



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', followed by a horizontal line.

Remington Buyer
Water Supply Bank Coordinator

Enclosures:

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

RECEIVED

JAN 21 2016

DEPARTMENT OF
WATER RESOURCES

This is to certify that: **J. R. SIMPLOT CO**
PO BOX 27
BOISE ID 83707
208-336-2110

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

Summary of Water Rights or Portions Rented from the Bank

Water Right	Priority Date	Source	Tributary	Rented Rate	Annual Rented Volume	Acre Limit	Total Rented Acres
36-4179	8/9/1959	Ground Water	NA	0.23 cfs	92.8 af	NA	NA
Total Annual Limit				0.23 cfs	92.8 af	NA	NA

Annual Rental Total

0.23 cfs 92.8 af NA NA

Term of Rental: **This rental is in effect from the day the Idaho Water Resource Board signs the rental agreement and shall be in effect until December 31, 2016.**

Rental Fee: **\$157.76**

The fee for rental of the above-described water is \$1,577.60 per year. Because you own the above referenced water right(s) you are obligated to pay ten percent (\$157.76) to the Department for administrative costs only.

No rental fees will be refunded once the fee is collected and the start date for a Rental Agreement has passed.

Detailed water right conditions are attached.

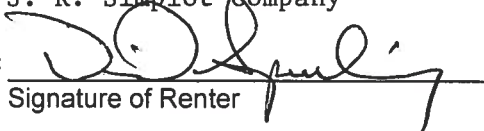
SCANNED
JAN 22 2016

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*

19 JAN 2016
Date

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

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

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 6 Twp 10S Rge 24E Minidoka County

BENEFICIAL USE

INDUSTRIAL

SEASON OF USE

01/01 TO 12/31

RENTER'S PLACE OF USE: INDUSTRIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	24E	6							X L2	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 rights are diverted through point(s) of diversion described above: 36-7636 and 36-8469.
13. Industrial use is for an office, blending fertilizer, and crop protection products and washing equipment.

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JAN 22 2016

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

APR 22 2015

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant 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

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JAN 22 2016

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.

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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	10S	24E	6		SW	NW	Minidoka	36-7636

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	
10S	24E	6							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.

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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 36-7636 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)								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

Leased totals minus water actively engaged in rental agreement equals rental availability

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

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JAN 27 2016

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

Date

20 April 2015

Signature of Representative

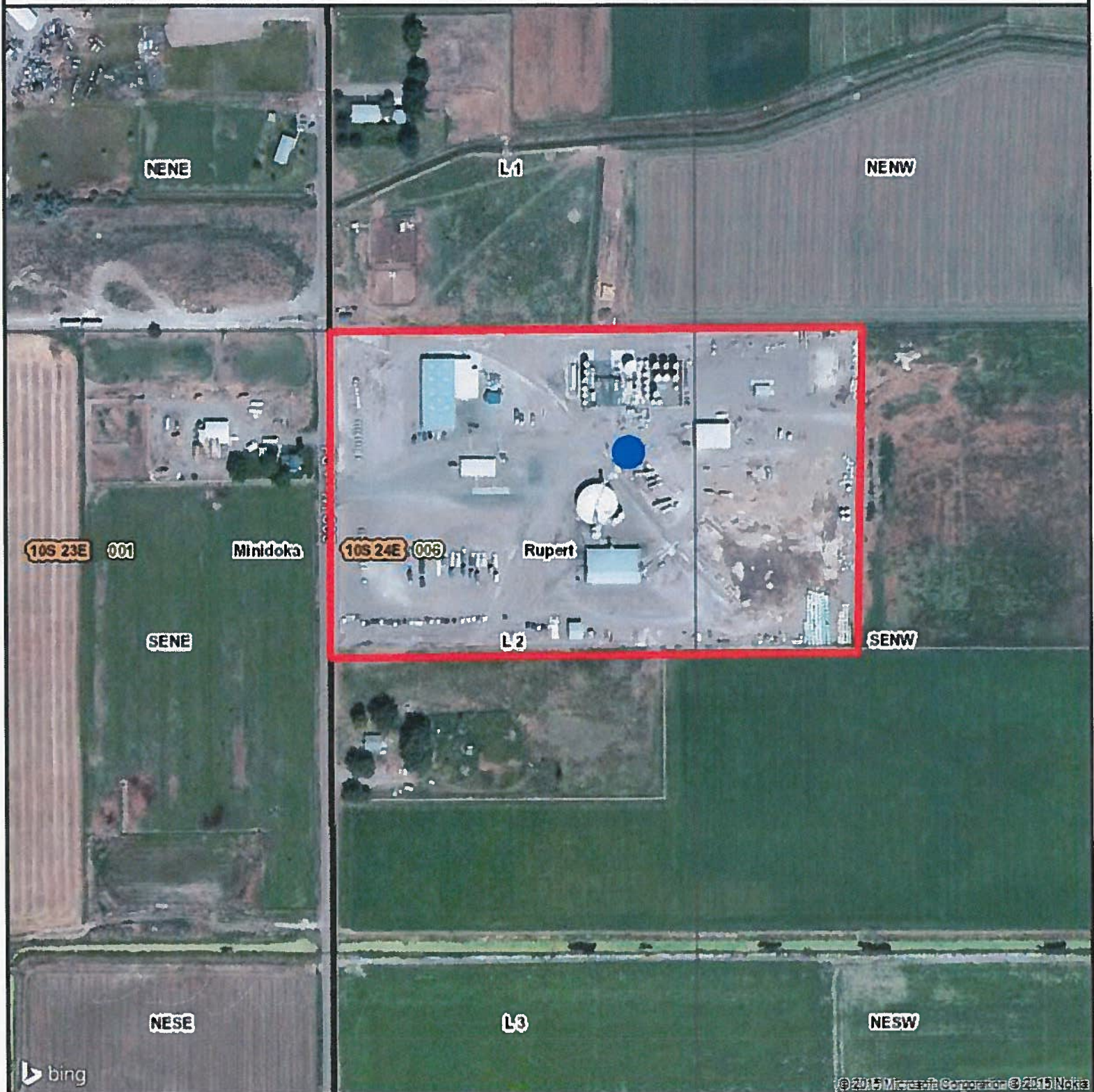
Senior V.P. Secretary and General Counsel
Printed Name of Representative

