

Original Lease Record
2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 4, 2001

J. R. Simplot Company
c/o Vic Conrad
P.O. Box 27
Boise, ID 83707

**RE: APPLICATION TO LEASE PART OF WATER RIGHT NO. 63-08006 TO THE
WATER SUPPLY BANK**

Dear Mr. Conrad:

The department has reviewed the above referenced application that you submitted to the department on May 25, 2001. Please consider that the part of the water right offered for lease has been accepted into the Water Supply Bank ("bank"). The actual amount of the volume available to rent for uses which are consumptive will need to be determined when an application to rent the water is received.

Several items to keep in mind in connection with the lease are as follows:

1. There is no rental payment to you if the right or part thereof is not rented from the bank.
2. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
3. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
4. While a water right is in the bank, forfeiture provisions are stayed.

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: Regional Office - Steve Lester

*We don't want to
overwrite our
records.
Not all of it
was originally
altered to
WSB.*

RECEIVED

JUN - 1 2001

Department of Water Resources

MEMORANDUM

TO: Glen Saxton

FROM: Steve Lester 

DATE: May 30, 2001

RE: *Water Bank Application for Right No. 63-8006*

Attached is the water bank application filed by J. R. Simplot Co. (Simplot) for this right. Copies of pertinent email messages are also attached. Apparently Simplot hopes to help Centennial Park (Park) get through this tough water year via the water bank approach. Right No. 63-8006 serves the KOA Campground near Federal Way. The campground and Park are in the SE Boise GWMA.

The Park uses Right No. 63-11816, which was approved based on surface water mitigation within the SE Boise GWMA scenario. The Park right was overlooked in recent years for annual measurement reporting in the GWMA but recently was added to the list of reporting rights. The Park reported 14 af diverted from its well in 2000.

No annual reports for 63-8006 have been received until last week. The former owners (Grangers) never responded to repeated attempts to contact them. Around 1999, Vic Conrad told me that Simplot bought the Granger right. I have been trying to get Simplot to file a change in ownership plus annual measurement reports during the last two years.

Last week Simplot filed a change in ownership plus a 2000 report for 63-8006. About 17 af were diverted under this right last year. Denise Buffington at Western Region is processing the ownership change if you need copies of that information.

At this point, the owners of both rights are adequately complying with the GWMA requirements. Please let me know if I can provide any other information about this situation.

Water Supply Bank No. _____

Water Right No. _____

RECEIVED

MAY 25 2001

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE
WATER SUPPLY BANK

RECEIVED

JUN - 1 2001

Department of Water Resources

Name of Seller/Lessor J.R. Simplot Company Phone 208-336-2110

Post office address P.O. Box 27 Boise, ID 83707

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)

in case of _____ vs _____

dated _____ in _____ county of _____ (Name of court)

b. License No. 63-8006 Issued by the Idaho Department of Water Resources.

c. Permit No. _____ Issued by the Idaho Department of Water Resources.

2. Source of water Groundwater tributary to _____

3. Date of priority July 15, 1974

4. Water is used for the following purposes:

amount .14 c.f.s. for irrigation purposes from 3/15 to 11/15

amount .82 c.f.s. for Domestic/
Fire Protection purposes from 1/1 to 12/31

amount .01/.81 for Aesthetic/
Aesthetic Storage purposes from 5/1 to 9/1
(month/day -- both dates inclusive)

5. Total amount of water under right: a. .82 cubic feet per second
&/or
b. 156.91 acre feet per annum

6. Location of point of diversion is SW 1/4 of NW 1/4 of Section 6

Township 2N Range 3E, B.M. in Ada County

Additional points of diversion, if any _____

7. Lands irrigated or place o. 3:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	2E	1				3.5													3.5
2N	3E	6						2			1.5								3.5

Total number of acres to be irrigated 7

B. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE (If the entire right is for sale or lease, omit part B.)

1. Amount of water: a. .51 cubic feet per second
&/or
b. 116.91 acre feet per annum

2. Point of diversion SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 6 Township 2N

Range 3E, B.M., Ada County

Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	2E	1				3.5													3.5
2N	3E	6									1.5								1.5

Total number of acres to be irrigated 5.0

C. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, OR SALE OR LEASE

1. Explain how the seller/lessor acquired the right, or portion thereof, and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right.

The water right was appurtenant to land acquired pursuant to the Warranty Deed
recorded in the official real property records of Ada County on September 27, 1996
as instrument no. 96080772 (copy attached).

2. Describe the frequency of water use under the right, or portion thereof, during the past 5 years. Attach water-master records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture:

Water has been used continuously since the right was acquired. However, the land
formerly included within the campground is no longer irrigated and the number of
homesites relying on this well for domestic use is substantially reduced.

3. Describe the relative availability of water to fill the right, or portion thereof. Attach evidence to support the availability:

Water has been available to fill this right since the right was acquired.

4. Describe any other water rights with the same purpose and place of use as the right, or portion thereof. Will the present place of use continue to receive water from any source? If so, describe.

No other water rights with the same purpose's of use identify the same place of use.

