTHER WATER RIGHTS: This rental is moving the diversion within the ESPA from grid 52/84 to 24/53. Modeling was provided by SPF Water Engineering for two years. This rental will be for 1 year. I checked the model run for one year at the appropriate volume and verified that no mitigation is required.

ENLARGEMENT OF USE: J R Simplot Co has a Commercial water right 36-8471 which is for an office, mixing fertilizer, and pesticides and washing equipment. This right is located at the same location as the proposed rental. 36-8471 will be curtailed due to the Rangen call. This rental is to provide water for the same use.

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: The rented right is subject to Water District # 130. The watermaster was emailed for comments/concerns.

SCANNED
JAN 22 2016



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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 4, 2015

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

RE: APPLICATION(S) TO RENT WATER FROM THE WATER SUPPLY BANK

Dear Applicant:

The Idaho Department of Water Resources (Department) acknowledges receipt of your application(s) to rent water from the Idaho Water Resource Board's Water Supply Bank (Bank) for industrial use of 5 acre feet at two separate locations. Filing a Bank rental application does not automatically result in approval. Before a rental application can be approved, the rental request must be reviewed, a rental agreement must be prepared, the agreement must be approved by the applicant and the Department, and the rental fee must be paid. To maximize the number of rental applications processed while managing competing priorities, the Department begins accepting rental applications on November 1 for use in the next calendar year, and it processes as many applications as it can before the start of the irrigation season in March or April. Once the irrigation season begins, Department staff members are reassigned to address field work and other duties.

Because your application was received near the beginning of the irrigation season, which is now well underway, it is unlikely the Department will be able to process your application in time for approval in 2015 unless you have proposed a start date late in the year. If your application was for 2015 only and the latest possible start date on your application has passed, the application will be returned to you. If your application requests a rental for more than one year, the rental application may be retained by the Department and evaluated for 2016.

In future years, we encourage you to file your rental applications as soon as possible after November 1 to improve the chances that they will be processed.

Additional information about the Bank may be found on the Department's website at http://idwr.idaho.gov/WaterManagement/WaterRights/WaterSupply/ws_default.htm.

If you have questions regarding this matter, please contact me at 287-4910.

Sincerely,

For Clay Webster
Water Resource Agent
WSB Process Point of Contact

SCANNED
JAN 22 2016



J.R. SIMPLOT COMPANY ONE CAPITAL CENTER 999 MAIN STREET SUITE 1300
P.O. BOX 27 BOISE, IDAHO 83707 (208) 336-2110 FAX (208) 389-7515

CORPORATE HEADQUARTERS

RECEIVED

APR 22 2015

DEPARTMENT OF
WATER RESOURCES

April 20, 2015

Cherie Palmer
Senior Water Resource Agent
Idaho Department of Water Resources
P. O. Box 83720
Boise, ID 83720-0098

Re: Water Bank Rental Applications.

Dear Cherie:

In connection with the Rangen call, water right nos. 36-8471 (Jerome SGS Unit) and 36-7636 (Mini-Cassia Unit) will be curtailed. Water use at these locations is very minimal. However, there is the potential that the instantaneous flow rate available under a DCMI exemption may not be sufficient to cover the amount of water we need during peak operating cycles.

To provide the right to continue diverting groundwater for these operations I am enclosing two applications to rent up to 0.23 cfs and no more than 5 acre feet per year for each site. The applications proposed renting the water from water right number 36-4179, which water right Simplot is leasing to the Water Supply Bank until December 31, 2016.

Please accept the enclosed applications and let me know if I can respond to any concerns or questions you may have.

Sincerely,

Vic Conrad
Land, Water & Asset Recovery

Enclosure

SCANNED
JAN 22 2016

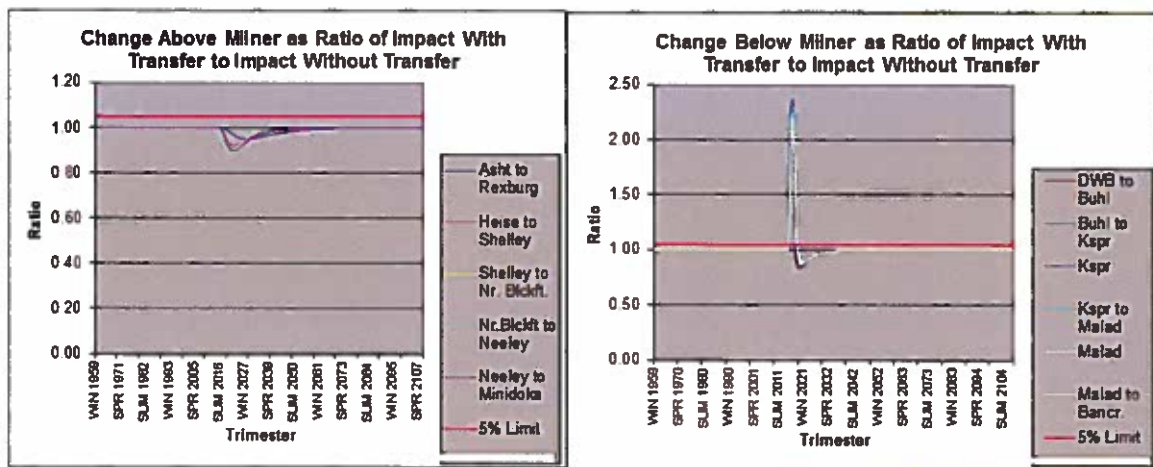


Figure 7: Change ratio graphs above and below Milner for the Jerome rental.

