

RECEIVED

JAN 13 2014

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for an entire water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right or to report an ownership change for a portion of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

☐ Change diversion point(s)

☒ Add diversion point(s)

☐ Ownership change

1. APPLICANT(S) J. R. Simplot Company Phone 208-336-2110

2. MAILING ADDRESS P. O. Box 27 City Boise

State ID Zip 83707 Email _____

☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.

☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.

☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) required for water right ownership changes; see [fee schedule](#).

☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 35-2553A

☒ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. TOTAL AMOUNT OF WATER transferred is 3.08 cubic feet per second and/or 632 acre-feet per annum.
(diversion rate) (storage volume)

5. POINT OF DIVERSION – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

☒ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

Twsp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
5S	31E	6		SW	SE	SW	Bingham	Groundwater	
				SE	SW	SE	Bingham	Groundwater	
		7 *		NW	NE	NE	Bingham	Groundwater	
				NE	NW	SW	Bingham	Groundwater	
		8		NW	NE	NW	Bingham	Groundwater	

6. 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:

5 existing wells; 1 overhead center pivot sprinkler systems. Water use is metered at the center pivot.

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

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

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

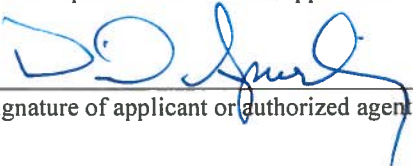
Yes No

- | | | |
|-------------------------------------|-------------------------------------|---|
| ☐ | ☒ | 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(s), or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the right(s)? |

If yes, describe 38.03 acres of this water right are leased to the Water Supply Bank.

7. **MAP** - ☒ Attach a map of the diversion, measurement, control and distribution system. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. The *Map Tool*, available at <http://maps.idwr.idaho.gov/TransferApplicationLayouts/> provides a satisfactory template for creating the required map.

8. **SIGNATURE** - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.


Signature of applicant or authorized agent

David Spurling, Senior Vice President, Secretary
Print name and title if applicable

8 JAN 2014
Date

Signature of applicant or authorized agent

and General Counsel
Print name and title if applicable

Date

9. **FEE** - ☒ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The [Fee Schedule](#) is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the [Application for Transfer Instructions](#).

FOR DEPARTMENT USE ONLY

Transfer includes 2 pages of attachments. Received by _____ Date 1/13/14

Fee paid \$3600 Date 1/13/2014 Receipted by B/w Receipt # E039438

Preliminary review completed by _____ Date _____

4 xfers

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

Current Water Right No.: 35-2553A

Current Owner: J R SIMPLOT CO, A NEVADA CORP

Priority Date: 1/8/1959

Origin: Water Right

Status: Water Supply Bank Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	3.08 CFS	632 AF
	<u>Total Diversion</u>	3.08 CFS	632 AF

Location of Point(s) of Diversion

GROUND WATER NW1/4NE1/4NE1/4 Sec. 7, Twp 05S, Rge 31E B.M.
BINGHAM County

Place of Use

IRRIGATION Within BINGHAM County

T05S R31E S7	NENE	39.00	T05S R31E S7	NWNE	39.00
T05S R31E S7	SWNE	40.00	T05S R31E S7	SENE	40.00
Total Acres: 158					

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.
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. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

Decreed Date: 2/15/2002



Map Notes:

Red Dot(s) = Existing Point(s) of Diversion Described under Water Right(s)

Blue Dot(s) = Additional Point(s) of Diversion to be Added to Water Right(s)

