

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78656

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 <http://www.idwr.idaho.gov/>.

Check 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 transfer applicant as the current water right owner. Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #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 <http://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: _____

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JUN 13 2013

WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78656

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.

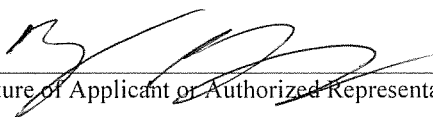
OR

☐ 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.


Signature of Applicant or Authorized Representative

Terry T. Uhling, Senior V.P. and Secretary
Print Name and Title if applicable

6.11.13
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
☒ Change nature of use

☐ Add diversion point(s)
☒ Change period of use

☒ Change place of use
☐ Other _____
- 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**. 55 acres under Water Right 61-2165 will be converted into year round industrial use for a meat processing plant. 200 acres under Water Right 61-2165 will be transferred to provide the irrigation water supply to accommodate the effluent (land application) discharged from the new plant.

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					
☐ ☒	61-2165	0.67cfs/174af	Industrial	Jan. 1 to Dec. 31	Groundwater
☐ ☒	61-2165	3.2 cfs/ 900 af	Irrigation	Mar. 1 to Nov. 1	Groundwater
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 5.03 cfs cfs and/or 1,413 ac-ft

2. Total amount of water proposed to be transferred or changed 3.87 cubic feet per second and/or 1,074 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 #
			SW	SE	8	3S	6E	Elmore	Groundwater	
			SW	SE	8	3S	6E	Elmore	Groundwater	
			NE	NW	17	3S	6E	Elmore	Groundwater	

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	
3S	6E	8											11	29					40
		17					40	40	40	40									160
3S	6E	8											Ind	Ind			Ind	Ind	
		17					Ind	Ind	Ind	Ind									

Total Acres (for irrigation use) 200

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: _____

Three wells will be equipped with pumps motors and pipelines, together with any required measuring devices to provide the water supply for the industrial and irrigation uses.

- 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. 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: _____

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:

The lands that the water right is transferred from will not be 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:

The place of use from which water right 61-2165 is being transferred from is also included under 61-7170. Water right nos. 61-2165 and 61-7170 in their current form also share the same points of diversion.

- 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: _____

Water right 61-2165 is currently leased by the Applicant to the Water Supply Bank.

Page _____ of _____

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

Current Water Right No.: 61-2165

Current Owner: J R SIMPLOT CO
Priority Date: 12/2/1963
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	3/01 to 11/01	5.03 CFS	1413 AF
	<u>Total Diversion</u>	5.03 CFS	1413 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4	Sec. 31,	Twp 04S,	Rge 04E B.M.
ELMORE County				
GROUND WATER	NW1/4SW1/4	Sec. 4,	Twp 05S,	Rge 04E B.M.
ELMORE County				
GROUND WATER	NE1/4SE1/4	Sec. 5,	Twp 05S,	Rge 04E B.M.
ELMORE County				
GROUND WATER	NE1/4SW1/4	Sec. 5,	Twp 05S,	Rge 04E B.M.
ELMORE County				
GROUND WATER	SE1/4NW1/4	Sec. 5,	Twp 05S,	Rge 04E B.M.
ELMORE County				
GROUND WATER	NW1/4NW1/4	Sec. 5,	Twp 05S,	Rge 04E B.M.
ELMORE County				
GROUND WATER	SE1/4NE1/4	Sec. 6,	Twp 05S,	Rge 04E B.M.
ELMORE County				

Place of Use

IRRIGATION Within ELMORE County

T05S R04E S4	NWSW	40.00	T05S R04E S5	NESW	39.00
T05S R04E S5	SWSW	39.00	T05S R04E S5	SESW	40.00
T05S R04E S5	NESE	40.00	T05S R04E S5	NWSE	37.00
T05S R04E S5	SWSE	40.00	T05S R04E S5	SESE	39.00

Total Acres: 314

Page _____ of _____

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. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Decreed Date: 8/14/2007

Transfer contains _____ pages and _____ attachments.