One-Year Analysis of Independent Transfers																		
New Water Right (Jerome rental):																		
VR No.	Div. Rate (CFS)	Con. Vol. (AF)	No. of Irr. Acres	Priority Date	PDO Location	Dedicated Vol. AFA/ AFT	Model Scale	Impact by Recipient (AFT/Trimester)										
								Ashton to Rexburg	Hesse to Shelley	Shelley to Nr. Blckft.	Nr. Blckft. to Neeley	Neeley to Minidoka	Minidoka to Buhl	Buhl to Filer	Kapr	Kapr to Maled	Maled to Bancroft	Bancroft to Maled
Transfer 1: Proposed Steady State Impacts following Transfer								0.02	0.06	0.16	0.56	0.63	0.27	0.25	0.11	0.07	0.06	0.00
???	???	0.0	0.0	10/19/83	83RUC-M	0	17	SP053024	0.02	0.06	0.16	0.56	0.63	0.27	0.25	0.11	0.07	0.06
Transfer 1: Worst Case Transient State Impacts following Transfer								0.02	0.06	0.16	0.56	0.63	0.27	0.25	0.11	0.07	0.06	0.00
???	???	0	0	10/19/83	83RUC-M	0	17	SP053024	0.02	0.06	0.16	0.56	0.63	0.27	0.25	0.11	0.07	0.06
Steady State Analysis								0.02	0.06	0.16	0.56	0.63	0.27	0.25	0.11	0.07	0.06	0.00
Mitigation Check 1 - > 10% of Historical								0.00c	0.00c	0.00c	0.00c	0.00c	0.00c	0.00c	0.00c	0.00c	0.00c	0.00c
Mitigation Check 2 - > 2 AFT								0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Mitigation Check 3 - > 10% of Total								1.1%	3.0%	10.30c	24.6%	2.6c	16.4%	15.6%	6.9%	4.4%	4.0%	0.25c
Mitigation Required?								NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft)								0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Transient State Analysis								0.00c	0.00c	0.00c	0.00c	0.00c	0.00c	0.00c	0.00c	0.00c	0.00c	0.00c
Mitigation Check 1 - > 10% of Historical								0.00c	0.00c	0.00c	0.00c	0.00c	0.00c	0.00c	0.00c	0.00c	0.00c	0.00c
Mitigation Check 2 - > 2.01 AFT								0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Mitigation Required?								NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft)								0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Flow Info																		

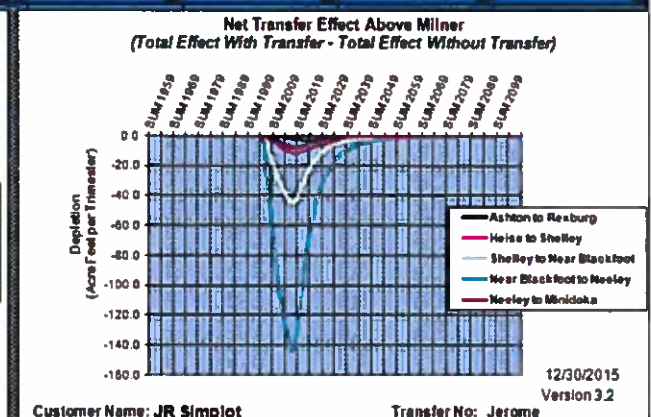
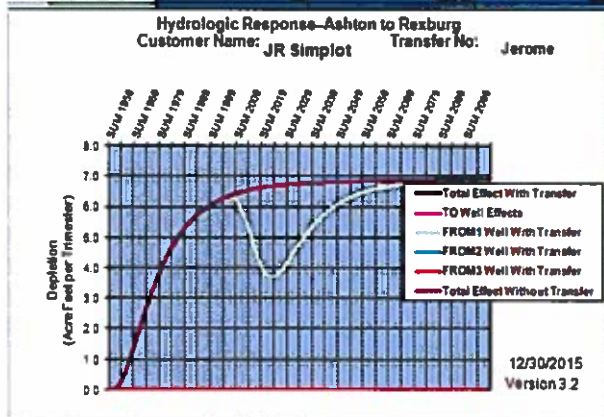
Figure 8: Mitigation Analysis Tool results for Jerome rental.