Date

Mail to:

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

SCANNED
JAN 22 2016



Map Notes: Blue Dot = Point of Diversion

Red Outline = Place of Use

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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 • 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,

for 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

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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 • 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,

 Clay Webster
Water Resource Agent
WSB Process Point of Contact

Enclosure

c: IDWR Front Desk
Scott King – SPF Water Engineering

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JAN 22 2016

Webster, Clay

From: Yenter, Cindy
Sent: Wednesday, December 30, 2015 1:30 PM
To: Webster, Clay; Erickson, Nathan
Subject: RE: Region and Watermaster Comments for Two WSB Rental Applications for JR Simplot Co 36-4179

Clay – I don't have any concerns but I do have some background info that might be useful, as I didn't see it discussed in your memo. Nathan should still weigh in on these.

WD130 does not require measurement at the Jerome plant.

At the Rupert plant there is an irrigation right using the same pod as 36-7636. Neither right is mitigated. The irrigation right has not been diverted for a number of years (self curtailed). The commercial right is regulated because the authorized (and actual) rate of diversion is up to 0.49 cfs; even though the volume is quite low, diversions do not meet deferrable definition. The well fills a large holding tank. There is a flow meter on this well which WD130 has monitored for the past several years. We have not seen any annual diverted volume greater than 1 AF for at least 3 years.

I don't believe we need to impose any additional measurement requirements on either of these, unless Nathan feels its necessary. We'll keep reading the meter at Rupert.

Cindy

From: Webster, Clay
Sent: Wednesday, December 30, 2015 12:22 PM
To: Erickson, Nathan
Cc: Yenter, Cindy
Subject: FW: Region and Watermaster Comments for Two WSB Rental Applications for JR Simplot Co 36-4179

Nathan,

Here is the new modeling runs and memos for these rentals. The maps are the same. Do you have any concerns?

Clay

From: Webster, Clay
Sent: Tuesday, December 29, 2015 10:42 AM
To: Merritt, Allen; Erickson, Nathan
Cc: Yenter, Cindy
Subject: Region and Watermaster Comments for Two WSB Rental Applications for JR Simplot Co 36-4179

Allen and Nathan,

We are Processing two Rental Applications for JR Simplot Co to rent water to cover the operations at two different fertilizer plants. One is in Jerome and the other is in Rupert. I have discussed these with Cindy because of the Rangen issue. Do you have any concerns?

Clay

Webster, Clay

From: Merritt, Allen
Sent: Wednesday, December 30, 2015 12:10 PM
To: Webster, Clay; Erickson, Nathan
Cc: Yenter, Cindy
Subject: RE: Region and Watermaster Comments for Two WSB Rental Applications for JR Simplot Co 36-4179

Clay,

In the meeting today you indicated that you were re-evaluating these rentals. I do not have an issue with these if the modeling checks out.

Allen

From: Webster, Clay
Sent: Tuesday, December 29, 2015 10:42 AM
To: Merritt, Allen; Erickson, Nathan
Cc: Yenter, Cindy
Subject: Region and Watermaster Comments for Two WSB Rental Applications for JR Simplot Co 36-4179

Allen and Nathan,

We are Processing two Rental Applications for JR Simplot Co to rent water to cover the operations at two different fertilizer plants. One is in Jerome and the other is in Rupert. I have discussed these with Cindy because of the Rangen issue. Do you have any concerns?

Clay

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

RECEIVED

JAN 06 2016

**DEPARTMENT OF
WATER RESOURCES**

Application No: WSB Rental (Rupert 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 10S RNG 24E Sec 6 (Rupert 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. I checked the modeling for 1 for one year at the appropriate volume and verified that no mitigation is required for this rental.

ENLARGEMENT OF USE: J R Simplot Co has a commercial water right 36-7636 which is for; a liquid fertilizer plant. This right is located at the same location as the proposed rental. 36-7636 will be curtailed due to the Rangen Call. This rental is to cover that 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.

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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 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 17, 2015

JR SIMPLOT COMPANY
C/O VIC CONRAD
PO BOX 27
BOISE ID 83707

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 Water Supply Bank (Bank) for industrial purposes at two separate location in the amount of 5 af each. Because your applications could not be processed for the 2015 season, the Department retained your applications, at your request, to be processed for use in 2016.

The Department will accept applications proposed for the next calendar season on November 1 of the prior year. Your application is proposing water use for the 2016 season; therefore, the Department will begin processing your application after November 1, 2015.

Applications will be processed in the order received at the Department and as time allows. The likelihood of successfully acquiring a rental through the Bank is greatly improved by applying early during the processing period before the proposed season of use begins.

Note that filing a rental application does not authorize diversion and use of water. It is unlawful to use water without a valid water right or an approved Bank rental agreement. **You are not authorized to divert any water for the purposes described in your application until you have paid the rental fee and you and the Department have both signed and executed a rental agreement.**

You can check the status of your rental application by reviewing the Department's processing spreadsheet, accessible from the Bank's website at:

http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterSupply/ws_default.htm

