

RECEIVED

JUL 24 2014

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 79482**MINIMUM REQUIREMENTS CHECKLIST**
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) J. R. Simplot CompanyCheck whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 24 2014

Department of Water Resources
Eastern Region

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of Applicant(s) J. R. Simplot Company Phone 208-336-2110Mailing address P. O. Box 27, Boise, ID 83707 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ No Representative

Name of Representative _____ Phone _____

Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

J. R. Simplot Company

David Spurling, Senior Vice President

By: [Signature]
Signature of Applicant or Authorized RepresentativeSecretary and General Counsel
Print Name and Title if applicable18 July 2014
Date_____
Signature of Applicant or Authorized Representative_____
Print Name and Title if applicable_____
Date**A. PURPOSE OF TRANSFER**

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.

Transfer will create a permissible place of use for water right nos. 24-10690, 24-10691, 24-10692 and 24-10693

79482

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	24-10690	14.1	Irrigation	5/01 to 9/30	Sage Creek/Crow Creek
☒ ☐	24-10691	1.68	Irrigation	5/01 to 9/30	Sage Creek/Crow Creek
☒ ☐	24-10692	2.23	Irrigation	5/01 to 9/30	Springs/Sage Creek
☒ ☐	24-10693	0.31	Irrigation	5/01 to 9/30	Springs/Sage Creek
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 18.32 cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed 18.32 cubic feet per second and/or _____ acre-feet per annum.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
Label it Attachment #5.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9S	46E	5			24.1				15.1	34	39.7	33.6	14.8	27.4	0.8	36.7	39.7	24.1	290
		8	19.9	39.6	39.6	19.7	39.5	25.9	36.3	39.6	31.3	2.6	37.2	39.6	16.0	39.5	36.1	3.4	465.8
		17					39.7	39.2	28.8	37.9	14.2	1.2							161.0

Total Acres (for irrigation use) 916.8

79482

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Concrete and rock diversions, open ditches, pumps, pipelines

- b. Who owns the property at the point(s) of diversion? Applicant and US Forest Service

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: Not applicable

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

No change to the land now irrigated

- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

79482

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

Current Water Right No.: 24-10692

Current Owner: J R SIMPLOT CO
Priority Date: 12/5/1903
Origin: Water Right
Status: Active
Basis: Decreed

Source

SPRINGS

Tributary

SAGE CREEK

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION 05/01 to 09/30
STOCKWATER 05/01 to 11/15
Total Diversion

2.23 CFS
0.02 CFS
2.23 CFS

Location of Point(s) of Diversion

SPRINGS	SE1/4NE1/4NE1/4	Sec. 18,	Twp 09S,	Rge 46E B.M.
CARIBOU County				
SPRINGS	NW1/4SW1/4NW1/4	Sec. 17,	Twp 09S,	Rge 46E B.M.
CARIBOU County		(Beginning of Reach)		
SPRINGS	SE1/4SW1/4NW1/4	Sec. 17,	Twp 09S,	Rge 46E B.M.
CARIBOU County		(End of Reach)		
SPRINGS	NE1/4NE1/4NE1/4	Sec. 18,	Twp 09S,	Rge 46E B.M.
CARIBOU County				

Place of Use

IRRIGATION Within CARIBOU County

T09S R46E S17	NENW	19.50	T09S R46E S17	NWNW	25.10
T09S R46E S17	SWNW	28.80	T09S R46E S17	SENE	37.90
Total Acres: 111.3					

STOCKWATER Within CARIBOU County

T09S R46E S17	NWNW	T09S R46E S17	SWNW
---------------	------	---------------	------

79482

Page _____ of _____

Conditions of Approval:

1. This right is a split from former right 24-4081.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
4. X02 Stockwater use is for 1000 range cattle.
5. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

Decreed Date: 5/31/2007

79482

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

Current Water Right No.: 24-10691

Current Owner: J R SIMPLOT CO
Priority Date: 6/22/1915
Origin: Water Right
Status: Active
Basis: Decreed

Source

SAGE CREEK

Tributary

CROW CREEK

Beneficial Use

IRRIGATION

From To

05/01 to 09/30

Diversion Rate

1.68 CFS

Annual Volume

Total Diversion

1.68 CFS

Location of Point(s) of Diversion

SAGE CREEK

NE1/4NW1/4NW1/4

Sec. 7, Twp 09S, Rge 46E B.M.

CARIBOU County

SAGE CREEK

NE1/4SE1/4NE1/4

Sec. 7, Twp 09S, Rge 46E B.M.

CARIBOU County

SAGE CREEK

NE1/4SE1/4NE1/4

Sec. 7, Twp 09S, Rge 46E B.M.