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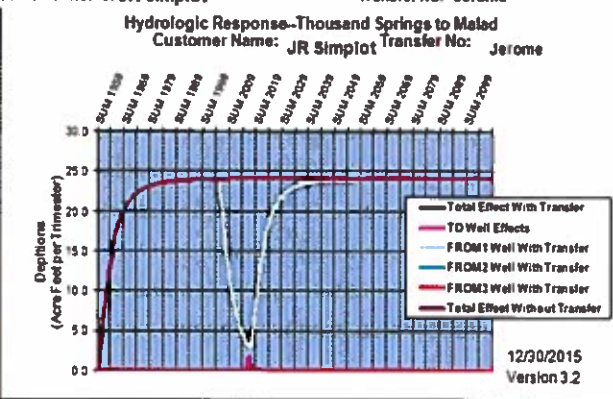
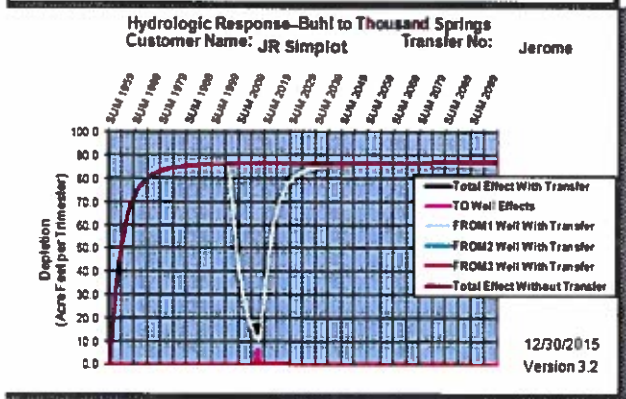
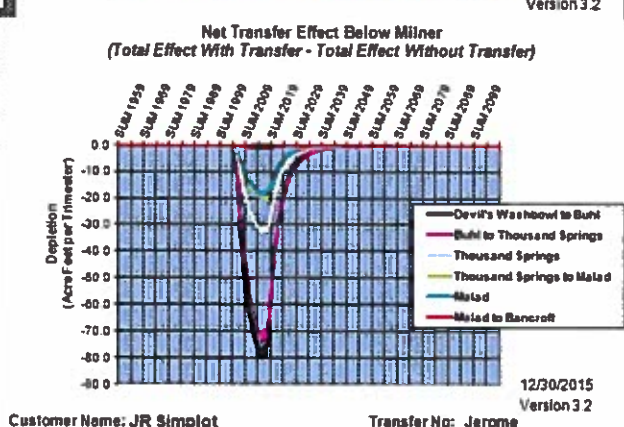
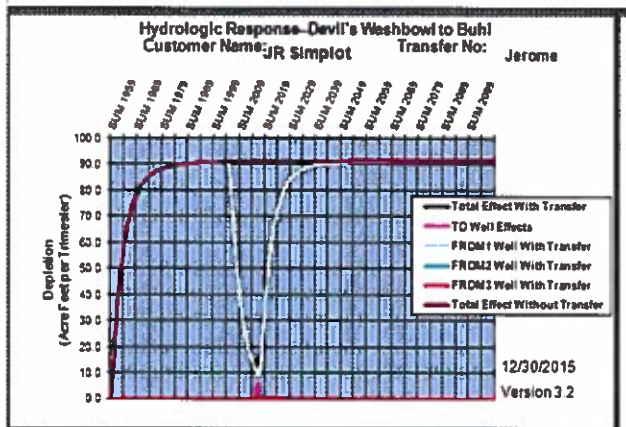
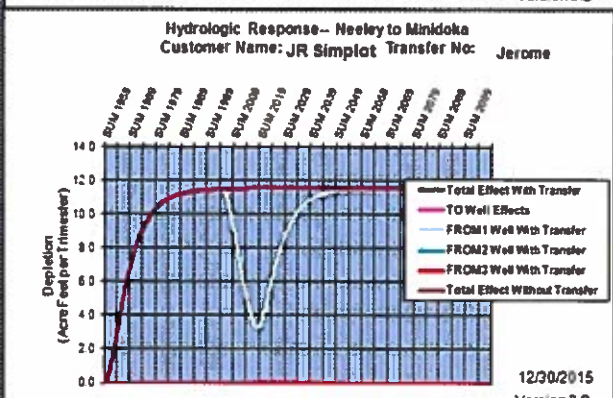
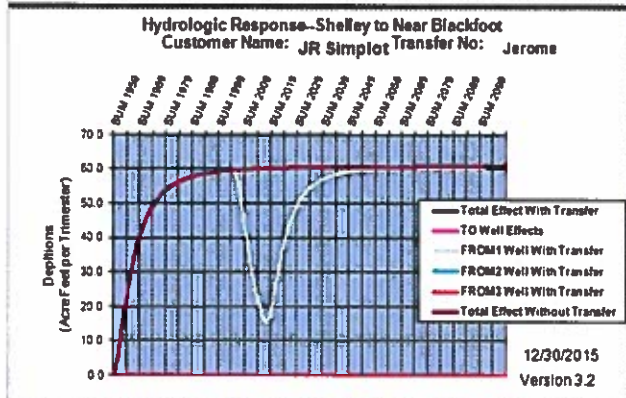
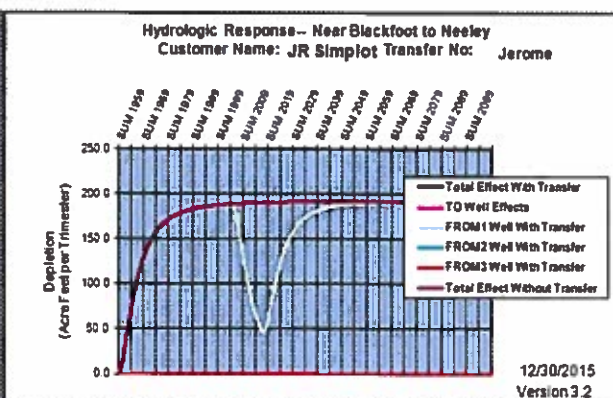
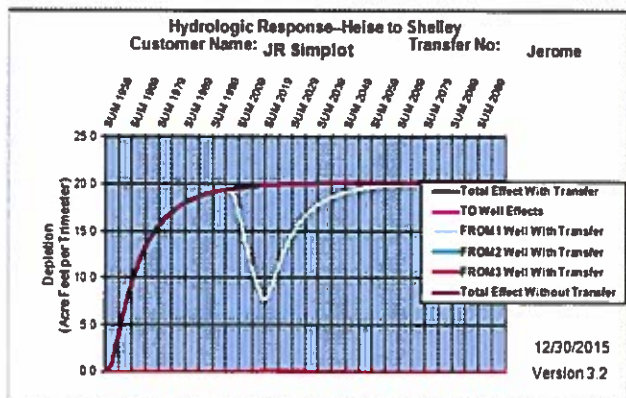
ENHANCED GROUND-WATER RIGHTS TRANS							
UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEP							
Cells this color are set up for user entries				UPDATE DATES RUN MODEL GET OUTPUT			
ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON				TRANSFER NO: Jerome TRANSFER NAME: JR Simplot CALCULATE EFFECTS			
YEAR: 1959 SEASON: SUMMER							
ENTER CELL LOCATIONS:							
		TO CELL	FROM1 CELL	FROM2 CELL	FROM3 CELL		
ROW		53	84				
COLUMN		24	52				
TRIMESTER OF ACTIVITY	TO WELL Protected Use AF/TRIMESTER	FROM1 WELL With Transfer Without Transfer AF/TRIMESTER		FROM2 WELL With Transfer Without Transfer AF/TRIMESTER		FROM3 WELL With Transfer Without Transfer AF/TRIMESTER	
21	SUM 1959	0	574	574	0	0	0
22	WIN 1959	0	574	574	0	0	0
23	SPR 1960	0	574	574	0	0	0
24	SUM 1960	0	574	574	0	0	0
25	WIN 1960	0	574	574	0	0	0
26	SPR 1961	0	574	574	0	0	0
27	SUM 1961	0	574	574	0	0	0
28	WIN 1961	0	574	574	0	0	0
29	SPR 1962	0	574	574	0	0	0
30	SUM 1962	0	574	574	0	0	0
31	WIN 1962	0	574	574	0	0	0
32	SPR 1963	0	574	574	0	0	0
33	SUM 1963	0	574	574	0	0	0
34	WIN 1963	0	574	574	0	0	0
35	SPR 1964	0	574	574	0	0	0
36	SUM 1964	0	574	574	0	0	0
37	WIN 1964	0	574	574	0	0	0
38	SPR 1965	0	574	574	0	0	0
39	SUM 1965	0	574	574	0	0	0
40	WIN 1965	0	574	574	0	0	0
41	SPR 1966	0	574	574	0	0	0
42	SUM 1966	0	574	574	0	0	0