Sincerely,

Cherie Palmer, Water Rights Supervisor
Water Allocation Bureau

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JAN 22 2016

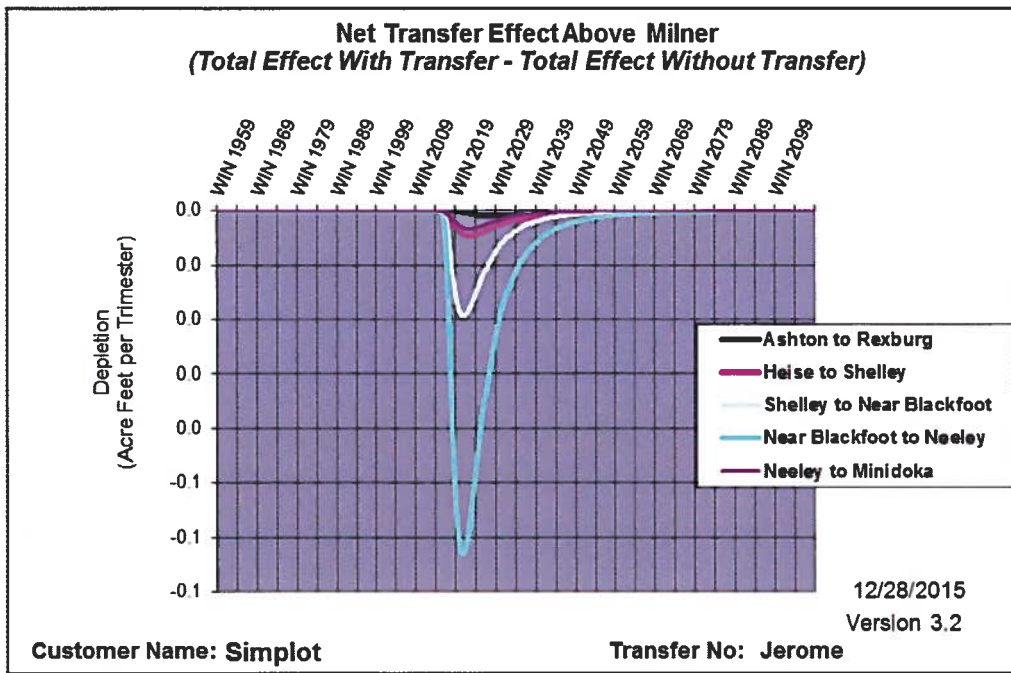


Figure 5: Net transfer effect above Milner for the Jerome rental.

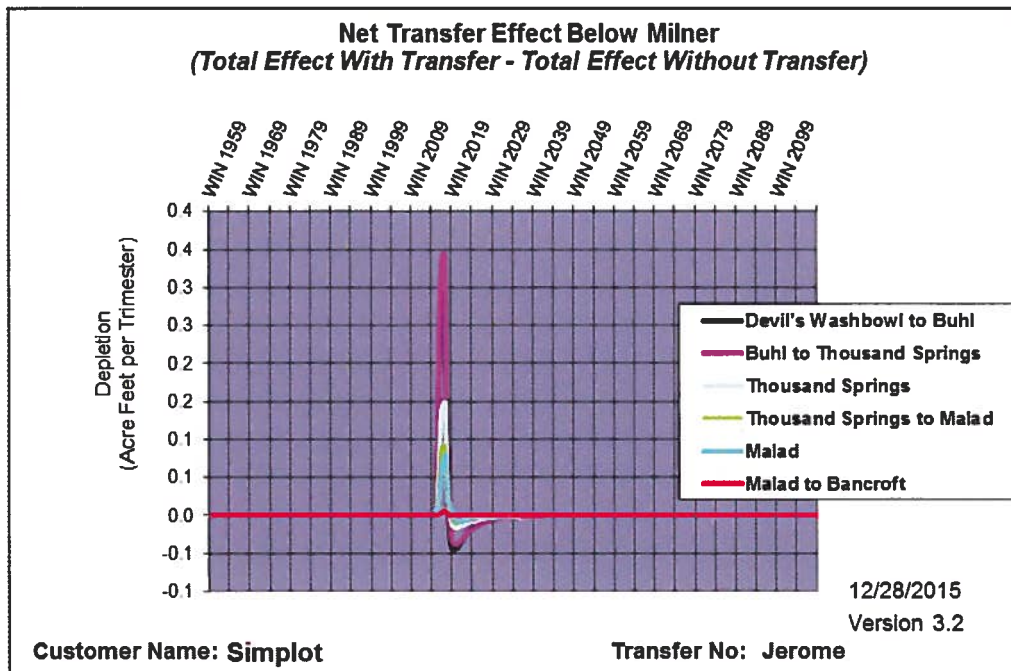


Figure 6: Net transfer effect below Milner for the Jerome rental.

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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

RECEIVED

JAN 21 2016

DEPARTMENT OF
WATER RESOURCES

January 19, 2016

Clay Webster
Water Resource Agent
State of Idaho
Department of Water Resources
P. O. Box 83720
Boise, Idaho 83720-0098

Re: Applications to Rent Portions of 36-4179 From the Water Supply Bank.

Dear Clay:

Enclosed are the partially executed original Water Supply Rental Agreements to cover water diverted from the same points of diversion as identified under 36-8471 (Jerome Simplot Grower Solutions Unit) and 36-7636/36-8469 (Simplot Mini-Cassia Grower Solutions Unit). Also enclosed is a check in the amount of \$315.52 to cover the rental for both of the enclosed Agreements (\$157.76 each).

Please arrange for the Agreements to be signed by Mr. Patton on behalf of the Idaho Water Resource Board the return the fully executed originals to me.