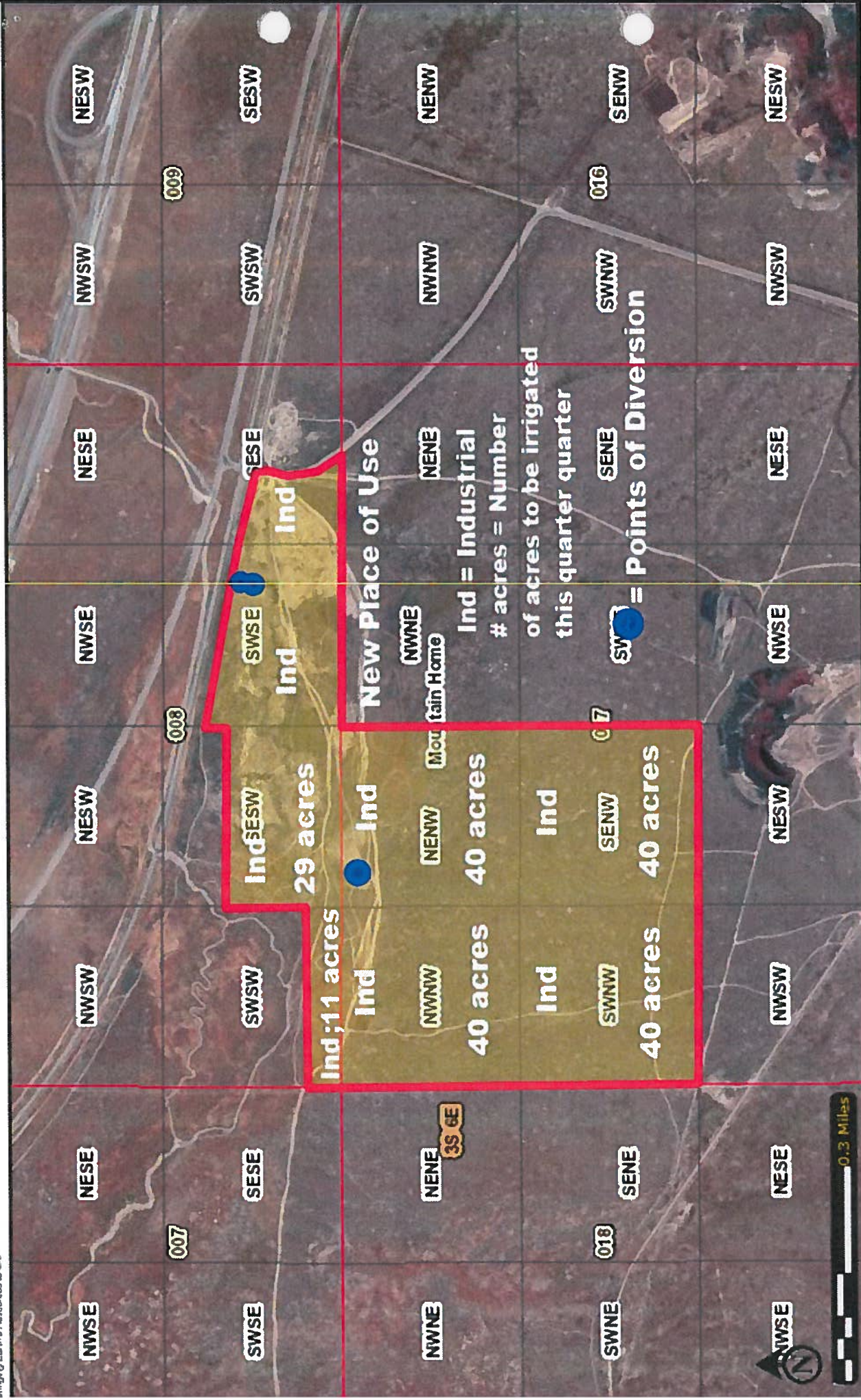
Received by JA Date 6/13/2013 Prelim. Check by fw Date 8/6/2013