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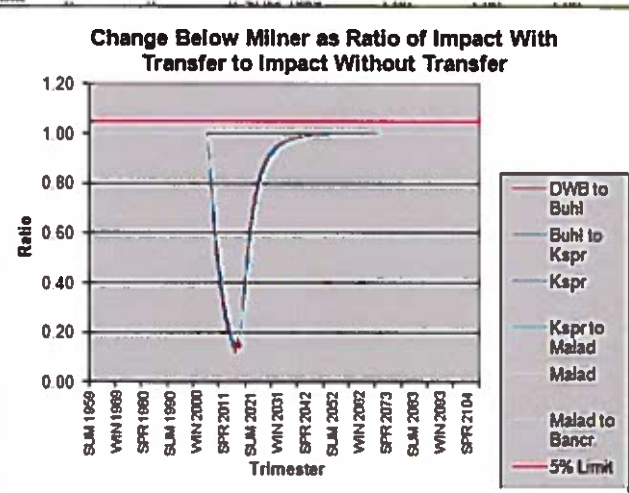
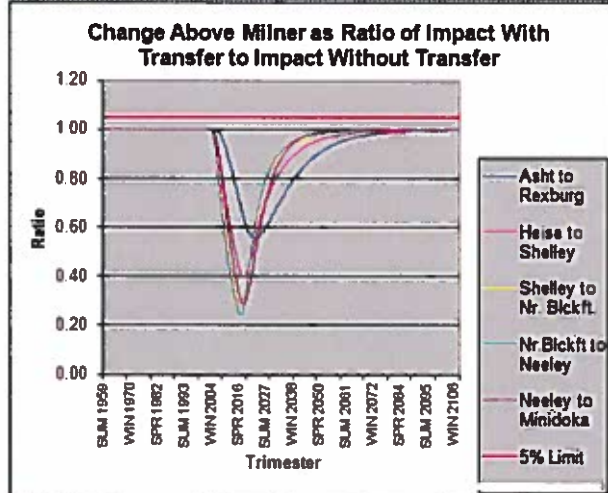
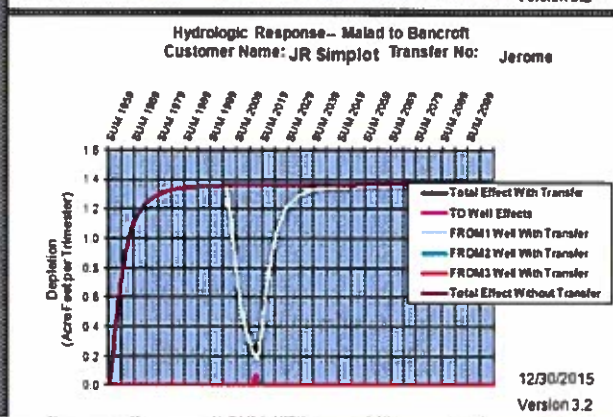
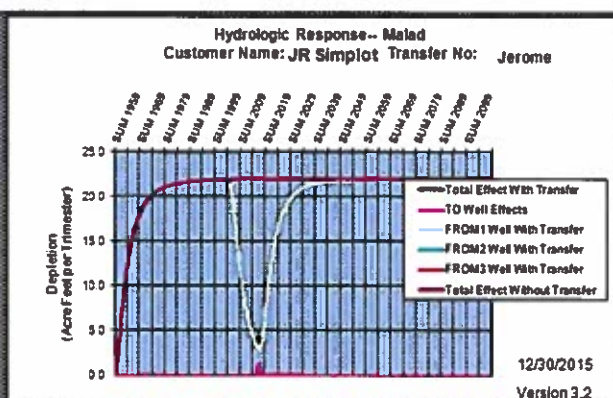
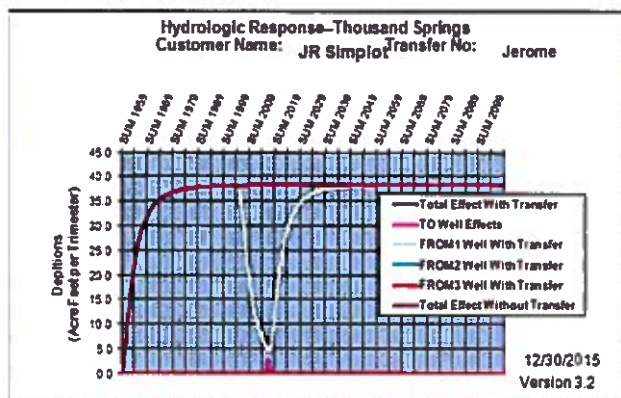
151	WIN 2002	0	574	574	0	0	0	0
152	SPR 2003	0	574	574	0	0	0	0
153	SUM 2003	0	574	574	0	0	0	0
154	WIN 2003	0	574	574	0	0	0	0
155	SPR 2004	0	574	574	0	0	0	0
156	SUM 2004	0	574	574	0	0	0	0
157	WIN 2004	0	574	574	0	0	0	0
158	SPR 2005	0	0	574	0	0	0	0
159	SUM 2005	0	0	574	0	0	0	0
160	WIN 2005	0	0	574	0	0	0	0
161	SPR 2006	0	0	574	0	0	0	0
162	SUM 2006	0	0	574	0	0	0	0
163	WIN 2006	0	0	574	0	0	0	0
164	SPR 2007	0	0	574	0	0	0	0
165	SUM 2007	0	0	574	0	0	0	0
166	WIN 2007	0	0	574	0	0	0	0
167	SPR 2008	0	0	574	0	0	0	0
168	SUM 2008	0	0	574	0	0	0	0
169	WIN 2008	0	0	574	0	0	0	0
170	SPR 2009	0	0	574	0	0	0	0
171	SUM 2009	0	0	574	0	0	0	0
172	WIN 2009	0	0	574	0	0	0	0
173	SPR 2010	0	0	574	0	0	0	0
174	SUM 2010	0	0	574	0	0	0	0
175	WIN 2010	0	0	574	0	0	0	0
176	SPR 2011	0	0	574	0	0	0	0
177	SUM 2011	0	0	574	0	0	0	0
178	WIN 2011	0	0	574	0	0	0	0
179	SPR 2012	0	0	574	0	0	0	0
180	SUM 2012	0	0	574	0	0	0	0
181	WIN 2012	0	0	574	0	0	0	0
182	SPR 2013	0	0	574	0	0	0	0
183	SUM 2013	0	0	574	0	0	0	0
184	WIN 2013	0	0	574	0	0	0	0
185	SPR 2014	0	0	574	0	0	0	0
186	SUM 2014	0	0	574	0	0	0	0
187	WIN 2014	0	0	574	0	0	0	0
188	SPR 2015	0	0	574	0	0	0	0
189	SUM 2015	0	0	574	0	0	0	0
190	WIN 2015	0	0	574	0	0	0	0
191	SPR 2016	31	0	574	0	0	0	0
192	SUM 2016	31	0	574	0	0	0	0
193	WIN 2016	31	0	574	0	0	0	0
194	SPR 2017	0	574	574	0	0	0	0
195	SUM 2017	0	574	574	0	0	0	0
196	WIN 2017	0	574	574	0	0	0	0
197	SPR 2018	0	574	574	0	0	0	0
198	SUM 2018	0	574	574	0	0	0	0