No. C 28407	Due no later than Feb 28, 2014 Annual Report Form		2. Registered Agent and Address (NO PO BOX)																																																																																												
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. J. R. SIMPLOT COMPANY DAVID SPURLING P. O. BOX 27 BOISE ID 83707		CORPORATION SERVICE COMPANY 12550 W EXPLORER DR STE 100 BOISE ID 83713 USA																																																																																												
			3. <u>New</u> Registered Agent Signature:*																																																																																												
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional). <table border="1"> <thead> <tr> <th>Office Held</th> <th>Name</th> <th>Street or PO Address</th> <th>City</th> <th>State</th> <th>Country</th> <th>Postal Code</th> </tr> </thead> <tbody> <tr> <td>PRESIDENT</td> <td>WILLIAM J WHITACRE</td> <td>999 MAIN STREET SUITE 1300</td> <td>BOISE</td> <td>ID</td> <td>USA</td> <td>83702-0027</td> </tr> <tr> <td>SECRETARY</td> <td>DAVID SPURLING</td> <td>999 MAIN STREET SUITE 1300</td> <td>BOISE</td> <td>ID</td> <td>USA</td> <td>83702-0027</td> </tr> <tr> <td>DIRECTOR</td> <td>SCOTT R SIMPLOT</td> <td>999 MAIN STREET SUITE 1300</td> <td>BOISE</td> <td>ID</td> <td>USA</td> <td>83702-0027</td> </tr> <tr> <td>DIRECTOR</td> <td>GAY C SIMPLOT</td> <td>999 MAIN STREET SUITE 1300</td> <td>BOISE</td> <td>ID</td> <td>USA</td> <td>83702-0027</td> </tr> <tr> <td>DIRECTOR</td> <td>JOHN E SIMPLOT</td> <td>999 MAIN STREET SUITE 1300</td> <td>BOISE</td> <td>ID</td> <td>USA</td> <td>83702-0027</td> </tr> <tr> <td>DIRECTOR</td> <td>A DALE DUNN</td> <td>999 MAIN STREET SUITE 1300</td> <td>BOISE</td> <td>ID</td> <td>USA</td> <td>83702-0027</td> </tr> <tr> <td>DIRECTOR</td> <td>STEPHEN A BEEBE</td> <td>999 MAIN STREET SUITE 1300</td> <td>BOISE</td> <td>ID</td> <td>USA</td> <td>83702-0027</td> </tr> <tr> <td>DIRECTOR</td> <td>JOSEPH W MARSHALL</td> <td>999 MAIN STREET SUITE 1300</td> <td>BOISE</td> <td>ID</td> <td>USA</td> <td>83702-0027</td> </tr> <tr> <td>DIRECTOR</td> <td>RICHARD M HORMAECHEA</td> <td>999 MAIN STREET SUITE 1300</td> <td>BOISE</td> <td>ID</td> <td>USA</td> <td>83702-0027</td> </tr> <tr> <td>DIRECTOR</td> <td>WILLIAM J WHITACRE</td> <td>999 MAIN STREET SUITE 1300</td> <td>BOISE</td> <td>ID</td> <td>USA</td> <td>83702-0027</td> </tr> <tr> <td>DIRECTOR</td> <td>DEBBIE S MCDONALD</td> <td>999 MAIN STREET SUITE 1300</td> <td>BOISE</td> <td>ID</td> <td>USA</td> <td>83702-0027</td> </tr> <tr> <td>DIRECTOR</td> <td>ROBERT J LANE</td> <td>999 MAIN STREET SUITE 1300</td> <td>BOISE</td> <td>ID</td> <td>USA</td> <td>83702-0027</td> </tr> </tbody> </table>					Office Held	Name	Street or PO Address	City	State	Country	Postal Code	PRESIDENT	WILLIAM J WHITACRE	999 MAIN STREET SUITE 1300	BOISE	ID	USA	83702-0027	SECRETARY	DAVID SPURLING	999 MAIN STREET SUITE 1300	BOISE	ID	USA	83702-0027	DIRECTOR	SCOTT R SIMPLOT	999 MAIN STREET SUITE 1300	BOISE	ID	USA	83702-0027	DIRECTOR	GAY C SIMPLOT	999 MAIN STREET SUITE 1300	BOISE	ID	USA	83702-0027	DIRECTOR	JOHN E SIMPLOT	999 MAIN STREET SUITE 1300	BOISE	ID	USA	83702-0027	DIRECTOR	A DALE DUNN	999 MAIN STREET SUITE 1300	BOISE	ID	USA	83702-0027	DIRECTOR	STEPHEN A BEEBE	999 MAIN STREET SUITE 1300	BOISE	ID	USA	83702-0027	DIRECTOR	JOSEPH W MARSHALL	999 MAIN STREET SUITE 1300	BOISE	ID	USA	83702-0027	DIRECTOR	RICHARD M HORMAECHEA	999 MAIN STREET SUITE 1300	BOISE	ID	USA	83702-0027	DIRECTOR	WILLIAM J WHITACRE	999 MAIN STREET SUITE 1300	BOISE	ID	USA	83702-0027	DIRECTOR	DEBBIE S MCDONALD	999 MAIN STREET SUITE 1300	BOISE	ID	USA	83702-0027	DIRECTOR	ROBERT J LANE	999 MAIN STREET SUITE 1300	BOISE	ID	USA	83702-0027
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5. Organized Under the Laws of: NV C 28407	6. Annual Report must be signed.* Signature: David Spurling Name (type or print): David Spurling Date: 12/17/2013 Title: Secretary																																																																																														
Processed 12/17/2013 * Electronically provided signatures are accepted as original signatures.																																																																																															

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