Sincerely,

Vic Conrad
Land, Water & Asset Recovery

Enclosure

c: J. Drescher (pdf image)

SCANNED
JAN 22 2016

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_3.2Rupert_6.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_3.2Rupert_6.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/2f5f532c3eed0a28d2cd45438a25c12b/listFiles.php?repro_id=3103

Thank you from the team at SPF Water Engineering, LLC

RECEIVED

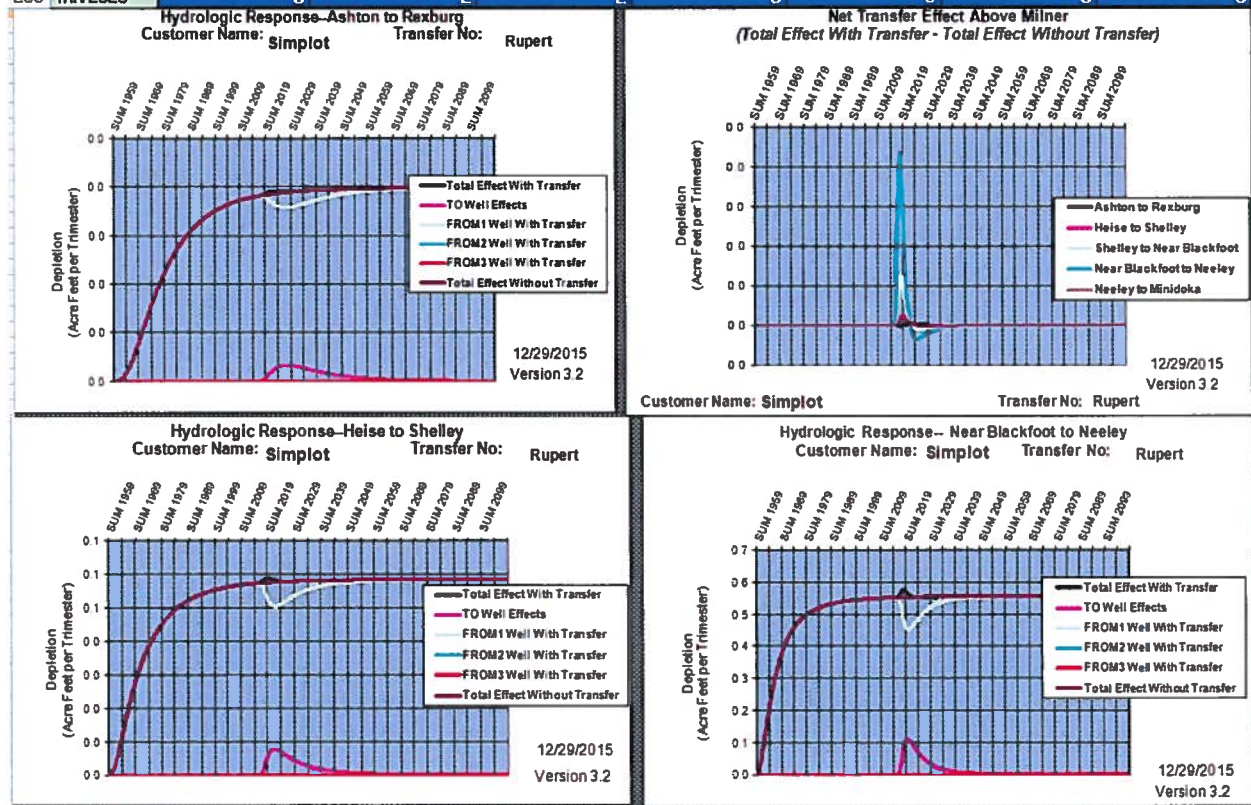
DEC 29 2015

DEPARTMENT OF
AGRICULTURE

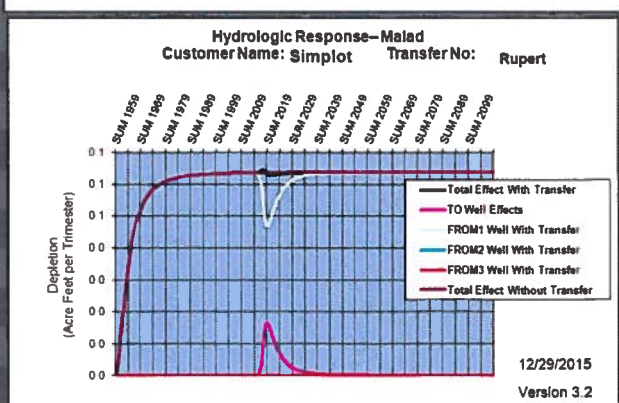
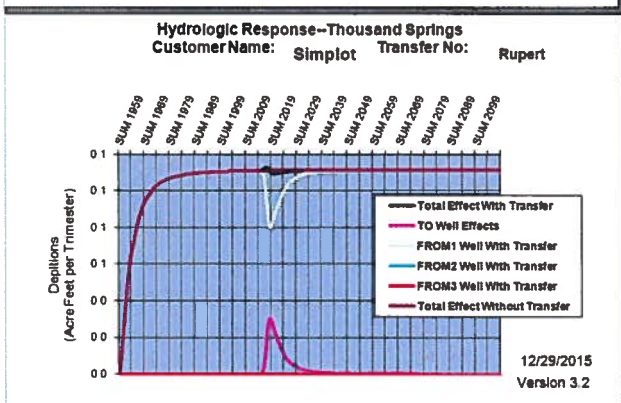
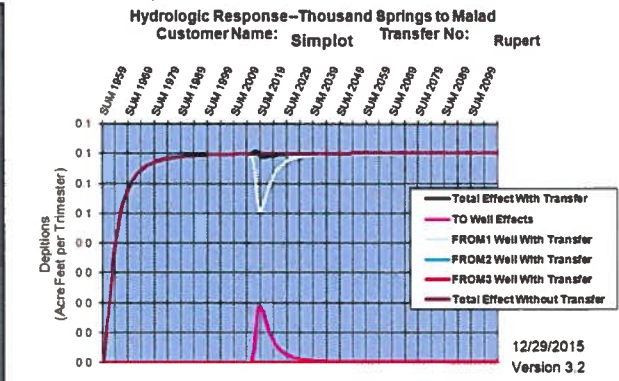
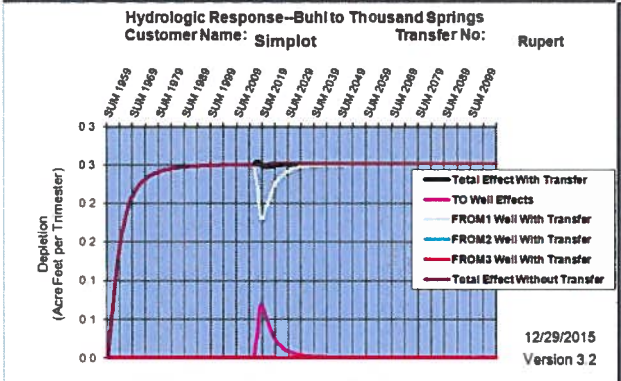
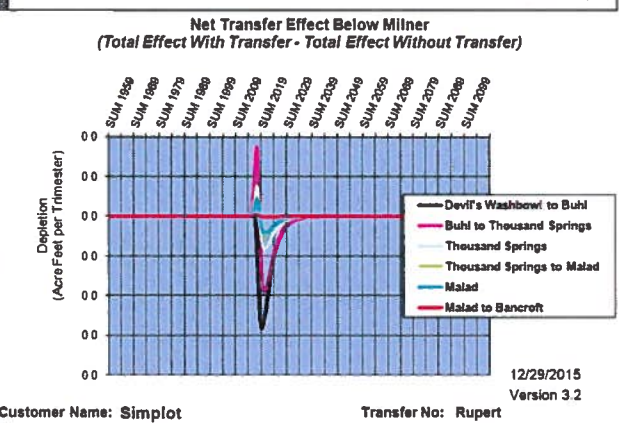
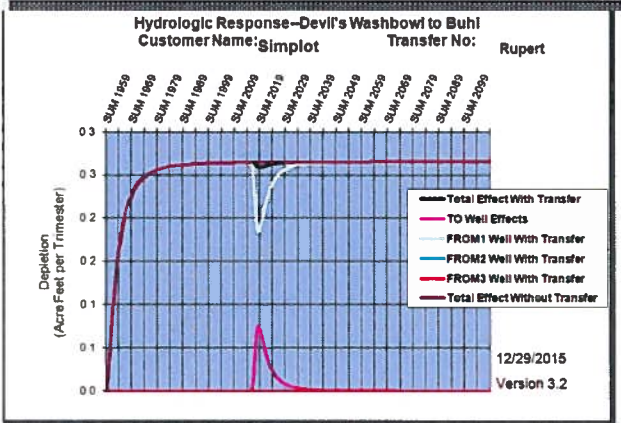
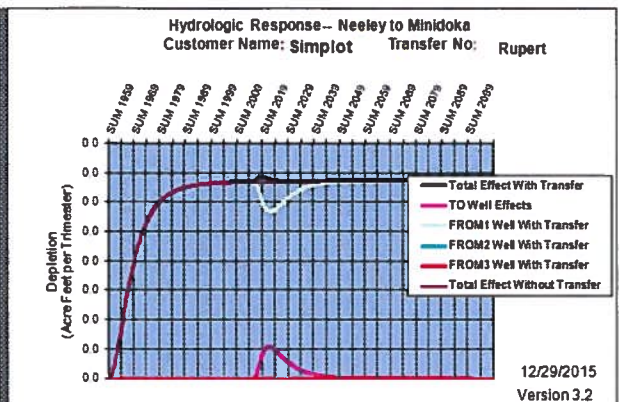
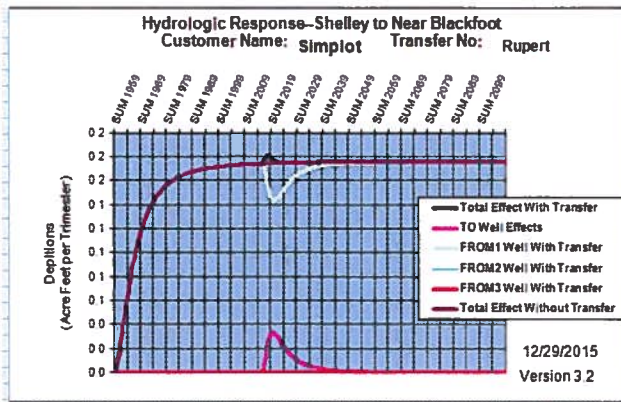
ENHANCED GROUND-WATER RIGHTS TRANSFER								
UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE					IDAHO DEPT. OF AGRICULTURE			
Cells this color are set up for user entries					UPDATE DATES RUN MODEL GET OUTPUT			
ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON					CALCULATE EFFECTS			
