

Water Supply Bank No. _____
(For Department Use Only)

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

APPLICATION TO RENT WATER
FROM THE WATER SUPPLY BANK

JUN 27 2013

DEPARTMENT OF
WATER RESOURCES

Name of Renter J. R. Simplot Company Phone 208-336-2110

Mailing address P. O. Box 27 Email _____

A. DESCRIPTION OF WATER SOUGHT FOR RENT

1. Maximum Flow Rate (cfs) 0.78 Maximum Volume (ac-ft) 164 Nature of Use Irrigation Period of Use July 1 to Nov 15

Total: 0.78 164

2. Source of water Snake River tributary to Columbia River

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
5S	4E	22	4		SW	SW	Elmore
5S	3E	15	7	SE	SE	SW	Owyhee

4. Lands to be irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
T.5S	4E	16													10			37	47
		21			25								40						65
5S	3E	22								10									10

If the use is for irrigation, show total number of acres proposed through rental. **Total Acres** 122

B. OWNERSHIP

1. Do you own the land at the proposed point of diversion? Yes ☐ No ☒
If no, list owner, contact information, and provide documentation of the authority to use the proposed point of diversion. See attached Quitclaim Deed with Easement (Owyhee Co.) and US Dept. of Interior Right-of-Way (Elmore Co.)
2. Do you own the land at the proposed place of use? Yes ☒ No ☐
If no, list owner, contact information, and provide documentation of the authority to use the proposed place of use. _____

C. MAP

Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described by this application in section A. Include legal description labels.

D. GENERAL INFORMATION

1. Please provide a description of the proposed diversion system. Both points of diversion have an intake on the Snake River pumps, motors and penstock.
2. Describe any other water rights diverted through the same point(s) of diversion or used for the same purpose(s) as described above. 2-2241, 2-7027 (Owyhee County); 2-2220, 2-2221, 2-2222, 2-2409 and 2-7040, 2-10471, 2-10472, 2-10300A, 2-10300B (Elmore County).
3. Will the proposed place of use receive water from any other source? Yes ☒ No ☐
If yes, describe. This application is being filed as a precautionary measure should water right nos. 2-7396 and 2-7399 be curtailed in the event the flow of the Snake River falls below the required minimum stream flow.
4. If the proposed use is not for irrigation, please provide a detailed description of the proposed use and how you determined the amount of water required. Attach additional sheets if needed. _____
5. Are there any other applications pending before the Department, such as an application for permit or transfer, for the same use(s) proposed by this rental? Yes ☐ No ☒
If yes, describe. No pending applications. IDWR license nos. 2-7396 and 2-7399 cover the places of use described above.
6. Was this rental application submitted in response to a Notice of Violation or a pending Notice of Violation? Yes ☐ No ☒
If yes, describe. _____

E. RENTAL TERM

1. Do you wish to rent water from the Board's bank for more than one (1) year? Yes ☐ No ☒
If yes, please specify the number of years desired through proposed rental. _____

I hereby assert that 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.

If this application is approved, the applicant agrees to the following:

1. The use of water under this agreement shall be subject to the provisions of Section 42-1766, Idaho Code.
2. Renter shall comply with all applicable state and federal laws while using water under this agreement.
3. Renter shall hold the Board, the Director, and the state of Idaho harmless from all liability on account of negligent acts of the renter.
4. The Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
5. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
6. Renter is not authorized to use water proposed by this application until the rental fees are paid in full and the renter receives an executed copy of the agreement signed by the Director.