CARIBOU County

Place of Use

IRRIGATION Within CARIBOU County

T09S R46E S5	NESE	0.80	T09S R46E S5	SESE	24.10
T09S R46E S8	NENE	19.90	T09S R46E S8	SENE	19.70
T09S R46E S8	NESE	16.00	T09S R46E S8	SESE	3.40

Total Acres: 83.9

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. This right is a split from former right 24-4080.

Decreed Date: 5/31/2007

79482

Page _____ of _____

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

Current Water Right No.: 24-10693

Current Owner:

Priority Date: 8/23/1922

Origin: Water Right

Status: Active

Basis: Decreed

Source

SPRINGS

Tributary

SAGE CREEK

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION 05/01 to 09/30

0.31 CFS

STOCKWATER 05/01 to 11/15

0.02 CFS

Total Diversion

0.31 CFS

Location of Point(s) of Diversion

SPRINGS

NE1/4NW1/4SW1/4 Sec. 17, Twp 09S, Rge 46E B.M.
(Beginning of Reach)

CARIBOU County

SPRINGS

SW1/4NE1/4SW1/4 Sec. 17, Twp 09S, Rge 46E B.M.
(End of Reach)

CARIBOU County

SPRINGS

SE1/4NE1/4NE1/4 Sec. 18, Twp 09S, Rge 46E B.M.

CARIBOU County

Place of Use

IRRIGATION Within CARIBOU County

T09S R46E S17 NESW

14.20

T09S R46E S17

NWSW

1.20

Total Acres: 15.4

STOCKWATER Within CARIBOU County

T09S R46E S17 NESW

T09S R46E S17

NWSW

79482

Page _____ of _____

Conditions of Approval:

1. X02 Stockwater use is for 1000 range cattle.
2. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
3. This right is a split from former right 24-4081.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

Decreed Date: 5/31/2007

79482

Page _____ of _____

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

Current Water Right No.: 24-10690

Current Owner: J R SIMPLOT CO
Priority Date: 12/5/1903
Origin: Water Right
Status: Active
Basis: Decreed

Source

SAGE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>
IRRIGATION	05/01	09/30
STOCKWATER	05/01	11/15
	<u>Total Diversion</u>	

Tributary

CROW CREEK

<u>Diversion Rate</u>	<u>Annual Volume</u>
14.1 CFS	
0.02 CFS	
14.1 CFS	

Location of Point(s) of Diversion

SAGE CREEK
CARIBOU County
SAGE CREEK
CARIBOU County
SAGE CREEK
CARIBOU County
SAGE CREEK
CARIBOU County
SAGE CREEK
CARIBOU County

NE1/4SE1/4NE1/4	Sec. 7,	Twp 09S,	Rge 46E B.M.
SW1/4NE1/4NE1/4	Sec. 7,	Twp 09S,	Rge 46E B.M.
	(Beginning of Reach)		
SW1/4NW1/4NE1/4	Sec. 17,	Twp 09S,	Rge 46E B.M.
	(End of Reach)		
NE1/4NW1/4NW1/4	Sec. 7,	Twp 09S,	Rge 46E B.M.
NE1/4SE1/4NE1/4	Sec. 7,	Twp 09S,	Rge 46E B.M.

Place of Use

79482

Page _____ of _____

IRRIGATION Within CARIBOU County

T09S R46E S5	SWNE	24.10	T09S R46E S5	SWNW	15.10
T09S R46E S5	SENE	34.00	T09S R46E S5	NESW	39.70
T09S R46E S5	NWSW	33.60	T09S R46E S5	SWSW	14.80
T09S R46E S5	SESW	27.40	T09S R46E S5	NWSE	36.70
T09S R46E S5	SWSE	39.70	T09S R46E S8	NWNE	39.60
T09S R46E S8	SWNE	39.60	T09S R46E S8	NENW	39.50
T09S R46E S8	NWNW	25.90	T09S R46E S8	SWNW	36.30
T09S R46E S8	SENE	39.60	T09S R46E S8	NESW	31.30
T09S R46E S8	NWSW	2.60	T09S R46E S8	SWSW	37.20
T09S R46E S8	SESW	39.60	T09S R46E S8	NWSE	39.50
T09S R46E S8	SWSE	36.10	T09S R46E S17	NENW	20.20
T09S R46E S17	NWNW	14.10			