TRANSFER NO:		Rupert						
TRANSFER NAME:		Simplot						
YEAR	1959							
SEASON	SUMMER							
ENTER CELL LOCATIONS:								
	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL				
ROW	84	84	75	45				
COLUMN	56	52	105	30				
TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL With Transfer AF/TRIMESTER		FROM2 WELL With Transfer AF/TRIMESTER		FROM3 WELL With Transfer AF/TRIMESTER		Without Transfer AF/TRIMESTER
21 SUM 1959	0	2	2	0	0	0	0	0
22 WIN 1959	0	2	2	0	0	0	0	0
23 SPR 1960	0	2	2	0	0	0	0	0
24 SUM 1960	0	2	2	0	0	0	0	0
25 WIN 1960	0	2	2	0	0	0	0	0
26 SPR 1961	0	2	2	0	0	0	0	0
27 SUM 1961	0	2	2	0	0	0	0	0
28 WIN 1961	0	2	2	0	0	0	0	0
29 SPR 1962	0	2	2	0	0	0	0	0
30 SUM 1962	0	2	2	0	0	0	0	0
31 WIN 1962	0	2	2	0	0	0	0	0
32 SPR 1963	0	2	2	0	0	0	0	0
33 SUM 1963	0	2	2	0	0	0	0	0
34 WIN 1963	0	2	2	0	0	0	0	0
35 SPR 1964	0	2	2	0	0	0	0	0
36 SUM 1964	0	2	2	0	0	0	0	0
37 WIN 1964	0	2	2	0	0	0	0	0
38 SPR 1965	0	2	2	0	0	0	0	0
39 SUM 1965	0	2	2	0	0	0	0	0
40 WIN 1965	0	2	2	0	0	0	0	0
41 SPR 1966	0	2	2	0	0	0	0	0
42 SUM 1966	0	2	2	0	0	0	0	0
43 WIN 1966	0	2	2	0	0	0	0	0
44 SPR 1967	0	2	2	0	0	0	0	0
45 SUM 1967	0	2	2	0	0	0	0	0
46 WIN 1967	0	2	2	0	0	0	0	0