Signature of Applicant

Terry T. Uhling, Sr. V.P. and Secretary

Printed Name and Title*

June 26, 2013

Date

Signature of Applicant

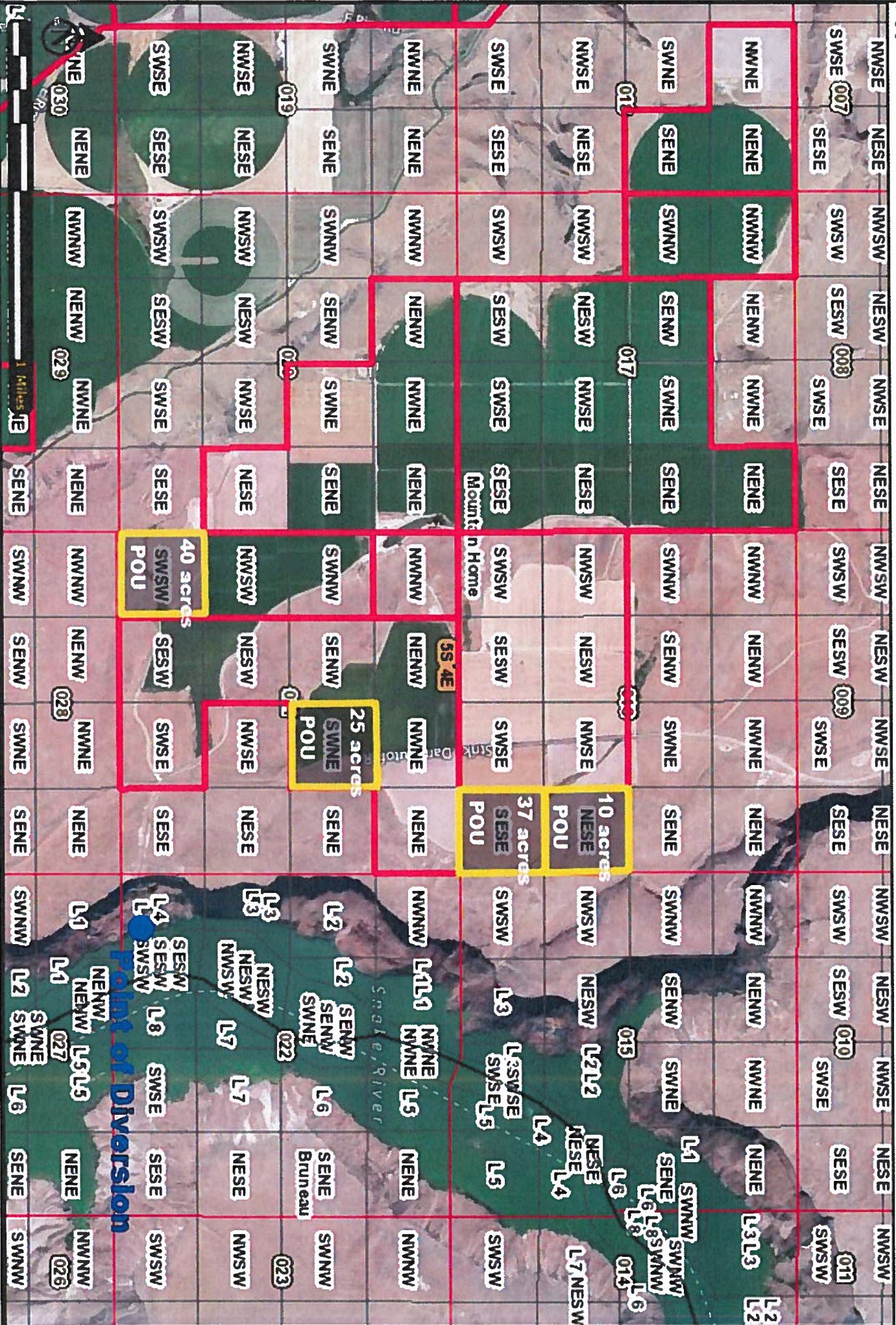
Printed Name and Title*

Date

*Please provide title of signatory if signing on behalf of a company or organization or with power of attorney

Mail to: Idaho Department of Water Resources, P.O. Box 83720, Boise, ID 83720-0098

A vertical grayscale calibration bar. On the left side, there is a color bar with a vertical gradient from black at the bottom to white at the top, passing through various shades of gray. To the right of the color bar is a ruler with markings in inches (0 to 6) and centimeters (0 to 15). The main body of the image is a uniform light gray.



Confidential - Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Application for Rental Water to Replace 2-7399



WARRANTY DEED

For Value Received White Glove Farm, a Limited Partnership, organized under the laws of the State of Idaho

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto
J. R. Simplot Company, a Nevada corporation
whose address is: P. O. Box 27, Boise, ID 83707

Hereinafter called the grantee, the following described premises, in Owyhee County, Idaho,
to-wit:

See attached Exhibit "A"

INDEXED
MICROFILMED

REQUEST OF
FEE
\$6.00

BARBARA JAYO
OWYHEE COUNTY RECORDER
BY M. J. J.
DEPUTY

SEP 14 1 37 PM '89

FILED-RECORDED

200283

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated:

9/7/89

White Glove Farm,
an Idaho Limited Partnership

EUGENE SCHUPAK - Managing Partner

ARIZONA
STATE OF ARIZONA, COUNTY OF

On this 7th day of September 1989,
before me, a notary public in and for said State, personally appeared EUGENE SCHUPAK,
Managing General Partner for
White Glove Farm, an Idaho Limited Partnership

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that he executed the same.

in behalf of said Limited Partnership

Residing at Maricopa
Comm. Expires 7/23/93



STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at
the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____,
19____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.

Fees \$
Mall to:

INSTRUMENT NO.

PARCEL I:

IN TOWNSHIP 5 SOUTH, RANGE 3 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 21: E4SE4
Section 22: SW4, SE4NW4, S4SW4NW4, the North 30 feet
of NE4SW4NW4
Section 27: W4, S4SE4
Section 28: E4, E4SW4
Section 34: N4N4

PARCEL II:

Easement for pipeline right of way purposes as created by Right of Way Deed dated January 26, 1967, recorded December 18, 1967, as Instrument No. 119650 in Book 60 of Deeds at page 533, and revised and restated by Right of Way Deed (Exchange) dated March 11, 1968, recorded March 12, 1968, as Instrument No. 120304 in Book 61 of Deeds at page 122; AND Right of Way Deed dated January 26, 1967, recorded December 18, 1967, as Instrument No. 119651 in Book 60 of Deeds at page 535 and revised and restated by Right of Way Deed (Exchange) dated March 11, 1968, recorded March 12, 1968, as Instrument No. 120306 in Book 61 of Deeds a page 129; AND Right of Way Deed dated January 26, 1967, recorded December 18, 1967 as Instrument No. 119652 in Book 60 of Deeds at page 537, and revised and restated by Right of Way Deed (Exchange) dated March 11, 1968, recorded March 12, 1968, as Instrument No. 120305 in Book 61 of Deeds at page 125; AND Right of Way Deed dated January 26, 1967, recorded December 18, 1967 as Instrument No. 119653 in Book 60 of Deeds at page 539, and revised and restated by Right of Way Deed (Exchange) dated March 11, 1968, recorded March 12, 1968 as Instrument No. 120307 in Book 61 of Deeds page 132, all Owyhee County records, more particularly described as follows:

In Township 5 South, Range 3 East, B.M., Owyhee County, Idaho, in Sections 15 and 22:

A 20 foot strip of land, being 10 feet on either side of the centerline of said pipeline as now located, which center line is more particularly described as follows:

Beginning at the NW corner of Section 22, T5S, R3E, B.M.; thence S 83°43'15" E 1910.0 feet to a point of intersection of the center of the Grand View Irrigation District Canal and aforesaid mentioned pipeline, thence N 53°37' E 744.00 feet to a point on the left bank of the Snake River, the TRUE POINT OF BEGINNING; thence along said center line S 53°37' W. 48.8 feet to a fence; thence continuing S 53°37' W 695.2 feet to aforementioned point of intersection; thence continuing S 53°37' W 233.5 feet to an angle point; thence S 20°07'30" W 494.12 feet to an angle point; thence S 20°44'30" W 101.74 feet to an angle point; thence S 22°19'30" W 197.3 feet to a point of intersection of the center of the Grand View Mutual Canal Company canal and said pipeline; thence continuing S 22°19'30" W 172.65 feet to an angle point; thence S 16°07' W 80 feet, more or less, to the Southerly line of said N4NW4 of said Section 22.

Basis of bearing for this description is the centerline of the Grand View-Bruneau Highway between stations 518+13.4 and 534+68.3, accepted as S 79°27' E.

Together with all water rights and licenses appurtenant thereto.

Subject to that certain mortgage held by Connecticut General Life Insurance Company, a Connecticut Corporation, recorded as Instrument No. 141939, records of Owyhee County, State of Idaho.

EXHIBIT A

I-015485
I-999
2800

JUN 6 1986

DECISION

J. R. Simplot Company :
P. O. Box 27 : Right-of-Way I-015485
Boise, ID 83707 : Right-of-Way I-999
Successor in Interest Recognized

On June 2, 1986, the J. R. Simplot Company submitted evidence showing that rights-of-way I-015485 and I-999 were transferred from Frank N. Rawlings and Virginia D. Rawlings to Simplot Industries, Inc.

On February 28, 1985, Simplot Industries, Inc., was merged into J. R. Simplot Company.

J. R. Simplot Company is hereby recognized as the successor in interest to right-of-way I-015485 and right-of-way I-999.

/s/ Dennis R. Hoyem

Dennis R. Hoyem
Bruneau Area Manager

cc: CF, RF
SCARPENTER:lac:6/4/1986

Vic,

Copies as requested.

Lois
BLM-Boise District
384-3478



J. R. SIMPLOT COMPANY / ONE CAPITAL CENTER / 999 MAIN STREET / SUITE 1300
P.O. BOX 27 / BOISE, IDAHO 83707 / (208) 336-2110 / TELEX 368432

CORPORATE HEADQUARTERS

May 30, 1986

RECEIVED

JUN 02 86

USDA, BLM
BOISE DISTRICT OFFICE

Bureau of Land Management
Boise District
3948 Development Avenue
Boise, Idaho 83705

RE: Right-of-Way I-015485
2800

Gentlemen:

J. R. Simplot Company, successor by merger with Simplot Industries, Inc. is the owner of the property served by water transported across right-of-way Idaho 015485. I am enclosing a copy of the original Assignment executed by Frank and Virginia Rawlings in 1972. Simplot Industries, Inc. was merged into J. R. Simplot Company on February 28, 1985. We would appreciate your issuing the new right-of-way to J. R. Simplot Company.

Sincerely,


RONALD N. GRAVES
Vice President, Secretary
and General Counsel

RNG/ljw

cc: Frank Bachmann
8762L

RIGHT-OF-WAY ASSIGNMENT

WHEREAS, certain rights-of-way to construct an irrigation pumping plant and pipeline on lands situated in the Southeast Quarter (SE1/4) of Section 21, and the Southwest Quarter (SW1/4) Southwest Quarter (SW1/4) of Section 22, Township 5 South, Range 4 East, Boise Meridian, were granted by the United States Department of Interior, Bureau of Land Management, to FRANK N. RAWLINGS, identified by Bureau of Land Management Numbers I-999 dated December 5, 1967 and Idaho 015485 dated January 8, 1965; and

WHEREAS, SIMPLOT INDUSTRIES, INC., a Utah corporation, is the successor in interest to the aforesaid rights-of-way identified by Bureau of Land Management Numbers I-999 and Idaho 015485.

NOW, THEREFORE, in consideration of that certain Option to Purchase dated the 8TH day of August 1972, entered into by and between FRANK N. RAWLINGS and VIRGINIA D. RAWLINGS and SIMPLOT INDUSTRIES, INC., the aforementioned persons do hereby assign all of their right, title and interest in and to those certain rights-of-way, Numbers I-999 and Idaho 015485, to SIMPLOT INDUSTRIES, INC.

The Assignors warrant that they are the holders of said rights-of-way, that said rights-of-way are in good standing and that no other party has any interest therein.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed as of the 5th day of August 1972.

Frank N. Rawlings
FRANK N. RAWLINGS

Virginia D. Rawlings
VIRGINIA D. RAWLINGS

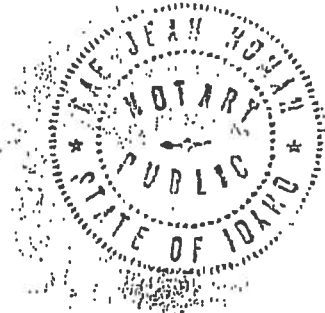
STATE OF IDAHO }
County of Ada } SS.