Fee Paid \$1070.00 Date 6/13/2013 Received by JA Receipt # W041227

Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

Attachment #3
J. R. SIMPLOT COMPANY
List of Officers
as of
March 13, 2013

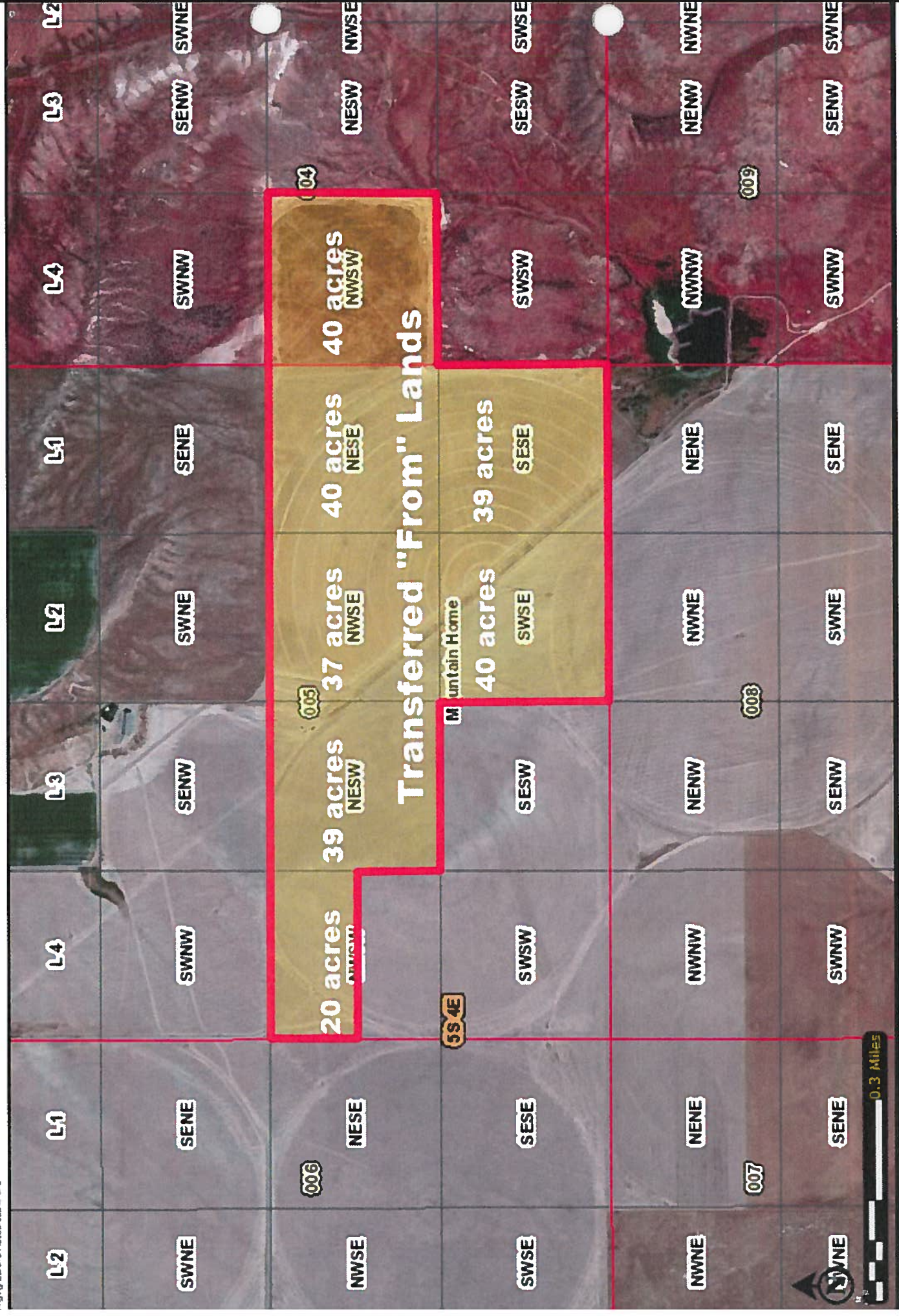
<i>Title/Date Taking Office</i>	<i>Name</i>	<i>Address</i>
Chairman 04-17-01	Scott R. Simplot	999 Main Street Suite 1300 Boise, ID 83702
President and Chief Executive Officer 09-01-09	William J. Whitacre	999 Main Street Suite 1300 Boise, ID 83702
Sr. Vice-President and Chief Financial Officer 07-10-02	Annette G. Elg	999 Main Street Suite 1300 Boise, ID 83702
Sr. Vice-President 11-02-10	Mark McKellar	6360 S. Federal Way Boise, ID 83706
Sr. Vice-President 07-07-09	Garrett C. Lofto	999 Main Street Suite 300 Boise, ID 83702
Sr. Vice President and Secretary 12-31-03	Terry T. Uhling	999 Main Street Suite 1300 Boise, ID 83702
Assistant Secretary 11-07-05	Gray Young	999 Main Street Suite 1300 Boise, ID 83702
Vice-President and Treasurer 01-01-06	Amber H. Post	999 Main Street Suite 1300 Boise, ID 83702
Vice-President and Controller 03-20-00	Laura M. Peterson	999 Main Street Suite 1300 Boise, ID 83702



Map Notes: Proposed Points of Diversion; Proposed Irrigation Places of Use; Proposed Industrial Places of Use

Portions of Sections 8 and 17 T.35 R.6E Elmore County, Idaho

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Attachment #8a

In accordance with Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho Grand View AgriMet site for Alfalfa – frequent cuttings Precipitation Deficit, the growing season mean was used to calculate the number of acres that are necessary to provide water for the industrial use described in this transfer application. A total annual volume in the amount of 174 acre feet are necessary to serve the industrial use. Using the mean of 3.17 acre feet per acre from the attached, 55 acres are proposed for conversion from Irrigation to Industrial Use.

ET_{Idaho} 2012 -- Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho

Please send suggestions for improving this site to robison@kimberly.uidaho.edu Copyright 2012, University of Idaho.