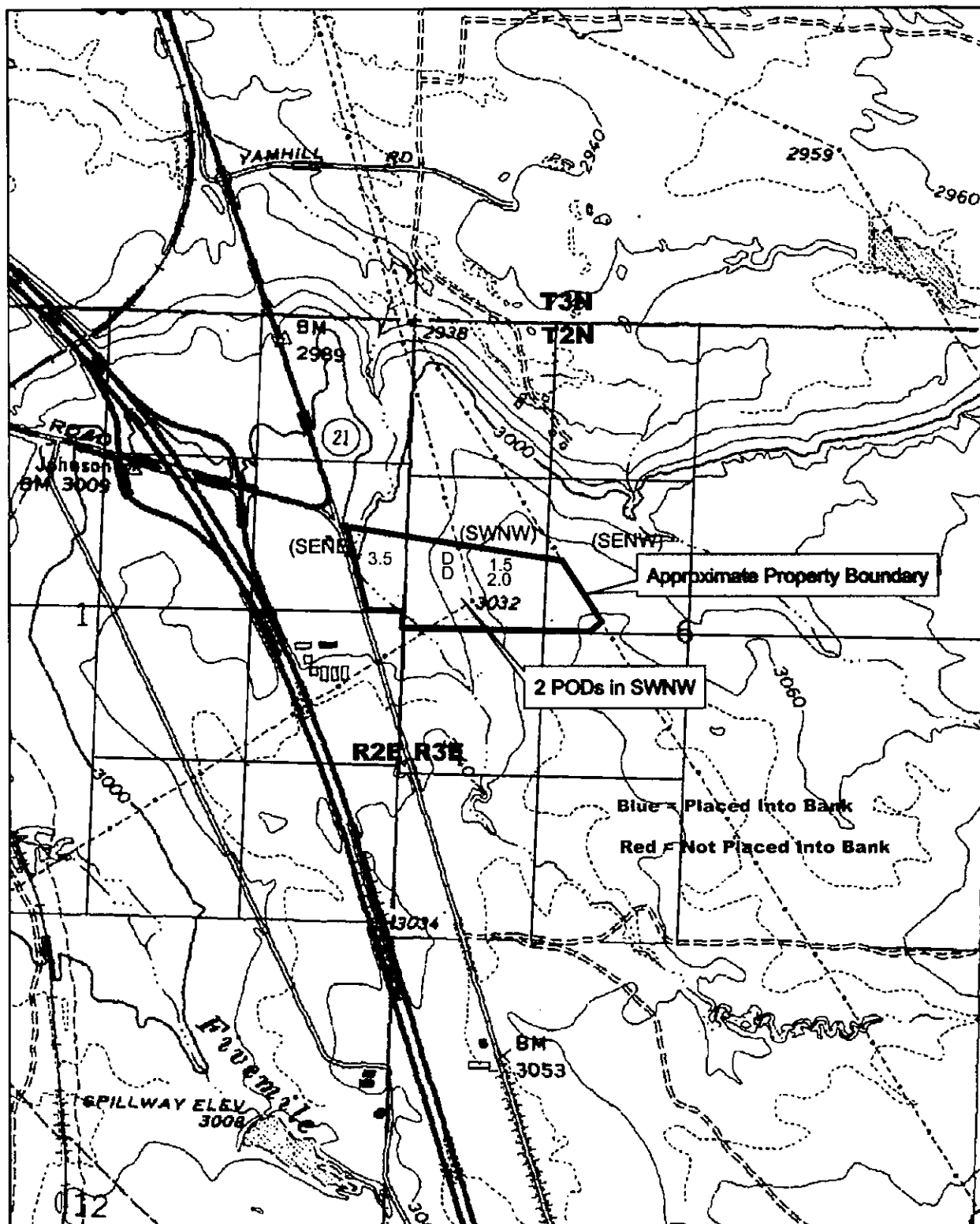
5. If the water right is a permit, describe the work accomplished toward developing the right.

6. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

7. If the right is included in an ongoing adjudication, a copy of the claim must be provided with this application.

→ DENISE
Buffington &
Western is
processing the
ownership change
in 63-8086

**Application to Lease a Portion
of Water Right No. 63-08006 to the Water Bank
May 2001**



9. Remarks _____

D. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

_____ For sale
X For lease for period from 2001 to 2003
(year) (year)
_____ As a gift to the State of Idaho.

2. The minimum payment acceptable to the Seller/Lessor is: (Include the method of determining the minimum payment)

\$5.62 per acre foot rented (This can be an estimate by the Lessee of the volume needed).

This is comparable to the amount a contract spaceholder would receive by placing water into the Water District 63 rental pool.

3. Payment contingent on subsequent sale or leasing of this right, or portion thereof, is:

X Acceptable _____ Not Acceptable

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer the sale or lease of this right to the Idaho Water Resource Board.

May 23, 2001
(Date)

By: _____

J.R. Simplot Company

(Signature of applicant)

Ronald N. Graves, Vice President
Secretary and General Counsel

FOR DEPARTMENT USE ONLY

Received by Th Date 5/25/01 Preliminary check by WJ

11:27 AM

Watermaster recommendation requested on _____ Received _____

Recommended for ✓ approval _____ denial by WJ