On this 5th day of August 1972, before me,

The undersigned, a Notary Public in and for said State, personally appeared FRANK N. RAWLINGS and VIRGINIA D. RAWLINGS, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Ramona Yrazabal
Notary Public for Idaho
Residing at: Boise, Idaho



191781

ELMORE COUNTY, IDAHO, ss

Request of Ronald D. Haines

Time 4:00 PM

Date November 16th 1979

Book 167

Page 1

RAMONA YRAZABAL

By Mary Haines

Fee 4.00

After Recording Mail to:
Simpson Industries Inc
PO Box 80
Boise Idaho, 83707

125133

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Idaho Land Office
P. O. Box 2237
Boise, Idaho 83701

DECISION

Right-of-Way Granted

DETAILS OF GRANT

Serial number of grant: Idaho 015485

Name of grantee: Frank N. Rawlings, et al.

Map showing the location and dimensions of grant:

Map designations: Holland and Rawlings Dwg. No. 640526-1 and
640526-2

Date filed: July 8, 1964

Permitted use by grantee: Irrigation penstock, pumping plant, pipeline,
and canal and access road.

Authority for grant: Act of March 3, 1891 (26 Stat. 1101), as amended.

Regulations applicable to grant:

Code reference: 43 CFR Sections 2234.1 and 2234.3-1

Circular number(s): 2161

Date of Grant: JAN 8 1965

Expiration date of Grant:

Rental: None

Amount:

When payable to grantee:

TERMS AND CONDITIONS OF GRANT

Pursuant to the authority vested in the undersigned by Order No. 701 of the Associate Director, Bureau of Land Management, dated July 23, 1964 (29 F.R. 10526), as amended, a right-of-way, the details of which are shown above, is hereby granted subject to the following terms and conditions.

1. All valid rights existing on the date of the grant.
2. All regulations in the circular(s) specified above.
3. Filing of proof of construction within five years of the date of the grant.
4. Further terms and conditions as follows:

- (a) Pursuant to 43 CFR 2234.1-3(c), the District Manager, Boise District Office, P.O. Box 1682, Boise, Idaho, has the authority to conduct all business with the grantee with respect to use of lands and disposition of resources, and the grantee is requested to contact the above-designated official prior to the beginning of construction.
- (b) Attached Federal Power Commission stipulation.

ILO-2234-113
12-64

Feb. 1

Eugene E. Babin
Eugene E. Babin
Acting Manager, Land Office

Enclosure

121733

STATE OF IDAHO, } ss.
County of Elmore

I hereby certify that this instrument
was filed for record at request of
W. L. Smith
at 2.2 minutes past 3
o'clock P.M., this 15
day of March A.D. 1915
in my office, and duly recorded in Book
_____ of _____
at Page _____

By H. J. Smith Ex-Officio Recorder,
W. L. Smith Deputy.
Fees \$ 2.00

121733

Sh. 2 of 3

SE 4 NW 4

DAT

CURVE

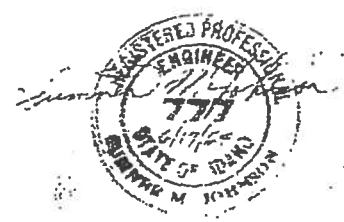
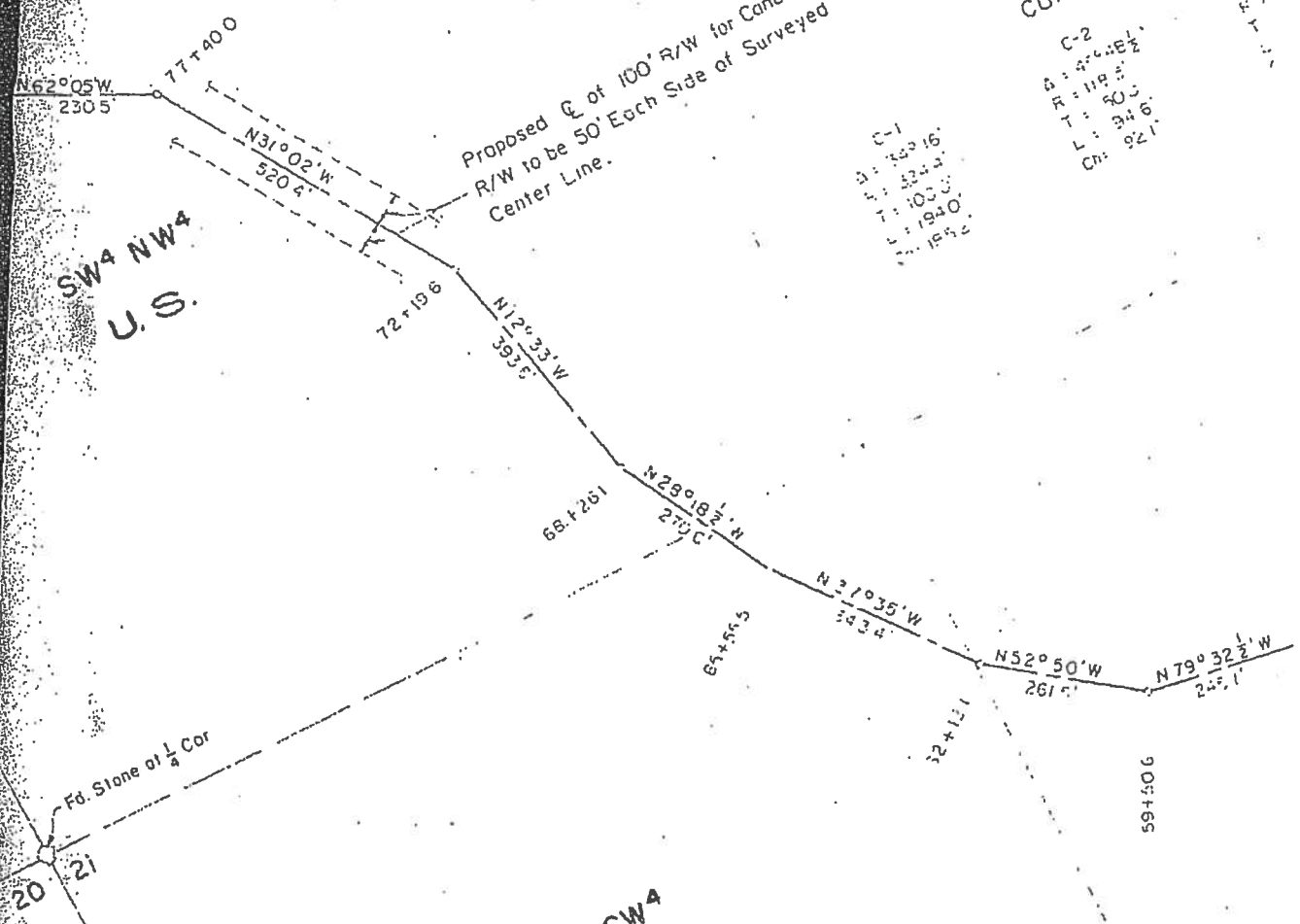
C-2
A = 470.45
R = 118.5
T = 90.5
L = 94.6
Ch = 92.1