Grand View (AgriMet -- GDVI)

Statistics based on thirty year normal spans 1994 to 2011 years

For a different land cover or crop click on the above link.

You can highlight this table and copy via the clipboard to a Microsoft Excel or OpenOffice spreadsheet to plot or otherwise work with this data.

Alfalfa - frequent cuttings															
Precipitation Deficit (Click here for a graph)															
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Growing Season ^a	Non Growing Season ^b	Annual
Mean ^j	mm/day												mm		
Monthly ^c	0.02	0.13	0.77	3.59	4.51	5.66	6.32	5.20	3.50	1.82	0.12	0.10	965	-2	963
15-Day Moving Average ^d	0.03	0.14	0.73	3.60	4.72	6.01	6.60	5.43	3.39	1.83	0.14	0.05			
7-Day Moving Average ^e	0.02	0.13	0.72	3.58	4.61	5.87	6.46	5.28	3.44	1.83	0.11	0.09			
3-Day Moving Average ^f	0.02	0.12	0.75	3.60	4.52	5.75	6.34	5.21	3.49	1.81	0.11	0.10			
Standard Deviation ^k	mm/day												mm		
Monthly ^c	0.26	0.16	0.85	0.69	2.23	0.98	0.96	1.66	1.11	1.22	0.39	0.25	124	9	126
15-Day Moving Average ^d	0.36	0.22	0.82	0.88	2.07	1.68	1.58	1.88	1.35	1.17	0.47	0.29			
7-Day Moving Average ^e	0.58	0.45	1.06	1.33	2.64	2.22	2.21	2.22	1.58	1.43	0.65	0.47			
3-Day Moving Average ^f	0.83	0.73	1.41	1.78	3.19	2.64	2.56	2.47	1.79	1.74	0.85	0.78			
20% Exceedance ^l	mm/day												mm		
Monthly ^c	0.09	0.25	1.26	3.95	5.66	6.19	6.96	5.82	4.46	2.47	0.16	0.00	1070	0	1070
15-Day Moving Average ^d	0.52	0.56	2.37	4.94	7.38	8.33	8.99	7.25	4.96	3.38	0.45	0.40			
7-Day Moving Average ^e	0.86	1.14	3.15	6.34	8.39	9.12	9.70	8.03	6.06	3.97	1.03	0.72			
3-Day Moving Average ^f	1.34	1.64	3.84	6.79	9.34	9.76	10.99	9.02	6.89	4.82	1.44	1.15			

80% Exceedance ^m	mm/day												mm		
Monthly ^c	-0.17	0.03	0.07	2.87	1.95	4.26	5.72	4.83	2.83	0.97	-0.09	0.28	888	-10	872
15-Day Moving Average ^d	-0.68	-0.31	-0.27	1.34	-0.09	2.34	3.70	2.90	1.60	-0.09	0.54	0.55			
7-Day Moving Average ^e	-1.89	-0.96	-0.95	0.65	-1.46	1.10	2.10	1.46	1.10	0.78	1.28	1.32			
3-Day Moving Average ^f	-3.62	-3.04	-2.77	1.02	-4.70	0.09	1.43	-0.06	0.44	3.39	3.21	2.91			
Ave Highest P_{def}	mm/day												--		
15-Day Moving Average ^g	0.33	0.39	1.56	4.46	6.14	7.51	8.20	6.73	4.19	2.76	0.42	0.24			
7-Day Moving Average ^h	0.61	0.76	2.35	5.49	7.42	8.57	9.10	7.52	5.02	3.41	0.76	0.50			
3-Day Moving Average ⁱ	1.00	1.22	3.31	6.26	8.21	9.29	9.91	8.26	5.80	4.03	1.16	0.89			
Ave Lowest P_{def}	mm/day												--		
15-Day Moving Average ^g	-0.37	-0.07	0.11	2.75	2.96	4.35	4.88	3.82	2.56	0.94	-0.18	0.39			
7-Day Moving Average ^h	-0.95	-0.50	-0.47	1.74	1.07	2.95	2.88	2.28	1.80	0.19	-0.59	0.88			
3-Day Moving Average ⁱ	-2.01	-1.38	-1.49	0.36	-1.74	1.23	2.09	1.34	0.92	1.09	1.51	1.82			
Special normal distribution parameters for monthly, seasonal, and annual intervals															
Skew ^m	-0.35	-1.50	0.09	0.57	-0.18	0.17	-0.07	-0.84	-1.76	0.22	2.09	0.54	-0.96	0.96	-0.93
Kurtosis ^o	0.95	6.69	0.49	2.77	0.69	2.59	0.57	2.35	7.58	0.76	7.86	1.10	3.23	5.19	3.20

^a Growing Season: This is usually the time from green up or planting in the spring to a killing frost or harvest in the fall. It is not applicable for entries without a growing season and will be blank.