Total Acres: 706.2

STOCKWATER Within CARIBOU County

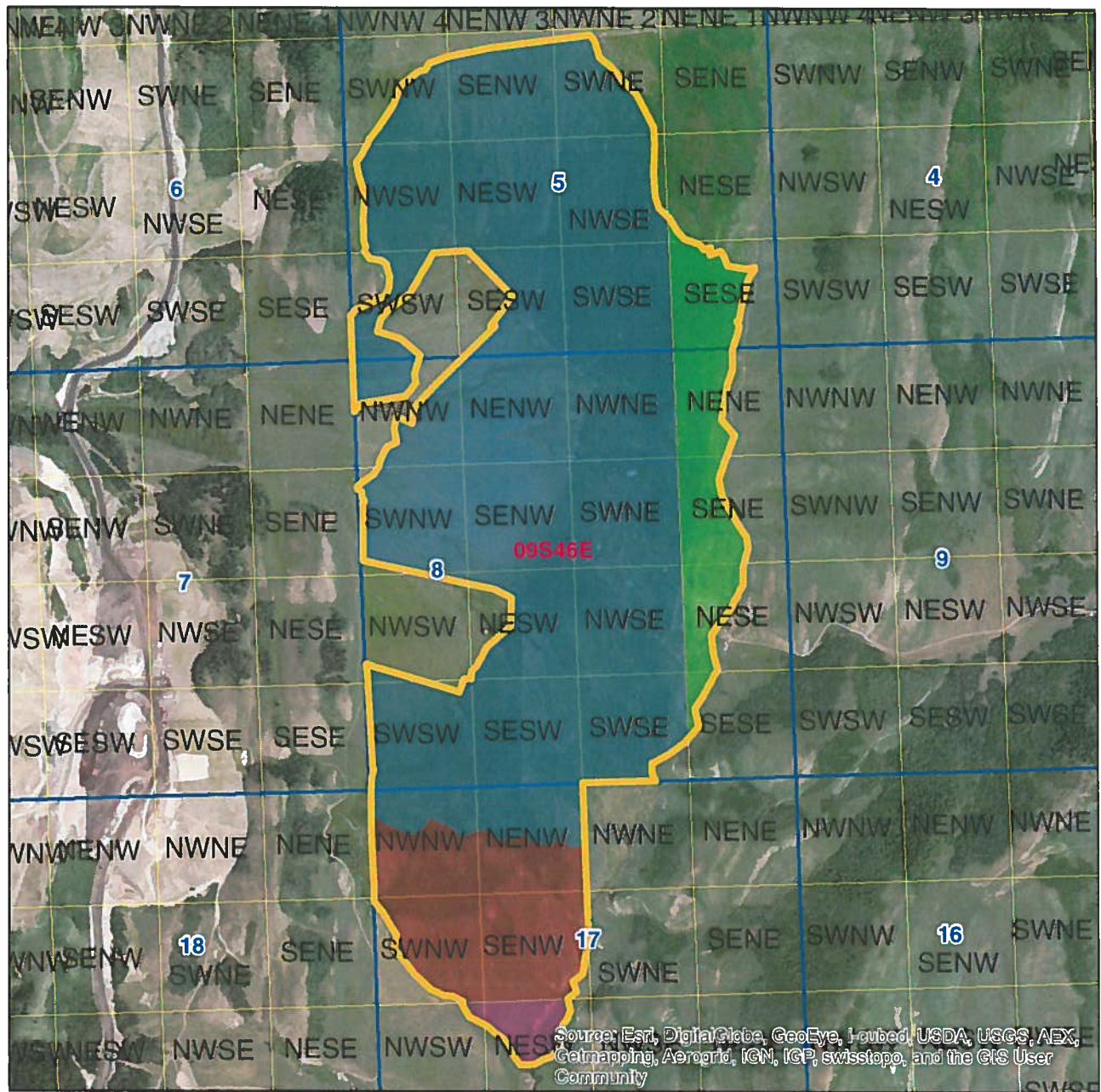
T09S R46E S7	NENE	T09S R46E S7	SENE
T09S R46E S8	SWNW	T09S R46E S8	NESW
T09S R46E S8	NWSW	T09S R46E S8	SESW
T09S R46E S8	SWSE	T09S R46E S17	NWNE

Conditions of Approval:

1. This right is a split from former right 24-4080.
2. X02 Stockwater use is for 1000 range cattle.
3. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
4. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
5. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 5/31/2007