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Not Used										Impact by Region (AF/Trimester)									
Well No	Div Rate (CFS)	Can. Vol (AF)	No. of Tr. Affected	Priority	POD Location	Dedicated Vol AF/A FT	Model Type	Ashton to Rexburg	Heise to Shelley	Shelley to Nr. Blckfl.	Nr. Blckfl. to Neeley	Neeley to Minidoka	Dev. With To Buhl	Buhl to Ksapr	Ksapr to Malad	Malad to Bancroft			
Transfer: Proposed Steady State Impacts following Transfer								6.9	20.3	80.7	132.8	11.8	81.4	88.7	38.4	24.2	22.0	1.4	
Transfer 1: Worst Case Transient State Impacts following Transfer								6.9	20.2	80.7	132.4	11.8	81.4	88.7	38.4	24.2	22.0	1.4	
0	0	0	0	1/201800	0	0.0	0	6.9	20.3	80.7	132.8	11.8	81.4	88.7	38.4	24.2	22.0	1.4	
0	0	0	0	1/201800	0	0.0	0	6.9	20.2	80.7	132.4	11.8	81.4	88.7	38.4	24.2	22.0	1.4	
Steady State Analysis								Mitigation Check 1 - < 10% of historical	-0.4%	-0.2%	-0.1%	-0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
Mitigation Check 2 - < 2 AF/Tr								0.0	0.0	-0.1	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Mitigation Check 3 - < 10% of Total								1.2%	1.5%	10.9%	34.8%	2.1%	18.4%	6.9%	4.4%	4.0%	0.2%		
Mitigation Required?								NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	
Mitigation Vol. Req'd (ac-ft)								0.0	0.0	-0.1	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Transient State Analysis								Mitigation Check 1 - < 10% of historical	-0.4%	-0.2%	-0.1%	-0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
Mitigation Check 2 - < 2 AF/Tr								0.0	0.0	-0.1	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Mitigation Required?								NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	
Mitigation Vol. Req'd (ac-ft)								0.0	0.0	-0.1	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	

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Webster, Clay

From: sking@spfwater.com [noreply@mailbigfile.com]
Sent: Tuesday, December 29, 2015 9:15 AM
To: Webster, Clay
Subject: File Notification from sking@spfwater.com: ETRAN_3.2Jerome_2.zip

Your file is ready to download from SPF Water Engineering, LLC

Clay,
Attached are model runs for J.R. Simplot water bank rentals.

Thanks,
Scott

The files sent were as follows:
ETRAN_3.2Jerome_2.zip
The file will be available for 60 days

Please use this link to retrieve the file:
Please use this link to retrieve the file:
https://www.mailbigfile.com/f38ff97ba24962982da98f460cd7301f/listFiles.php?repro_id=3103

Thank you from the team at SPF Water Engineering, LLC

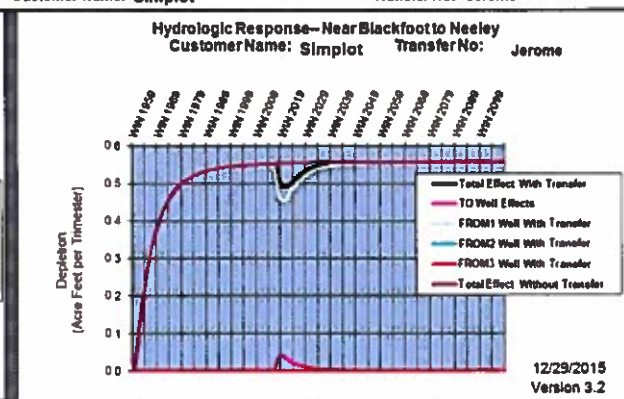
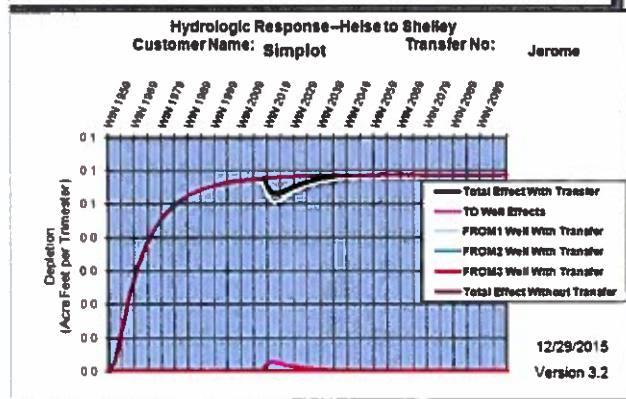
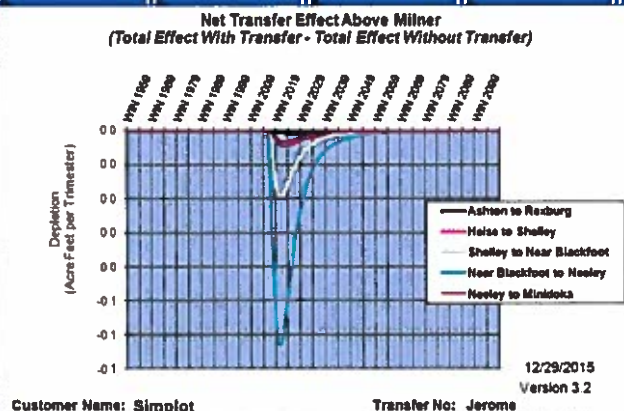
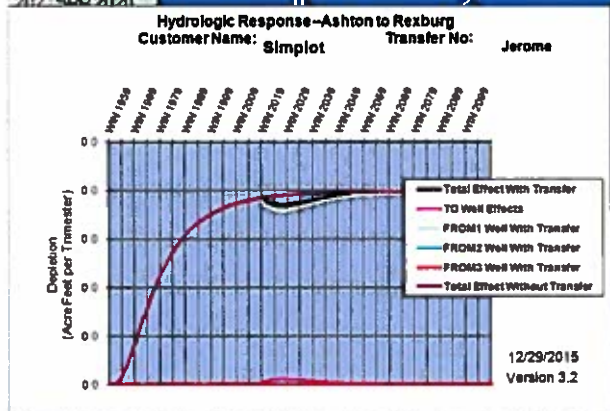
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DEC 29 2015