^b Nongrowing Season: This is usually the time from a killing frost or harvest in the fall to the of green up in the spring. It is not applicable for entries without a growing season.

^c Mean of the average daily value for month

^d Mean of the fourteen 15-day period averages contained in the month

^e Mean of the twenty three 7-day period averages contained in the month

^f Mean of the twenty seven 3-day period averages contained in the month

^g Mean of the highest/lowest 15-day period average in month

^h Mean of the highest/lowest 7-day period average in month

ⁱ Mean of the highest/lowest 3-day period average in month

^j This value represents the *mean value* for the parameter for the month over the 'normal' period of record. Generally, the 'normal' period is the last thirty years with data.

^k This value represents the *standard deviation* for the parameter for the month over the 'normal' period.

^l This value represents the *value* for the parameter that has a 20% chance of being exceeded that month during any particular year. Conversely, there is an 80% chance that the parameter value will be less than the *value* shown.

^m This value represents the *value* for the parameter that has a 80% chance of being exceeded that month during any particular year. Conversely, there is an 20% chance that the parameter value will be less than the *value* shown.

ⁿ This value represents the *skewness (asymmetry) of the distribution of the parameter values* for the month (year) over the 'normal' period. A value near zero indicates that the distribution approximates a normal (Gaussian) and symmetrical distribution. A negative skew indicates that the parameter distribution has relatively few low values compared to high values. A positive skew indicates that the distribution has relatively few high values compared to the number of low values. A skew value near 1 indicates that the underlying distribution approximates a lognormal distribution.

^o This value represents the *kurtosis* of the parameter value distribution for the month (year) over the 'normal' period. Kurtosis is a measurement of the height to width ratio of the probability distribution, or the *peakedness (slenderness)*. A normal (Gaussian) distribution has a kurtosis of 3. A high kurtosis distribution has a sharper peak and longer tails, while a low kurtosis distribution has a more rounded peak and shorter tails.

This work and report were prepared by the University of Idaho Research and Extension Center at Kimberly, Idaho under contract with the Idaho Department of Water Resources. Work was supported by funding from IDWR and the Idaho Agricultural Experiment Station and Idaho Engineering Experiment Station. The authors gratefully acknowledge the long-term evapotranspiration data collection and long-standing advice provided by Dr. James L. Wright, USDA-ARS Kimberly (ret.), the more than two decades of high quality agricultural weather data collection by the U.S. Bureau of Reclamation AgriMet system, and the very long-standing, routine data collection by the hundreds of cooperative weather station volunteers across the state who, for more than one-hundred years, have faithfully observed daily air temperature and precipitation.

The citation for the evapotranspiration data used from this site should be: Allen, Richard G. and Clarence W. Robison, 2012. *Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho: Supplement updating the Time Series through December 2008*, Research Technical Completion Report, Kimberly Research and Extension Center, University of Idaho, Moscow, ID.

Questions regarding the data should be addressed to Clarence W. Robison or Richard G. Allen, University of Idaho, Kimberly Research and Extension Center, 3793 North 3600 East, Kimberly, ID 83341. Telephone (208)-423-6610

Sommer, Rachel

From: Sommer, Rachel
Sent: Wednesday, August 14, 2013 8:52 AM
To: 'SSWENSON@MOUNTAINHOMENEWS.COM'
Subject: Elmore Legal Ad
Attachments: Elmore Cover Letter.docx; Elmore Legal Ad.docx

Good Morning Stacy Swenson,

Please see the attached ad for publication on 8/21/2013 & 8/28/2013.

Please confirm these are okay to publish as shown.

Thank you very much,

Rachel Sommer

Administrative Assistant
IDWR, Western Region
Office: 208-334-2190
Fax: 208-334-2348
rachel.sommer@idwr.idaho.gov

August 14, 2013

LEGAL NOTICE DEPARTMENT
MOUNTAIN HOME NEWS
PO BOX 1330
MOUNTAIN HOME, ID 83647-1330

RE: Transfer No. 78656

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 9/9/2013. Your cooperation is appreciated.

Sincerely,

Rachel Sommer
Administrative Assistant

Enclosures

PROPOSED CHANGE OF WATER RIGHT

J. R. Simplot Company of PO Box 27, Boise, ID, 83707, filed Application No. **78656** to transfer a portion of one water right with a 1963 priority date from ground water totaling 3.87 cfs. The purpose of the transfer is to convert 55 acres of irrigation to year round industrial use, move 200 acres to a new location, and leave 59 acres at the current place of use. The unchanged portion of the right will remain on land approximately 4.7 miles north of CJ Strike Reservoir, 0.7 miles east of Strike Dam Road and 2 miles south of Grand View Highway. The water to be transferred will be used approximately 0.5 miles south of I-84 and 4.5 miles northwest of Mountain Home.

