



OCT 19 2012

Department of Water Resources
Eastern Region

CORPORATE HEADQUARTERS

October 17, 2012

Blake Jordan
Sr. Water Right Agent
State of Idaho
Department of Water Resources
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402

Re: Application for Transfer of Water Right 35-2713.

Dear Blake:

In July, we received a letter from Tim Luke describing a potential unauthorized use of water in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6 T.5S R.31E B.M (copy of Tim's letter is attached). After investigating, I discovered that the switch from Simplot's use of a wheel line sprinkler system to an overhead center pivot sprinkler system resulted in irrigating additional land in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6 beyond the amount identified on our decree. However, the overall acreage irrigated under this water right remains below the acres allowed under this decree after accounting for the additional irrigated land in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6.

Enclosed is an application for transfer to amend the place of use described under water right 35-2713 to cover the additional land irrigated in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6. The corners that are no longer irrigated under water right 35-2713 have been leased to the Water Supply Bank. After the enclosed transfer is approved, the amount of water that available for the lease to the Bank will need to be reduced by the number of additional acres that are irrigated in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6. Below is a brief summary of the transfer and the related impacts to the amount of water that will be available for lease to the Bank under water right 35-2713.

Water Right 35-2713

POU in Section 6 T.5S R.31E	Irrigated Acres by $\frac{1}{4}$	Decreed Place of Use	Difference (+/-)	New Place of Use (After Transfer)	Water to be Leased to the WSB (after transfer)
NENE	29.6	11.0	-18.6	29.6	0.0
NWNE	31.6	40.0	8.4	31.6	0.0
SWNE	31.5	40.0	8.5	31.5	0.0
SENE	29.2	40.0	10.8	38.3	9.1
NESE	31.0	40.0	9.0	40.0	9.0
NWSE	32.8	40.0	7.3	40.0	7.3
SESW	29.8	37.0	7.2	37.0	7.2
SESE	28.0	39.0	11.0	39.0	11.0
Totals	243.5	287	43.5	287	43.5

In discussing this proposed resolution with Tim Luke, Tim believes his concerns will be resolved with an approved transfer under this approach.

Please apply the enclosed \$500.00 check to cover your fee for processing the enclosed transfer application. If I can assist with any additional information you may need to work on the transfer application, please don't hesitate to contact me (phone: 208-389-7359; email: vic.conrad@simplot.com).

Sincerely,



Vic Conrad

Land, Water & Asset Recovery

Enclosure