C-1
A = 333.16
R = 52.4
T = 103.8
L = 194.0
Ch = 184.2

Proposed C of 100' R/W for Canal;
R/W to be 50' Each Side of Surveyed
Center Line.

SW 4 NW 4
U.S.

NW 4 SW 4
U.S.

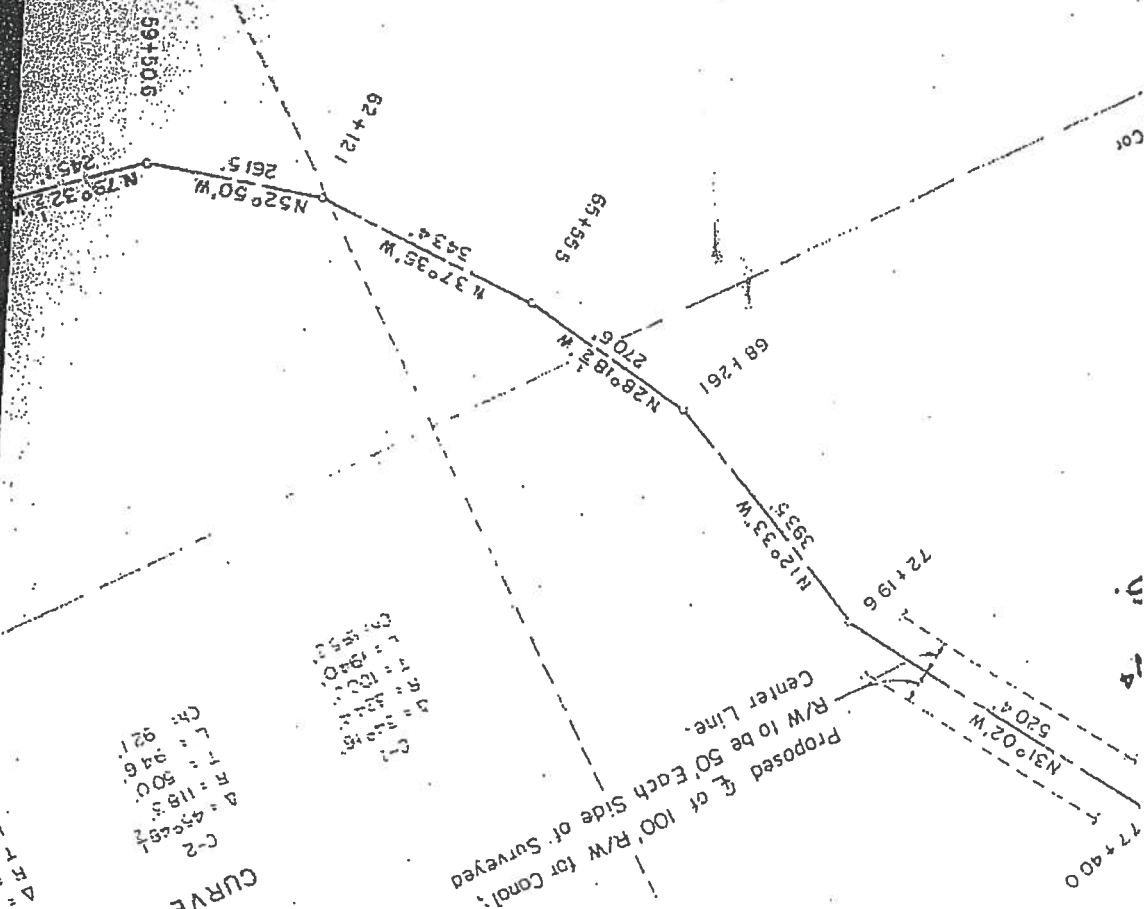


IRRIGA	
BL	
AC	
DES.	DR G.L.R.
CK	CK
SCALE 1" = 20'	

IRRI



NW 1/4 SW 1/4
U.S.