For additional information concerning the property location, contact Western Region office at (208) 334-2190; or see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp for a full description of the right(s) and the proposed transfer. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 9/9/2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 8/21/2013 and 8/28/2013

MEMORANDUM

TO: Transfer No. 78656
FROM: Kay Walker 
DATE: August 6, 2013
RE: Evaluation of Application

This transfer application proposes to split a water right used for irrigation to a right used for industrial purposes at a meat processing plant, irrigation of lands around plant to accommodate the land application of effluent discharged from the plant, and a small portion of the right will remain at the current place of use.

The site for the meat processing plant is located approximately 6 miles northeast of Mountain Home Air Force Base, Small Arms Range, 0.5 miles south of I-84, and 4.5 miles northwest of Mountain Home. The current site is located approximately 4.7 miles north of C.J. Strike Reservoir, 0.7 miles east of Strike Dam Road and 2 miles south of the Grand View Highway.

Summary of Information Submitted

Authority to File:

The applicant is the right holder of record.

Water Right Validity:

Right presumed to be valid because the partial decree was issued in August of 2007; however, the right has been enrolled in the Water Supply Bank since June of 2005 so we must assume that there was no question regarding the validity.

Injury to Other Water Rights:

There should be no injury to other water rights if the transfer is conditioned to prevent injury.

Enlargement of Use:

There should be no enlargement of the right under this proposal. The applicant proposes changing a portion of the irrigation right to industrial use and has submitted information to complete a change in nature of use calculation. By drying up 55 acres of water right, the applicant can use 0.67 cfs of the water in the processing plant and still have 259 acres of water for irrigation purposes left.

Local Public Interest:

It is within the local public interest to allow a transfer of water right to lands that are being developed.

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

Discussion

Data entry affected the correct record based on the partial decree issued in August of 2007.

Overlapping rights at existing PODs &/or POU are Rts. 61-2162, 61-2163, 61-7170 and 61-10239. These rights are limited to 16.66 cfs and irrigation of 1166 acres with Rt. 61-2165 included when they are combined. The rights not included in the transfer add up to 16.66 cfs and irrigation of 1237 acres when combined. In light of this, we do not need to pull in any associated rights with this application because the remaining rights are not less than the limiting conditions.

There are no overlapping rights at proposed PODs &/or POU.

This right is enrolled in the Water Supply Bank. The right holder should be advised that it must be removed from the bank before it can be used at the existing or proposed place of use.

The existing place of use and proposed place of use are both within the Mountain Home Ground Water Management Area. The proposed place of use is closer to Cinder Cone Butte Critical Ground Water Area but still outside of that area so should not be an issue.

Summary

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.

Condition 046 is applicable since the well in Section 17 has not been completed as of this memo. The wells in Section 8 were completed in June of this year and the logs are attached. The well logs have GPS information that can be used to plat them in arc map.

IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

0.80 cfs

1. WELL TAG NO. D 0063665 Page 1 of 2

Drilling Permit No. 914480-863114
Water right or injection well #

2. OWNER:

Name J.R. Simplot Company
Address P.O. Box 27
City Boise State ID. Zip 83707

3. WELL LOCATION:

Twp. 3 North or South ☒ Rge. 6 East ☒ or West ☐
Sec. 8 1/4 SE 1/4

Gov't Lot County Elmore

Lat. 43° 10.315' (Deg. and Decimal minutes)

Long. -115° 45.765' (Deg. and Decimal minutes)

Address of Well Site South of I84 and old Hwy. 30 off

City Mountain Home

(Give at least name of road + Distance to Road or Landmark)

Lot. Blk. Sub. Name

4. USE:

☐ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection
☒ Other Industrial

5. TYPE OF WORK:

☒ New well ☐ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other

6. DRILL METHOD:

☒ Air Rotary ☐ Mud Rotary ☐ Cable ☐ Other

7. SEALING PROCEDURES:

Seal material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method/procedure
Cement mix	0	77'	81F+3	Overbore Pumped

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/Schedule	Material	Casing	Liner	Threaded	Welded
10"	+2'	833'	.365	Steel	☒	☐	☐	☒
6 5/8"	718'	743'	.250	Steel	☐	☒	☐	☒
6 5/8"	903'	1003'	.250	Steel	☐	☒	☐	☒

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s)

9. PERFORATIONS/SCREENS:

Perforations ☐ Y ☐ N Method

Manufactured screen ☒ Y ☐ N Type Johnson

Method of installation set with rig

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule
743'	843'	.025	100'	6 5/8"	SS	304
843'	883'	.040	40'	6 5/8"	SS	304
883'	903'	.025	20'	6 5/8"	SS	304