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JAN 22 2016

183	SUM 2013	0	2	2	0	0	0	0
184	WIN 2013	0	2	2	0	0	0	0
185	SPR 2014	0	2	2	0	0	0	0
186	SUM 2014	0	2	2	0	0	0	0
187	WIN 2014	0	2	2	0	0	0	0
188	SPR 2015	0	2	2	0	0	0	0
189	SUM 2015	0	2	2	0	0	0	0
190	WIN 2015	0	2	2	0	0	0	0
191	SPR 2016	2	0	2	0	0	0	0
192	SUM 2016	2	0	2	0	0	0	0
193	WIN 2016	2	0	2	0	0	0	0
194	SPR 2017	2	0	2	0	0	0	0
195	SUM 2017	2	0	2	0	0	0	0
196	WIN 2017	2	0	2	0	0	0	0
197	SPR 2018	0	2	2	0	0	0	0
198	SUM 2018	0	2	2	0	0	0	0
199	WIN 2018	0	2	2	0	0	0	0
200	SPR 2019	0	2	2	0	0	0	0
201	SUM 2019	0	2	2	0	0	0	0
202	WIN 2019	0	2	2	0	0	0	0
203	SPR 2020	0	2	2	0	0	0	0
204	SUM 2020	0	2	2	0	0	0	0
205	WIN 2020	0	2	2	0	0	0	0