79482



Legend

Water_Rights_Proposed_POU

Water_Rights_Current_POU

Current POU

24-10690

24-10691

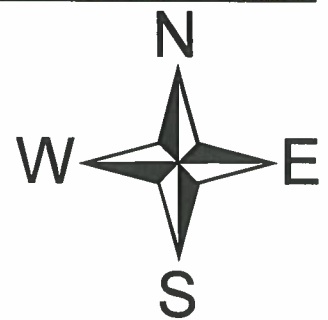
24-10692

24-10693

Township/Range

Sections

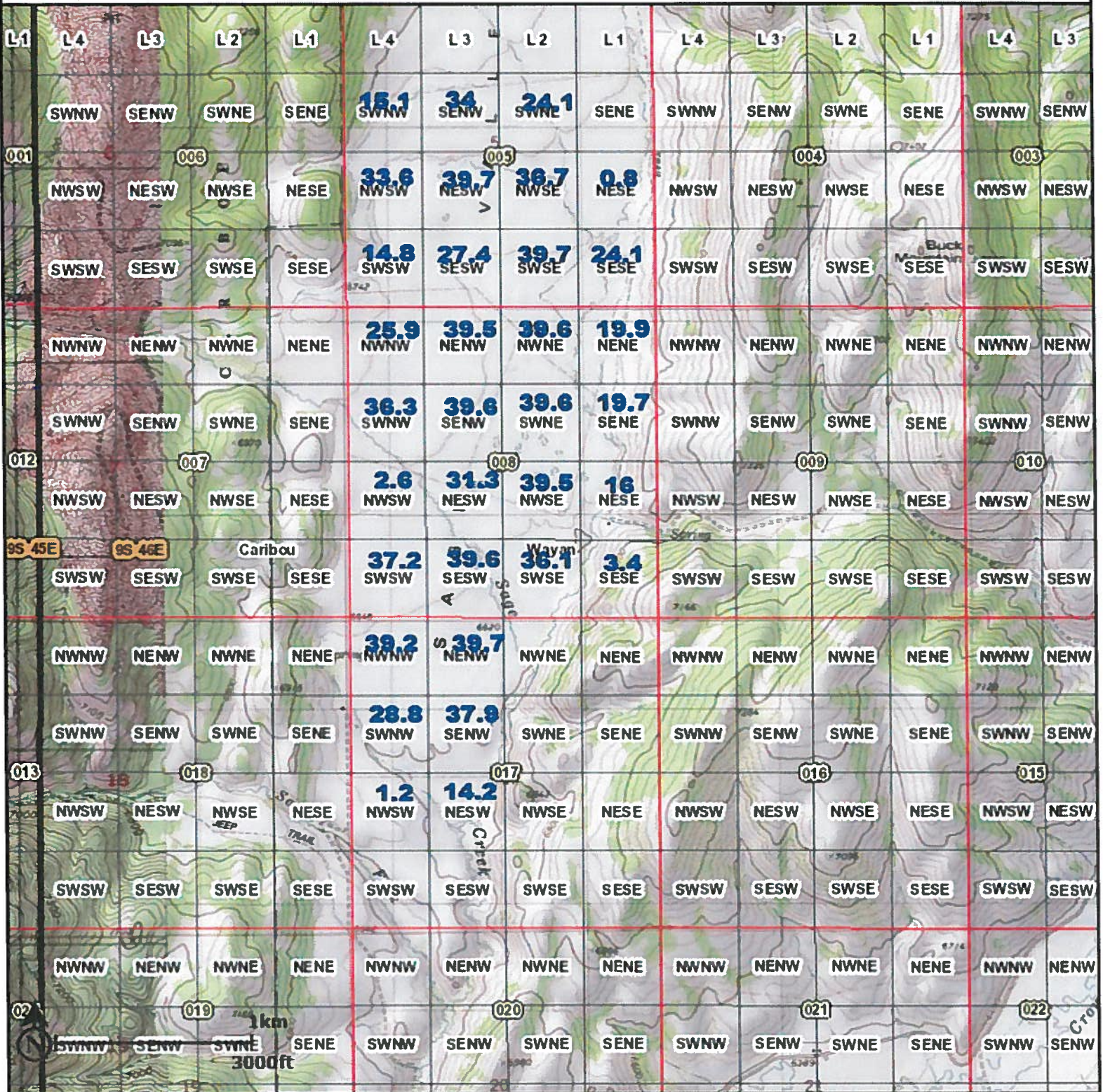
QQ



0 1,150 2,300 4,600 Feet

1 inch = 2,000 feet

79482



Map Notes: There No Changes to Existing Decreed Points of Diversion for Water Right Nos. 24-10690, 24-10691, 24-10692 and 24-10693.

Dark Blue = Permissible Place of Use for water right nos. 24-10690, 24-10691, 24-10692 and 24-10693.



CORPORATE HEADQUARTERS

RECEIVED

JUL 24 2014

Department of Water Resources
Eastern Region

July 22, 2014

Blake Jordan
Senior Water Right Agent
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402

Re: Application for Transfer of Water Right Nos. 24-10690, 24-10691, 24-10692 and 24-10693.

Dear Blake:

Enclosed for filing is an application for transfer of the above referenced water rights. The objective in filing this transfer application is to create a permissible place of use for the above referenced water rights. There are no proposed changes to the existing locations for the points of diversion or the number of irrigated acres.

Please apply the enclosed check in the amount of \$1,940 toward your fee for filing the enclosed application.

Sincerely,

Vic Conrad
Land, Water & Asset Recovery

Enclosure