Length of Headpipe 25 Feet Length of Tailpipe 100 Feet

Packer ☒ Y ☐ N Type K-Packer

10. FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method

11. FLOWING ARTESIAN:

Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSIG)

Describe control device

12. STATIC WATER LEVEL and WELL TESTS:

Depth first water encountered (ft) 415 Static water level (ft) 277

Water temp. (°F) 70 Bottom hole temp. (°F)

Describe access point Through top at well seal

Well test:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)	Pump	Bailer	Air	Flowing Artesian
161	360	5760	☒	☐	☐	☐

Water quality test or comments:

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water	
				Y	N
14"	0	2'	Topsoil		X
14"	2'	6'	Caleche		X
14"	6'	25'	Sand		X
14"	25'	33'	Gray lava		X
14"	33'	66'	Gray lava broken up		X
14"	66'	68'	Medium to hard		X
14"	68'	77'	Medium		X
12"	77'	121'	Soft broken up		X
12"	121'	125'	Medium		X
12"	125'	135'	Soft		X
12"	135'	149'	Medium		X
12"	149'	164'	Soft		X
12"	164'	194'	Medium gray lava got return back		X
12"	194'	265'	Black and red cinders		X
12"	265'	323'	Gray lava		X
12"	323'	335'	Black cinders		X
12"	335'	371'	Gray lava		X
12"	371'	380'	Red lava with cinders		X
12"	380'	414'	Gray lava		X
12"	414'	473'	Lava broken up with cinders	X	
12"	473'	479'	Medium		X
12"	479'	517'	Soft	X	
12"	517'	541'	Medium		X
12"	541'	571'	Soft	X	
12"	571'	603'	Medium gray lava		X
12"	603'	617'	Soft		X
12"	617'	651'	Medium		X
12"	651'	691'	Soft red and brown cinders	X	
12"	691'	720'	Hard olivene		X
12"	720'	801'	Gray lava		X
12"	801'	849'	Soft		X
12"	849'	869'	Black and brown cinders	X	

Completed Depth (Measurable): 1003 Feet

Date Started: Apr 9, 2012 Date Completed: Jun 13, 2013

14. DRILLER'S CERTIFICATION:

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Hiddleston Drilling Co. No. 35

*Principal Driller [Signature] Date 7/2/13

*Driller Alex Pote Date 7/2/13

*Operator II Date

Operator I [Signature] Date 7-2-13

* Signature of Principal Driller and rig operator are required.

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JUL 18 2013

IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

1. WELL TAG NO. D 0064527

Drilling Permit No. 914479-863113-0128AL-868905

Water right or injection well # _____

2. OWNER:

Name J.R. Simplot Company

Address P.O. Box 27

City Boise State ID. Zip 83707

3. WELL LOCATION:

Twp. 3 North ☐ or South ☒ Rge. 6 East ☒ or West ☐

Sec. 8 10 acres 1/4 SW 40 acres 1/4 SE 160 acres 1/4

Gov't Lot _____ County Elmore

Lat. 43 10.317 (Deg. and Decimal minutes)

Long. -115 45.764 (Deg. and Decimal minutes)

Address of Well Site South of I84 and old Hwy. 30 off

City Mountain Home

(Give at least name of road - Distance to Road or Landmark)

Lot. _____ Blk. _____ Sub. Name _____

4. USE:

☐ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection
☒ Other Industrial

5. TYPE OF WORK:

☒ New well ☐ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other _____

6. DRILL METHOD:

☒ Air Rotary ☒ Mud Rotary ☒ Cable ☐ Other _____

7. SEALING PROCEDURES:

Seal material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method/procedure
Cement Mix	0	67'	3970 lbs	Overbore poured
# 5 Bentonite	67'	70'	150 lbs	Overbore poured

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/Schedule	Material	Casing	Linear	Threaded	Welded
16"	-4'	26'	.375	Steel	☒	☐	☐	☒
12"	+2'	66.9'	.375	Steel	☒	☐	☐	☒
8"	453'	650'	.322	Steel	☐	☒	☐	☒
8"	850'	935'	.322	Steel	☐	☒	☐	☒

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 935 feet

9. PERFORATIONS/SCREENS:

Perforations ☒ Y ☐ N Method Air perforated

Manufactured screen ☐ Y ☐ N Type _____

Method of installation _____

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule
650'	850'	1/4"	8	8"	Steel	.322