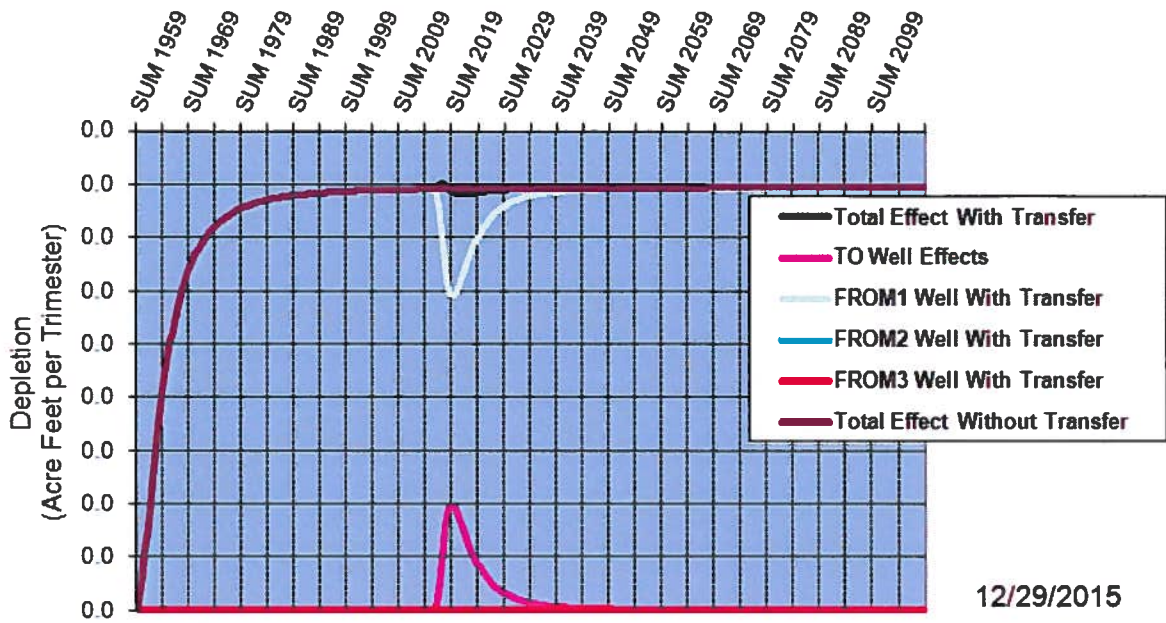
SCANNED
JAN 22 2016



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JAN 22 2016

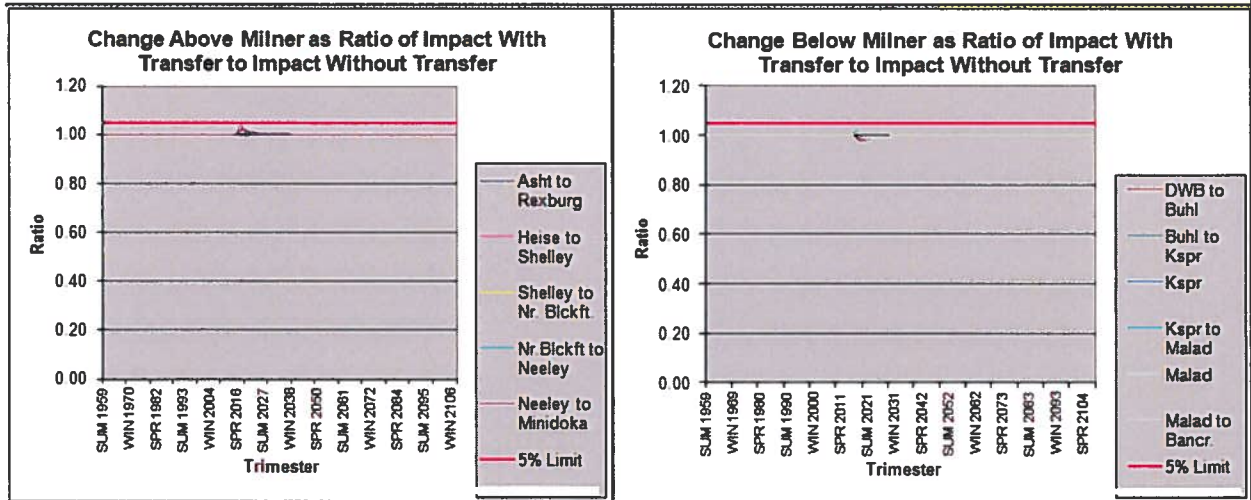
Hydrologic Response--Malad to Bancroft

Customer Name: Simplot Transfer No: Rupert



12/29/2015

Version 3.2



Mitigation Analysis Period																			
Trimester																			
One-Way Analysis of Independent Transfers																			
New Water Right (Rupert):																			
VR No.	Div. Rate (CFS)	Con. Vol. (AFA)	No. of In. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT	Model Node	Impact by Reach (AFT/Trimester)											
								Ashcroft to Heise to Rexburg	Shelley to Nr. Bickft	Nr. Bickft to Neeley	Neeley to Minidoka	Dev. Vol. To Buhl	Buhl to Kspr	Kspr to Malad	Malad to Bancroft				
Transfer 1: Proposed Steady State Impacts following Transfer																			
36-7636	0.23	5.0	0.0	7/27/1976	MS24E-06	5	1.7	SP084056	0.02	0.06	0.18	0.56	0.03	0.27	0.25	0.11	0.07	0.06	0.00
Transfer 1: Worst Case Transient State Impacts following Transfer																			
36-7636	0.23	5	0	7/27/1976	MS24E-06	5	1.7	SP084056	0.02	0.06	0.18	0.56	0.03	0.27	0.25	0.11	0.07	0.06	0.00
Steady State Analysis								Mitigation Check 1 - > 10% of Historical:	0.0%	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	0.0
								Mitigation Check 3 - > 10% of Total:	12%	3.6%	10.9%	34.6%	2.6%	15.4%	6.3%	4.3%	0.2%	0.2%	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	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Transient State Analysis								Mitigation Check 1 - > 10% of Historical:	0.0%	0.0%	2.5%	2.9%	1.8%	0.0%	1.8%	1.0%	0.8%	0.8%	0.8%
								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

SCANNED
JAN 22 2016



MEMORANDUM

DATE: December 29, 2015
TO: Clay Webster
CC: Vic Conrad
FROM: Scott King, P.E.
RE: J. R. Simplot Company Water Bank Applications
ETRAN 3.2 transfer tool results
Job: 101.0450



J. R Simplot Company filed two applications to rent 5 afa each of ground water for industrial use from the water supply bank to be diverted from wells located at 10S 24E 6 SWNW ("Rupert") and 8S 16E 14 SWSE ("Jerome"). ESPA model grid cells are R84/C56 and R53/C24, respectively, for the Rupert and Jerome rentals. J.R. Simplot Company's water right 36-4179 is identified for rental. This is an industrial use water right so that the nature of use does not change with this rental. Eastern Snake Plain Aquifer Ground-Water Rights Transfer Spreadsheet Based on Enhanced Snake Plain Aquifer Model (ETRAN 3.2) is used to simulate responses and determine if additional mitigation is required. The rental water rights list 2 points of diversion in model grid cell R84/C52. The model is run for two years as proposed by the rental applications. Model runs for both applications indicate that no additional mitigation is required. Full model runs will be provided by email.

Rupert Rental

Figures 1 and 2 present the Net Transfer Effects for the Rupert rental. Figure 3 presents the Transfer Change Ratios and Figure 4 presents the Mitigation Analysis Tool results. Additional mitigation is not required.

Jerome Rental

Figures 5 and 6 present the Net Transfer Effects for the Jerome rental. Figure 7 presents the Transfer Change Ratios and Figure 8 presents the Mitigation Analysis Tool results. Additional mitigation is not required.

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DEC 29 2015

DEPARTMENT OF
WATER RESOURCES

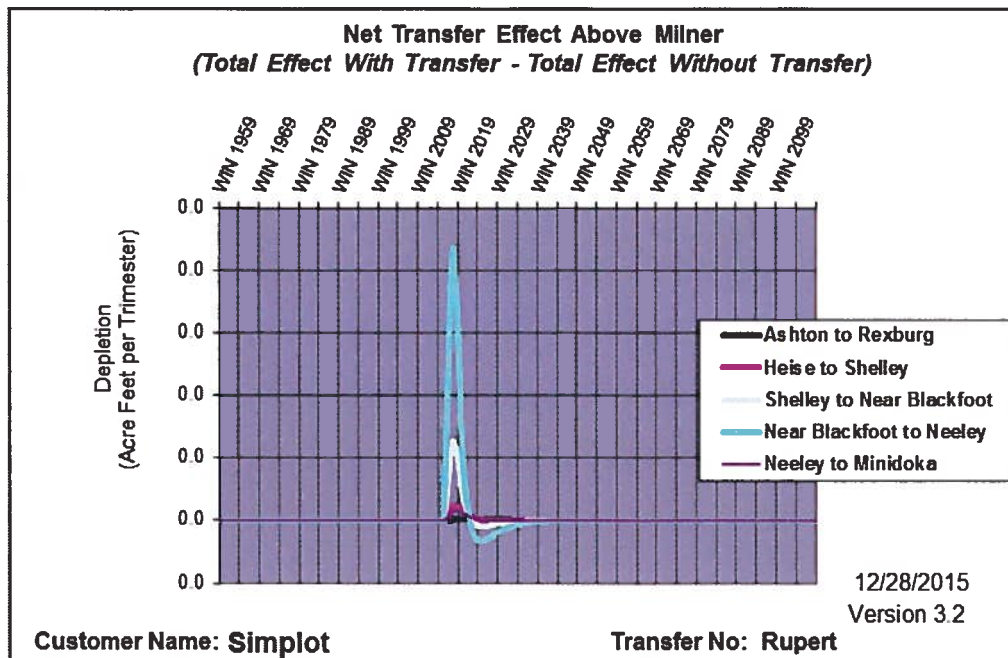


Figure 1: Net transfer effect above Milner for the Rupert rental.