	A	B	C	D	E	F	G	H	
1	ENHANCED GROUND-WATER RIGHTS TRANSFERS								
2	UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPT								
3									
4	Cells this color are set up for user entries			UPDATE DATES		RUN MODEL		GET OUTPUT	
5				CALCULATE EFFECTS					
6									
7	ENTER STARTING DATE FOR								
8	SIMULATION. THEN PUSH								
9	"UPDATE DATES" BUTTON			TRANSFER NO: Jerome					
10	YEAR 1959			TRANSFER NAME: Simplot					
11	SEASON WINTER								
12									
13	ENTER CELL LOCATIONS:								
14		TO CELL	FROM1 CELL	FROM2 CELL	FROM3 CELL				
15	ROW	53	84	75	45				
16	COLUMN	24	52	105	30				
17									
18	TRIMESTER	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL		
19	OF	Projected Use	With Transfer	Without Transfer	With Transfer	Without Transfer	With Transfer	Without Transfer	
20	ACTIVITY	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	
21	WIN 1959	0	2	2	0	0	0	0	
22	SPR 1960	0	2	2	0	0	0	0	
23	SUM 1960	0	2	2	0	0	0	0	
24	WIN 1960	0	2	2	0	0	0	0	
25	SPR 1961	0	2	2	0	0	0	0	
26	SUM 1961	0	2	2	0	0	0	0	
27	WIN 1961	0	2	2	0	0	0	0	
28	SPR 1962	0	2	2	0	0	0	0	
29	SUM 1962	0	2	2	0	0	0	0	
30	WIN 1962	0	2	2	0	0	0	0	
31	SPR 1963	0	2	2	0	0	0	0	
32	SUM 1963	0	2	2	0	0	0	0	
33	WIN 1963	0	2	2	0	0	0	0	
34	SPR 1964	0	2	2	0	0	0	0	
35	SUM 1964	0	2	2	0	0	0	0	
36	WIN 1964	0	2	2	0	0	0	0	
37	SPR 1965	0	2	2	0	0	0	0	
38	SUM 1965	0	2	2	0	0	0	0	
39	WIN 1965	0	2	2	0	0	0	0	
40	SPR 1966	0	2	2	0	0	0	0	
41	SUM 1966	0	2	2	0	0	0	0	
42	WIN 1966	0	2	2	0	0	0	0	
43	SPR 1967	0	2	2	0	0	0	0	
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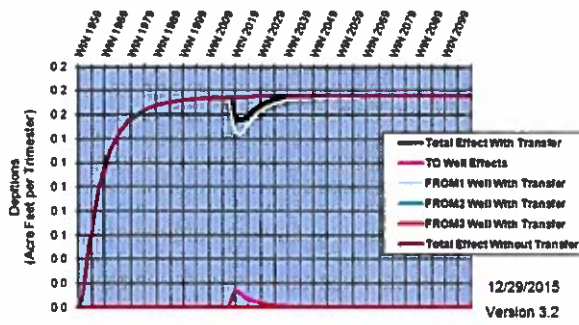
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168	WIN 2008	0	2	2	0	0	0	0
169	SPR 2009	0	2	2	0	0	0	0
170	SUM 2009	0	2	2	0	0	0	0
171	WIN 2009	0	2	2	0	0	0	0
172	SPR 2010	0	2	2	0	0	0	0
173	SUM 2010	0	2	2	0	0	0	0
174	WIN 2010	0	2	2	0	0	0	0
175	SPR 2011	0	2	2	0	0	0	0
176	SUM 2011	0	2	2	0	0	0	0
177	WIN 2011	0	2	2	0	0	0	0
178	SPR 2012	0	2	2	0	0	0	0
179	SUM 2012	0	2	2	0	0	0	0
180	WIN 2012	0	2	2	0	0	0	0
181	SPR 2013	0	2	2	0	0	0	0
182	SUM 2013	0	2	2	0	0	0	0
183	WIN 2013	0	2	2	0	0	0	0
184	SPR 2014	0	2	2	0	0	0	0
185	SUM 2014	0	2	2	0	0	0	0
186	WIN 2014	0	2	2	0	0	0	0
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188	SUM 2015	0	2	2	0	0	0	0
189	WIN 2015	0	2	2	0	0	0	0
190	SPR 2016	0	2	2	0	0	0	0
191	SUM 2016	2	0	2	0	0	0	0
192	WIN 2016	2	0	2	0	0	0	0
193	SPR 2017	2	0	2	0	0	0	0
194	SUM 2017	2	0	2	0	0	0	0
195	WIN 2017	2	0	2	0	0	0	0
196	SPR 2018	2	0	2	0	0	0	0
197	SUM 2018	0	2	2	0	0	0	0
198	WIN 2018	0	2	2	0	0	0	0
199	SPR 2019	0	2	2	0	0	0	0
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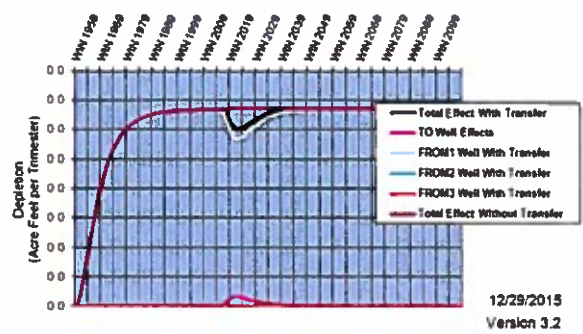