Length of Headpipe 197 feet Length of Tailpipe 85 feet

Packer ☐ Y ☐ N Type _____

10. FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method
none				

11. FLOWING ARTESIAN:

Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSIG) _____

Describe control device _____

12. STATIC WATER LEVEL and WELL TESTS:

Depth first water encountered (ft) 380 Static water level (ft) 284

Water temp. (°F) 79 Bottom hole temp. (°F) 82

Describe access port Through top at well seal

Well test:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)	Pump	Bailer	Air	Flowing artesian
135	274	2880	☒	☐	☐	☐

Water quality test or comments: _____

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water	
16"	0	2'	Topsoil	Y	N
16"	2'	6'	Caleche		X
16"	6'	26'	Sand and gravel		X
15"	16'	70'	Gray lava		X
12"	70'	78'	Gray lava broken up lost circulation		X
12"	78'	79'	Void		X
12"	79'	115'	Broken up lava		X
12"	115'	140'	Medium cemented from 140' to 31'		X
12"	140'	230'	Gray lava		X
12"	230'	240'	Void lost circulation		X
12"	240'	360'	Medium		X
12"	360'	385'	Soft with brown cinders	X	
12"	385'	445'	Gray lava medium		X
12"	445'	453'	Soft with red cinders	X	
12"	453'	502'	Gray lava medium		X
12"	502'	540'	Soft with red cinders	X	
12"	540'	560'	Gray lava medium		X
12"	560'	565'	Soft with brown cinders		X
12"	565'	603'	Gray lava medium		X
12"	603'	680'	Soft	X	
12"	680'	765'	Gray lava medium		X
12"	765'	832'	Black and brown cnders	X	
12"	832'	870'	Gray lava		X
8"	870'	871'	Brown clay		X
8"	871'	873'	Brown sand	X	
8"	873'	885'	Medium to coarse brown silty sand		X
8"	885'	890'	Brown fine to medium silty sand	X	
8"	890'	895'	Grayish brown med to fine silty sand		X
8"	895'	900'	Gray brown mediu to fine silty sand		X
8"	900'	910'	Brown silt w/ medium to coarse sand	X	
8"	910'	920'	Brown fine silty sand w/ pea gravel	X	
8"	920'	936'	Brown silty pea gravel with clay	X	

Completed Depth (Measurable) 936 Feet

Date Started: Apr 12, 2012 Date Completed: Jun 20, 2013

14. DRILLER'S CERTIFICATION:

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Hiddleston Drilling Co. No. 35

*Principal Driller Mark Hiddleston Date 6/28/13

*Driller Alex Putzier Date 7/2/13

*Operator II _____ Date _____

Operator I Joey Egan Date 7-2-13

*Signature of Principal Driller and rig operator are required.

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WATER RESOURCES
WESTERN REGION

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JUL 18 2013



CORPORATE HEADQUARTERS

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JUN 13 2013

**WATER RESOURCES
WESTERN REGION**

June 11, 2013

John Westra
State of Idaho
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

Re: Application For Transfer of Water Right No. 61-2165.

Dear John:

Water right 61-2165 provides for the irrigation of 314 acres from groundwater with a maximum diversion rate of 5.03 cfs. The current place of use for this water right is described as follows:

Twp	Rng	Sec	NE				NW				SW				SE				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5S	4E	4										40							40
		5									39		39	40	40	37	40	39	274
																Total Acres			314

The enclosed transfer application coverts 55 acres of the above described place of use into year round use for a new meat processing plant. The 55 acres to be converted from irrigation to industrial use shall be transferred from the place of use described below:

Twp	Rng	Sec	NE				NW				SW				SE				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SW	
5S	4E	4										40							40
		5													15				15
																Total Acres			55

In addition, the enclosed transfer application the place of use for an additional 200 acres under water right 61-2165 to a new irrigated place of use. The 200 acres to be moved to the new irrigated place of use are described as follows:

Twp	Rng	Sec	NE				NW				SW				SE				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SW	
5S	4E	5									39	20			25	37	40	39	200

That portion of water right no. 61-2165 that will not be transferred is described as follows:

Twp	Rng	Sec	NE				NW				SW				SE				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SW	
5S	4E	5										20	39						59

The new places of Industrial (“Ind”) and Irrigation uses are shown below:

Twp	Rng	Sec	NE				NW				SW				SE				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3S	6E	8											11	29					40
		17					40	40	40	40					15				160
3S	6E	8											Ind	Ind					
		17					Ind	Ind	Ind	Ind									
																		Total Acres	200

Please use the enclosed check in the amount of \$1,070 to cover your fee for filing the enclose transfer application. Should you need any additional information to assist with the processing of this transfer, please contact me (phone: 208-389-7359; email: vic.conrad@simplot.com).

Sincerely,



Vic Conrad
Land, Water & Asset Recovery

Enclosures

c: T. Basabe