

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-11756

Priority: March 18, 1992

Maximum Diversion Rate: 1.74 CFS

It is hereby certified that J R SIMPLOT CO
C/O TERRY UHLING
999 MAIN ST STE 1300
BOISE ID 83707

has complied with the terms and conditions of the permit,
issued pursuant to Application for Permit dated March 18, 1992; and has submitted Proof of Beneficial
Use on April 30, 2010. An examination confirms water is diverted from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

03/01 to 11/15

DIVERSION RATE

1.74 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER SW1/4NE1/4 Sec. 7, Twp 04N, Rge 05W, B.M., CANYON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	05W	6																38.0	38.0
04N	05W	7	40.0	33.5	35.5	39.0	37.8												185.8

Total Acres: 223.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 143.8 acres within the place of use described above in a single irrigation season.
2. Rights 63-2678, 63-3282, 63-3559 and 63-11756 when combined shall not exceed a total annual maximum diversion volume of 1007.0 af at the field headgate, and the irrigation of 223.8 acres.
3. The following rights are diverted through point of diversion described above: 63-2678, 63-3282, 63-3559 and 63-11756.
4. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

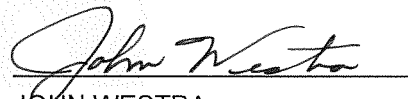
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5. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
7. This right does not grant any right-of-way or easement across the land of another.
8. 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.
9. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 7th day of November, 2012.


JOHN WESTRA
Western Regional Manager