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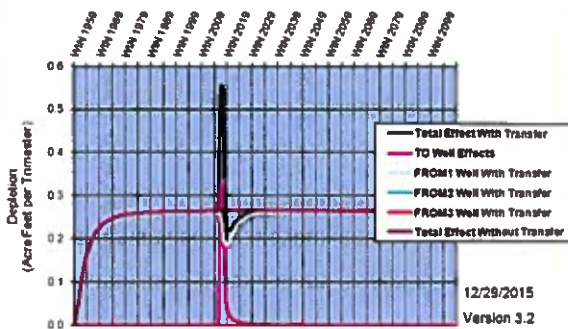
Hydrologic Response—Sheiley to Near Blackfoot
Customer Name: Simplot Transfer No: Jerome



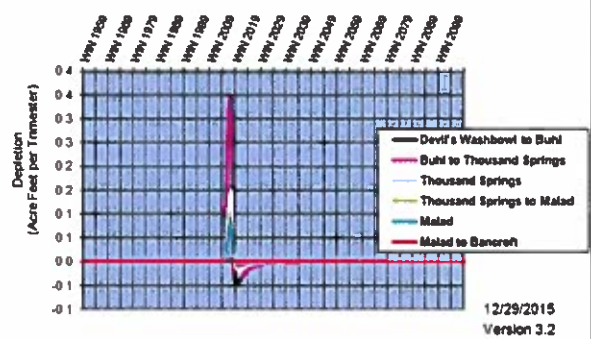
Hydrologic Response—Neeley to Minidoka
Customer Name: Simplot Transfer No: Jerome



Hydrologic Response—Devil's Washbowl to Buhl
Customer Name: Simplot Transfer No: Jerome



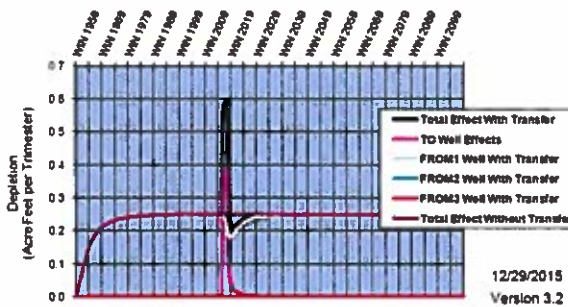
Net Transfer Effect Below Milner
(Total Effect With Transfer - Total Effect Without Transfer)



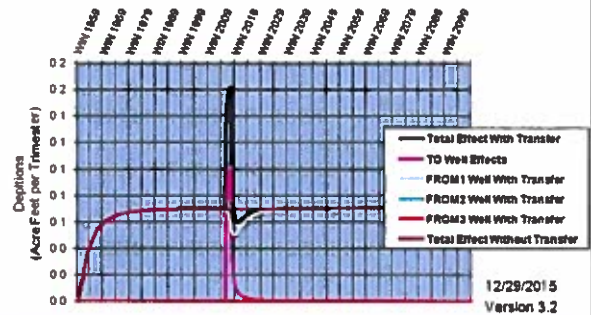
Customer Name: Simplot

Transfer No: Jerome

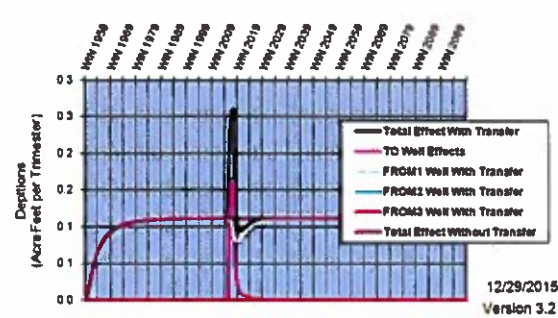
Hydrologic Response—Buhl to Thousand Springs
Customer Name: Simplot Transfer No: Jerome



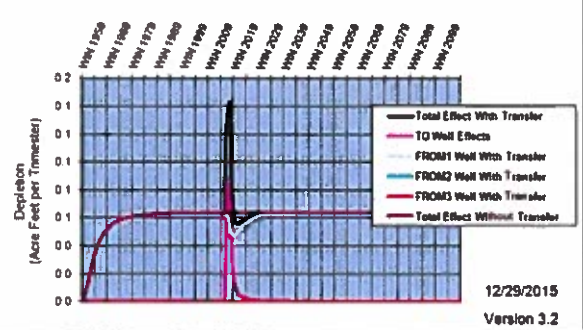
Hydrologic Response—Thousand Springs to Malad
Customer Name: Simplot Transfer No: Jerome



