

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 79048**

This is to certify that: **J R SIMPLOT CO**  
**PO BOX 27**  
**BOISE, ID 83707**

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

**Summary of Water Rights Before the Proposed Changes**

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
35-14258	WR/DECREED	1/18/1974	3.360 cfs	1320.8 af	330.2	359.0	GROUND WATER
35-14260	WR/DECREED	10/1/1953	3.250 cfs	727.2 af	181.8	359.0	GROUND WATER
35-14262	WR/DECREED	1/8/1959	0.560 cfs	115.2 af	28.8	359.0	GROUND WATER

**Purpose of Transfer (Changes Proposed)**

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-14258	NO	NO	NO	YES	NO	NO
35-14260	NO	NO	NO	YES	NO	NO
35-14262	NO	NO	NO	YES	NO	NO

**Summary Of Water Rights After the Approved Change**

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
35-14258	35-14258	3.360 cfs	1320.8 af	330.2	359.0	N/A	N/A	N/A	N/A	N/A
35-14260	35-14260	3.250 cfs	727.2 af	181.8	359.0	N/A	N/A	N/A	N/A	N/A
35-14262	35-14262	0.560 cfs	115.2 af	28.8	359.0	N/A	N/A	N/A	N/A	N/A
<b>COMBINED TOTALS</b>		<b>7.170 cfs</b>	<b>1436.0 af</b>	<b>359.0</b>	<b>359.0</b>		<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 13<sup>th</sup> day of February, 2014.

  
 \_\_\_\_\_  
 Chief, Water Allocation Bureau

SUPPORT DATA

Transfer No. 79048

IN FILE # 35-14258

**WATER RIGHT NO. 35-14258**  
**As Modified by Transfer No. 79048**

In accordance with the approval of Transfer No. 79048, Water Right No. 35-14258 is now described as follows:

**Right Holder:** J R SIMPLOT CO, A NEVADA CORP  
 PO BOX 27  
 BOISE, ID 83702-0027

**Priority Date:** 1/18/1974

**Source:** GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	3.360 cfs 3.360 cfs	1320.8 af 1320.8 af

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER	SESWSE	Sec 6	Twp 05S	Rge 31E	BINGHAM County
GROUND WATER	SWSESW	Sec 6	Twp 05S	Rge 31E	BINGHAM County
GROUND WATER	NWNENE	Sec 7	Twp 05S	Rge 31E	BINGHAM County
GROUND WATER	NENWSW	Sec 7	Twp 05S	Rge 31E	BINGHAM County
GROUND WATER	NWNENW	Sec 8	Twp 05S	Rge 31E	BINGHAM County

**PLACE OF USE: IRRIGATION**

Twp	Rng	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
05S	31E	5																		130.0
05S	31E	8					39.0	39.0	40.0	40.0	40.0									229.0

Right Acre Limit: 330.2  
 POU Total Acres: 359.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 330.2 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14258, 35-14260 and 35-14262 when combined shall not exceed a total annual maximum diversion volume of 1436.0 af at the field headgate, and the irrigation of 359.0 acres.
3. Use of water under this right 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. 120.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

**WATER RIGHT NO. 35-14258**  
**As Modified by Transfer No. 79048**

**CONDITIONS OF APPROVAL**

5. Prior to the diversion and use of water under Transfer approval 79048, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

**WATER RIGHT NO. 35-14260**

**As Modified by Transfer No. 79048**

In accordance with the approval of Transfer No. 79048, Water Right No. 35-14260 is now described as follows:

**Right Holder:** J R SIMPLOT CO, A NEVADA CORP  
 PO BOX 27  
 BOISE, ID 83702-0027

**Priority Date:** 10/1/1953

**Source:** GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	3.250 cfs	727.2 af
			3.250 cfs	727.2 af

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER	SESWSE	Sec 6	Twp 05S	Rge 31E	BINGHAM County
GROUND WATER	SWSESW	Sec 6	Twp 05S	Rge 31E	BINGHAM County
GROUND WATER	NWNENE	Sec 7	Twp 05S	Rge 31E	BINGHAM County
GROUND WATER	NENWSW	Sec 7	Twp 05S	Rge 31E	BINGHAM County
GROUND WATER	NWNENW	Sec 8	Twp 05S	Rge 31E	BINGHAM County

**PLACE OF USE: IRRIGATION**

Twp	Rng	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
05S	31E	5																		130.0
05S	31E	8					39.0	39.0	40.0	40.0	40.0			31.0						229.0

Right Acre Limit: 181.8  
 POU Total Acres: 359.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 181.8 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14258, 35-14260 and 35-14262 when combined shall not exceed a total annual maximum diversion volume of 1436.0 af at the field headgate, and the irrigation of 359.0 acres.
3. Use of water under this right 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. 120.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

**WATER RIGHT NO. 35-14260**  
**As Modified by Transfer No. 79048**

**CONDITIONS OF APPROVAL**

5. Prior to the diversion and use of water under Transfer approval 79048, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

**WATER RIGHT NO. 35-14262**  
**As Modified by Transfer No. 79048**

In accordance with the approval of Transfer No. 79048, Water Right No. 35-14262 is now described as follows:

**Right Holder:** J R SIMPLOT CO, A NEVADA CORP  
 PO BOX 27  
 BOISE, ID 83702-0027

**Priority Date:** 1/8/1959

**Source:** GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	0.560 cfs	115.2 af
			0.560 cfs	115.2 af

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER	SESWE	Sec 6	Twp 05S	Rge 31E	BINGHAM County
GROUND WATER	SWSEW	Sec 6	Twp 05S	Rge 31E	BINGHAM County
GROUND WATER	NWNENE	Sec 7	Twp 05S	Rge 31E	BINGHAM County
GROUND WATER	NENSW	Sec 7	Twp 05S	Rge 31E	BINGHAM County
GROUND WATER	NWNENW	Sec 8	Twp 05S	Rge 31E	BINGHAM County

**PLACE OF USE: IRRIGATION**

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	31E	5									33.0	33.0	32.0	32.0					130.0
05S	31E	8					39.0	39.0	40.0	40.0	40.0			31.0					229.0

Right Acre Limit: 28.8  
 POU Total Acres: 359.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 28.8 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14258, 35-14260 and 35-14262 when combined shall not exceed a total annual maximum diversion volume of 1436.0 af at the field headgate, and the irrigation of 359.0 acres.
3. Use of water under this right 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. 120.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

**WATER RIGHT NO. 35-14262**  
**As Modified by Transfer No. 79048**

**CONDITIONS OF APPROVAL**

5. Prior to the diversion and use of water under Transfer approval 79048, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.