

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78656

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>
61-2165	WR/DECREED	12/2/1963	5.030 cfs	1413.0 af	N/A	314.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

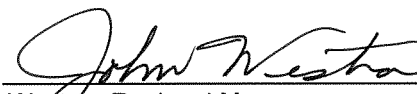
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
61-2165	YES	YES	YES	NO	YES	YES

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>
61-2165	61-12291	3.870 cfs	1074.0 af	N/A	200.0	61-2165	1.160 cfs	339.0 af	N/A	59.0
COMBINED TOTALS		3.870 cfs	1074.0 af	N/A	200.0		N/A	N/A	N/A	N/A

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 21st day of October, 2013.


Western Regional Manager

SUPPORT DATA
IN FILE # 61-2165

Transfer No. 78656

SCANNED

OCT 29 2013

WATER RIGHT NO. 61-2165**As Modified by Transfer No. 78656**

In accordance with the approval of Transfer No. 78656, Water Right No. 61-2165 is now described as follows:

Right Holder: J R SIMPLOT CO
C/O TERRY UHLING
999 MAIN ST STE 1300
BOISE, ID 83707

Priority Date: 12/2/1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	3/01	to 11/01	1.160 cfs	339.0 af
			1.160 cfs	339.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESE	Sec 31 Twp 04S Rge 04E	ELMORE County
GROUND WATER	NWSW	Sec 4 Twp 05S Rge 04E	ELMORE County
GROUND WATER	NESW	Sec 5 Twp 05S Rge 04E	ELMORE County
GROUND WATER	NESE	Sec 5 Twp 05S Rge 04E	ELMORE County
GROUND WATER	SENW	Sec 5 Twp 05S Rge 04E	ELMORE County
GROUND WATER	NWNW	Sec 5 Twp 05S Rge 04E	ELMORE County
GROUND WATER	SENE	Sec 6 Twp 05S Rge 04E	ELMORE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	04E	5											19.0	40.0					59

POU Total Acres: 59

CONDITIONS OF APPROVAL

1. The period of use for the irrigation described in this approval may be extended to an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 11/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than August 14, 2007.
2. 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.

Transfer No. 78656

WATER RIGHT NO. 61-12291**As Modified by Transfer No. 78656**

In accordance with the approval of Transfer No. 78656, Water Right No. 61-12291 is now described as follows:

Right Holder: J R SIMPLOT CO
C/O TERRY UHLING
999 MAIN ST STE 1300
BOISE, ID 83707

Priority Date: 12/2/1963

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
INDUSTRIAL	1/1	to 12/31	0.670 cfs	174.0 af
IRRIGATION	3/01	to 11/01	3.200 cfs	900.0 af
			3.870 cfs	1074.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSE	Sec 8	Twp 03S	Rge 06E	ELMORE County
GROUND WATER	SWSE	Sec 8	Twp 03S	Rge 06E	ELMORE County
GROUND WATER	NENW	Sec 17	Twp 03S	Rge 06E	ELMORE County

PLACE OF USE: INDUSTRIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	06E	8											X	X			X	X	0.0
03S	06E	17					X	X	X	X									0.0

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	
03S	06E	8											11.0	29.0					40.0
03S	06E	17					40.0	40.0	40.0	40.0									160.0

POU Total Acres: 200.0

CONDITIONS OF APPROVAL

1. Industrial use is for a meat processing plant.
2. The place of industrial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the industrial facility as authorized by this water right.

Transfer No. 78656

WATER RIGHT NO. 61-12291
As Modified by Transfer No. 78656

CONDITIONS OF APPROVAL

3. The period of use for the irrigation described in this approval may be extended to an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 11/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than August 14, 2007.
4. 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.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.