Hydrologic Response—Thousand Springs
Customer Name: Simplot Transfer No: Jerome

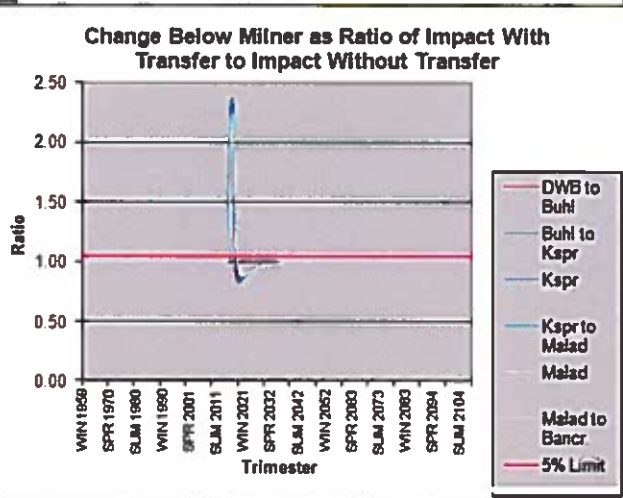
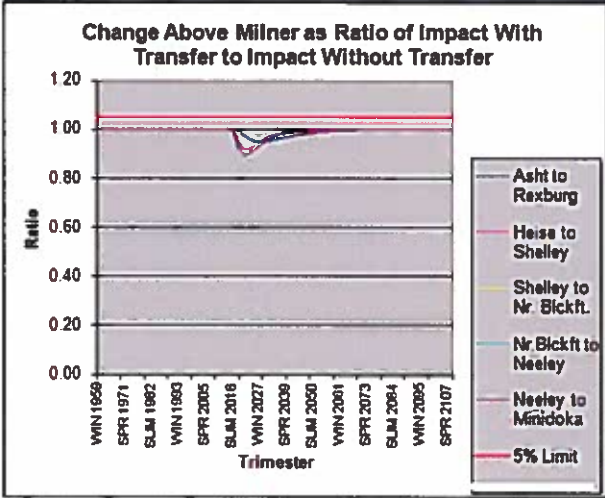
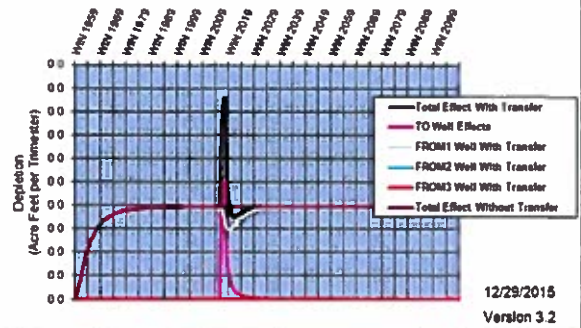


Hydrologic Response—Malad
Customer Name: Simplot Transfer No: Jerome



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Hydrologic Response-Malad to Bancroft Customer Name: Simplot TransferNo: Jerome



Not Used

WR No.	Dir. Rate (CFS)	Con. Vol. (AF)	No. of Tr.	Priority	POD Location	Dedicated Vol. AFA/ AFT	Model
Transfer: Proposed Steady State Impacts following Transfer							
0	0	0	0	10/1000	0	0.0	0
0	0	0	0	10/1000	0	0.0	0

Impact by Reach (AF/Trimester)											
Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickh.	Nr Bickh to Neeley	Neeley to Minidoka	Dev. Vol. To Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft	
0.0	0.1	0.2	0.0	0.0	0.3	0.3	0.1	0.1	0.1	0.0	16
0.0	0.1	0.2	0.0	0.0	0.3	0.3	0.1	0.1	0.1	0.0	16
0.0	0.1	0.2	0.0	0.0	0.3	0.3	0.1	0.1	0.1	0.0	16
0.0	0.1	0.2	0.0	0.0	0.3	0.3	0.1	0.1	0.1	0.0	16

Steady State Analysis	Mitigation Check 1 - > 50% of Historical	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
	Mitigation Check 2 - > 2 AFT	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	Mitigation Check 3 - > 6% of Total	1.2%	3.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
	Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Transient State Analysis	Mitigation Check 1 - > 50% of Historical	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
	Mitigation Check 2 - > 2.01 AFT	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	Mitigation Check 3 - > 6% of Total	1.2%	3.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
	Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO

SCANNED
JAN 22 2016

Webster, Clay

From: Webster, Clay
Sent: Thursday, December 24, 2015 7:25 AM
To: 'Conrad, Vic'
Subject: RE: 36-4179

Vic,

I please provide the modeling by December 31, 2015. Thanks

Sincerely,
Clay Webster
Water Resource Agent
clay.webster@idwr.idaho.gov
208-287-4910

From: Conrad, Vic [<mailto:Vic.Conrad@simplot.com>]
Sent: Wednesday, December 23, 2015 4:54 PM
To: Webster, Clay
Subject: 36-4179

Clay,
We are working on provide you with the results of an ESPA analysis to show how the amount to be rented from the bank to cover the small amount of water used from the wells otherwise allowed under 36-8471 and 36-8469. Your deadline for providing this in your December 10, 2015 letter was December 24, 2014 – so you can see I am at least one year behind. If you will please allow us a brief extension, Scott King with SPF Engineering is running the model at my request.



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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

December 10, 2015

VIC CONRAD
J R SIMPLOT COMPANY
PO BOX 27
BOISE ID 83707

RESPONSE DEADLINE

December 24, 2014

RE: Water Supply Bank Rental Applications for WR 36-4179 – Additional Information Required

Dear Applicant,

The Idaho Department of Water Resources received your applications to rent water rights from the Idaho Water Resource Board's Water Supply Bank however, as submitted, your application is incomplete.

As submitted, your application cannot be processed. The required information is missing or insufficient:

- ☐ A completed *Application to Rent Water from the Water Supply Bank*
- ☒ If the 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.
- ☐ The place of use described in item #4 of the application does not match your map
- ☐ The signature is missing or we need power of attorney documentation for the signor
- ☐ How will the proposed diversion point of diversion convey water to the place of use
- ☐ Authorization from the individual/entity that owns the land at the place of use
- ☐ Authorization from the individual/entity that owns the land at the proposed point of diversion
- ☐ A map that clearly outlines the location of irrigated acres.
- ☐ Other: _____

I will place your application on hold while you submit your modeling. Please provide the required information within fourteen (14) days. While you are making corrections to your application, you will not lose your place in the processing queue.

If sufficient information per this letter is not received within 14 days, your application will not be processed and will be returned to you.

Please contact me if you have questions regarding this matter at (208) 287-4910.

Sincerely,

Clay Webster
Water Resource Agent

SCANNED
JAN 22 2016