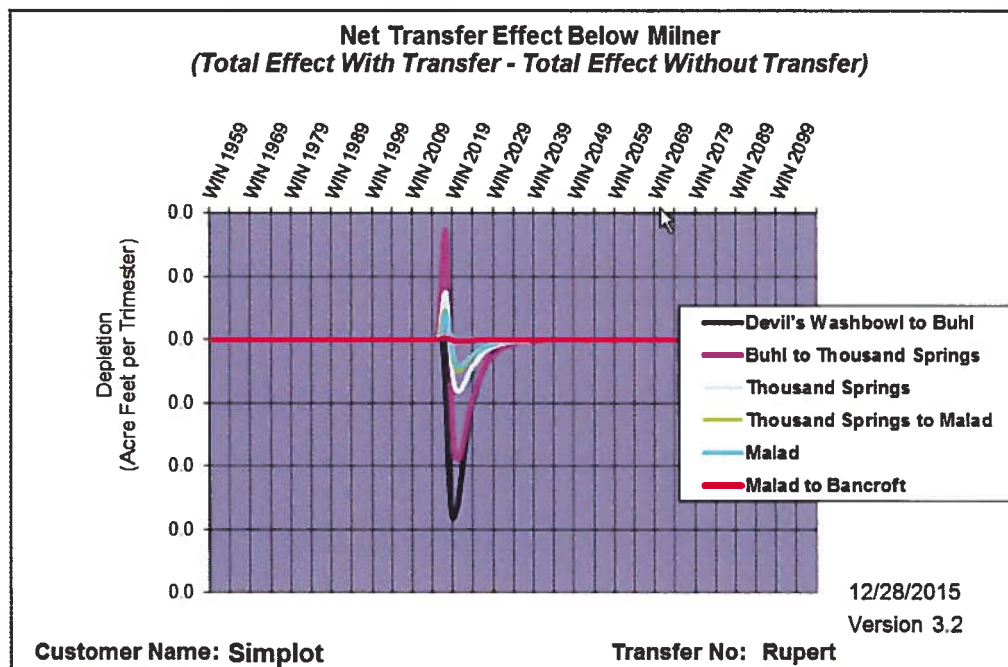


Figure 2: Net transfer effect below Milner for the Rupert rental.

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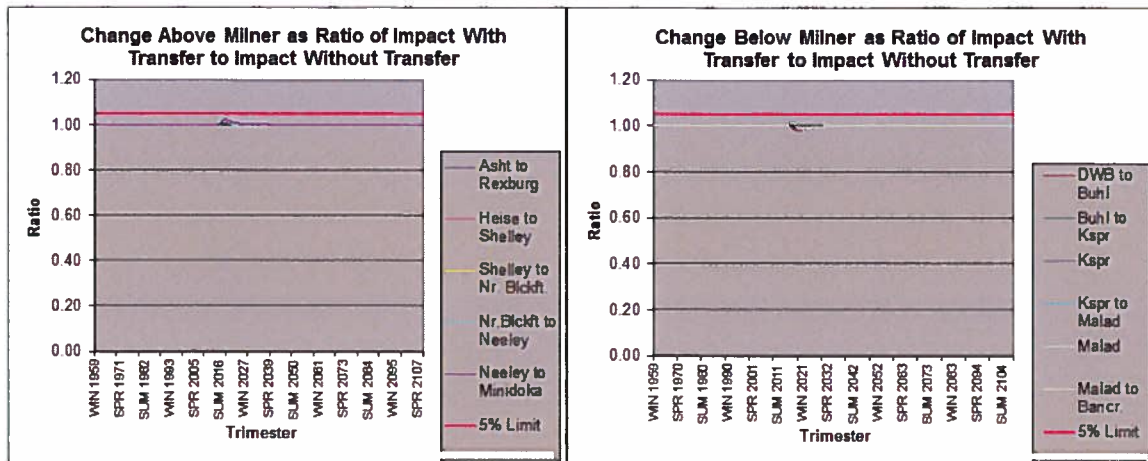


Figure 3: Change ratio graphs above and below Milner for the Rupert rental.

One-Way Analysis of Independent Transfers																			
New Water Right (Rupert):																			
VR No.	Div Rate (CFS)	Con. Vol. (AF)	No. of Irr Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT	Model Node	Impact by Reach (AF/Trimester)											
								Ashton to Pomeroy	Heise to Shelley	Shelley to Nr. Bickft	Nr. Bickft to Neeley	Neeley to Minidoka	Dev. Vol. To Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft	
Transfer 1: Proposed Steady State Impacts following Transfer								Pre SS	0.02	0.06	0.18	0.56	0.83	0.27	0.25	0.11	0.07	0.06	0.00
36-7636	0.23	5.0	0.0	7/27/1976	10524E-06	5	17	SP084056	Point SS	0.02	0.06	0.18	0.56	0.83	0.27	0.25	0.11	0.07	0.06
Transfer 1: Worst Case Transient State Impacts following Transfer								Pre T3	0.02	0.06	0.18	0.56	0.83	0.27	0.25	0.11	0.07	0.06	0.00
36-7636	0.23	5	0	7/27/1976	10524E-06	5	17	SP084056	Point T3	0.02	0.06	0.18	0.58	0.83	0.27	0.25	0.11	0.07	0.06
Steady State Analysis								Mitigation Check 1 - > 80% of Historical	0.0%	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	0.0
								Mitigation Check 3 - > 10% of Total	1.2%	3.6%	10.9%	34.8%	2.5%	16.4%	15.0%	6.3%	4.3%	0.2%	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	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Transient State Analysis								Mitigation Check 1 - > 80% of Historical	0.0%	0.2%	2.5%	2.3%	1.5%	0.0%	1.0%	1.0%	0.5%	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 Required?	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	
Preceding																			

Figure 4: Mitigation Analysis Tool results for the Rupert rental.

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JAN 22 2016