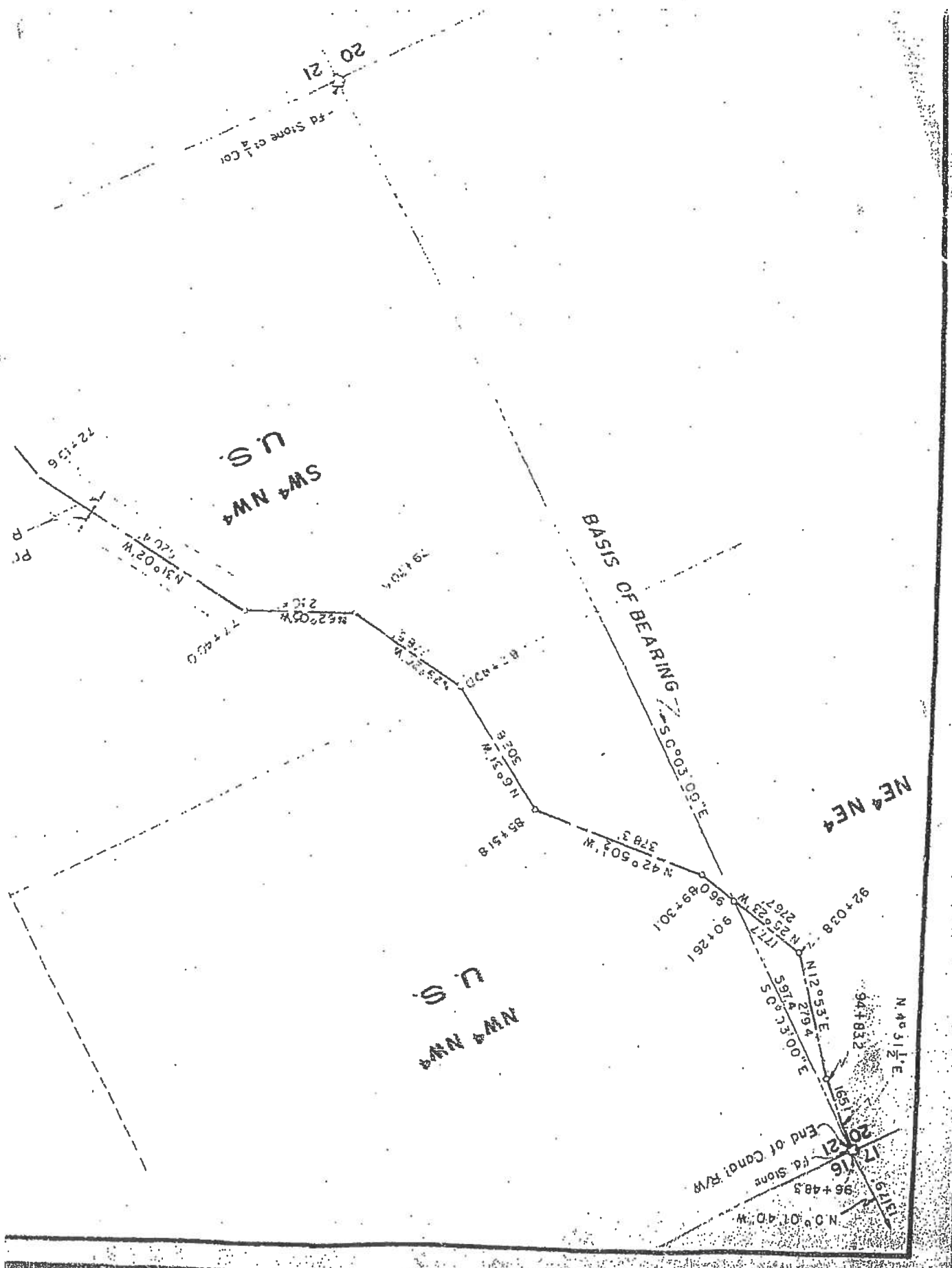
C-1
D = 32.16
L = 100.0
T = 194.0
Ch = 92.1

C-2
D = 45.08
L = 50.0
T = 94.6
Ch = 92.1

CURVE

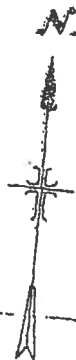
SE 1/4 NW 1/4

DATA



FEQ.	WAVE.	W.	TAN.	LENGTH	CHORD
C-5	354.0	30° 21'	84.4	130.3	124.0
C-5	355.0	33° 20'	80.0	132.5	133.3
C-5	356.0	35° 19'	75.1	134.7	141.7
C-5	357.0	37° 18'	70.1	136.9	149.8
C-5	358.0	39° 17'	65.1	139.1	158.2
C-5	359.0	41° 16'	60.1	141.3	166.9
C-5	360.0	43° 15'	55.1	143.5	175.9
C-5	361.0	45° 14'	50.1	145.7	185.3
C-5	362.0	47° 13'	45.1	147.9	195.1
C-5	363.0	49° 12'	40.1	150.1	205.3
C-5	364.0	51° 11'	35.1	152.3	216.0
C-5	365.0	53° 10'	30.1	154.5	227.2
C-5	366.0	55° 9'	25.1	156.7	238.9
C-5	367.0	57° 8'	20.1	158.9	251.2
C-5	368.0	59° 7'	15.1	161.1	264.0
C-5	369.0	61° 6'	10.1	163.3	277.3
C-5	370.0	63° 5'	5.1	165.5	291.1
C-5	371.0	65° 4'	0.1	167.7	305.4

U.S.



0' R/W for Canal;
ch Side of Surveyed
anal.

U.S.

U.S.

of R/W for Penstock;
10' Each Side of Surveyed
of Penstock.

BEG. OF W.

PROPOSED E. OF 100' R/W FOR ACCESS ROAD;
R/W TO BE 50' E.A.W. SIDE OF PROJECTED
CENTER LINE OF ROAD.

Proposed Pump:

Water Line of
North edge of
Strike Reservoir

00-2896

TAO 901

TURN-AROUND
AREA

N 29° 40' E
60 C

TA 26*

24197.0

W
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-77.0

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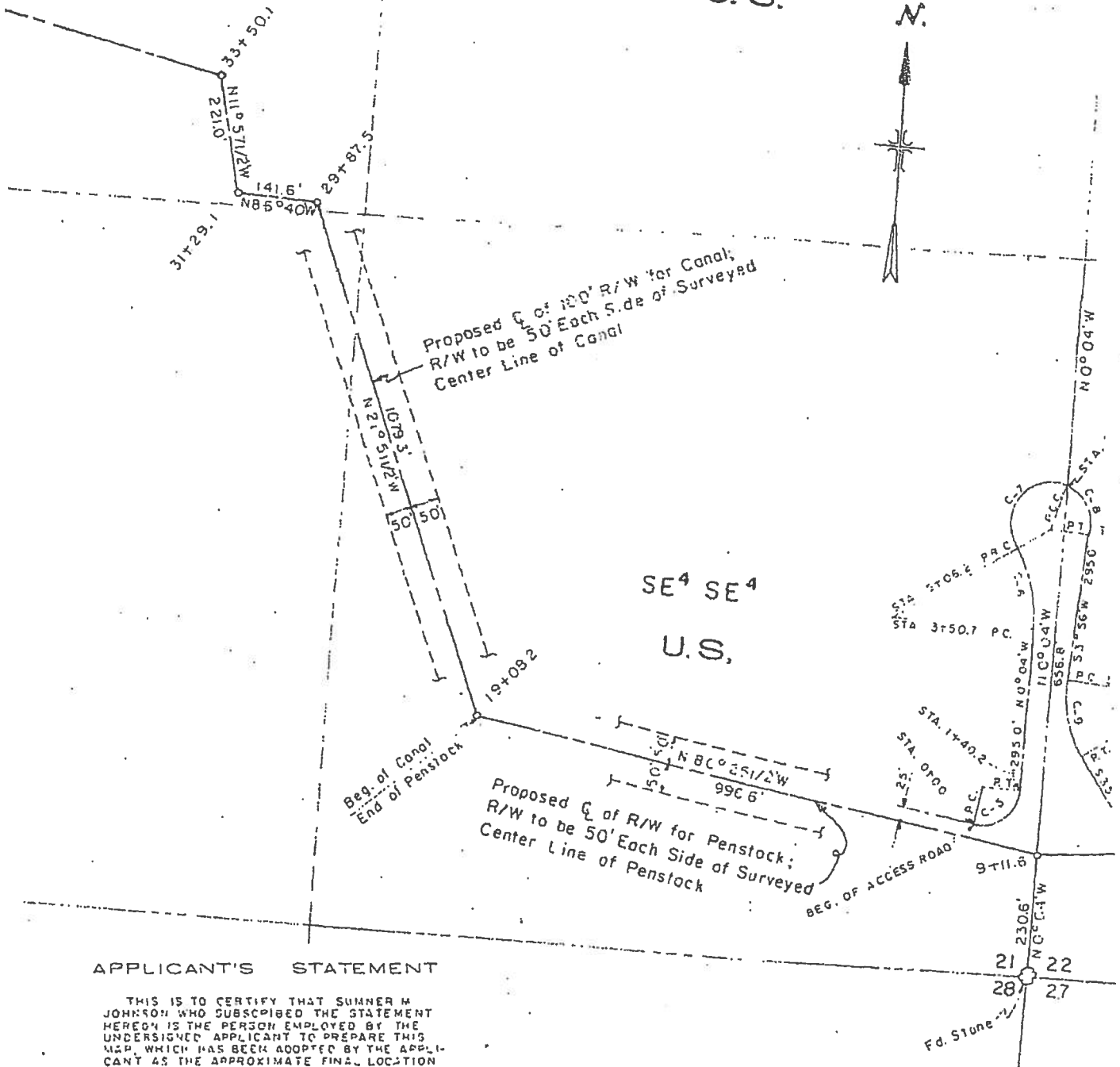
NW⁴ SE⁴

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NE⁴ SE⁴

U.S.

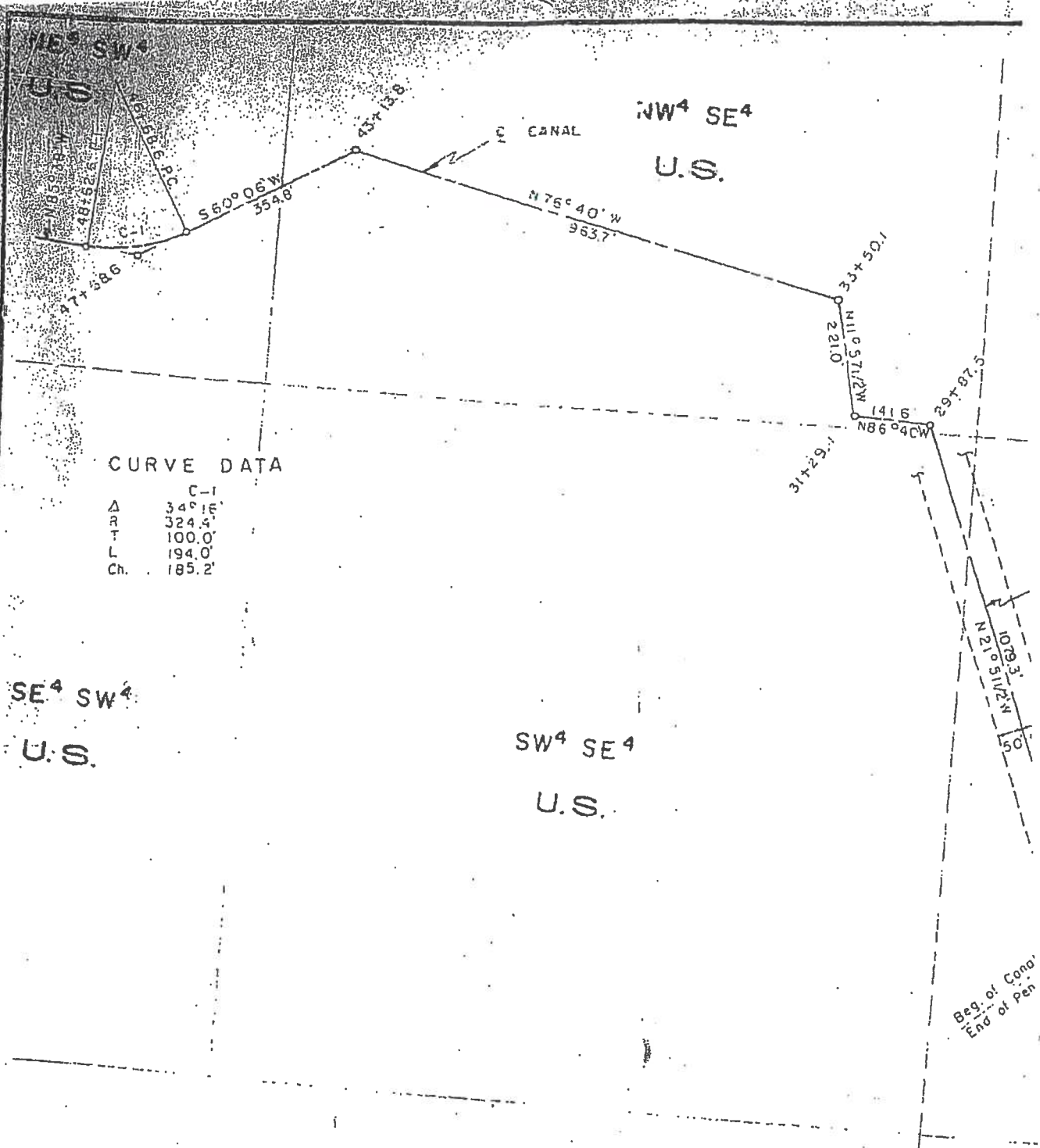
N.



APPLICANT'S STATEMENT

THIS IS TO CERTIFY THAT SUMNER M. JOHNSON WHO SUBSCRIBED THE STATEMENT HEREON IS THE PERSON EMPLOYED BY THE UNDERSIGNED APPLICANT TO PREPARE THIS MAP, WHICH HAS BEEN ADOPTED BY THE APPLICANT AS THE APPROXIMATE FINAL LOCATION OF THE WORKS THEREBY SHOWN; AND THAT THIS MAP IS FILED AS PART OF THE COMPLETE APPLICATION, AND IN ORDER THAT THE APPLICANT MAY OBTAIN THE BENEFITS OF 430244, AND WE FURTHER CERTIFY THAT THE RIGHT-OF-WAY HEREIN DESCRIBED IS DESIRED FOR AN IRRIGATION CANAL, PENSTOCK, RESERVOIR OR ACCESS ROAD AS INDICATED HEREON.

[Signature] 6/19/64
[Signature] 6/26/64
[Signature] 6/26/64



CURVE DATA

	C-1
Δ	34° 15'
R	324.4'
T	100.0'
L	194.0'
Ch.	185.2'

ENGINEER'S STATEMENT

SUMNER M. JOHNSON STATES HE IS BY OCCUPATION A PROFESSIONAL ENGINEER EMPLOYED BY FRANK N. RAWLINGS AND YALE B. HOLLAND TO MAKE THE SURVEY OF THE IRRIGATION CANAL, PENSTOCK, ACCESS ROAD AND RESERVOIR AS DESCRIBED AND SHOWN ON THIS MAP. THAT THE SURVEY OF SAID WORKS WAS MADE UNDER HIS DIRECT SUPERVISION AND UNDER AUTHORITY, COMMENCING ON THE 11TH DAY OF MAY, 1964 AND ENDING ON THE 8TH DAY OF JUNE, 1964, AND THAT SUCH SURVEY IS ACCURATELY REPRESENTED UPON THESE MAPS.

Sumner M. Johnson
SUMNER M. JOHNSON

APPLICANT'S STATEMENT

THIS IS TO CERTIFY THAT SUMNER M. JOHNSON WHO SUBSCRIBED THE STATEMENT ABOVE IS THE PERSON EMPLOYED BY THE DESIGNATED APPLICANT TO PREPARE THIS MAP, WHICH HAS BEEN ADJUSTED BY THE APPLICANT AT THE APPROXIMATE FINAL LOCATION OF THE WORKS THEREBY SHOWN; AND THAT THIS MAP IS FILED AS PART OF THE COMPLETE APPLICATION, AND IN ORDER THAT THE APPLICANT MAY OBTAIN THE BENEFITS OF 43 CFR 24.1 AND WE FURTHER CERTIFY THAT THE RIGHT OF WAY HEREIN DESCRIBED IS DESIRED FOR AN IRRIGATION CANAL, PENSTOCK, RESERVOIR OR ACCESS ROAD AS INDICATED HEREON.

Frank N. Rawlings 4/19/64