



J.R. SIMPLOT COMPANY 999 MAIN STREET BOISE, IDAHO 83702
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(208) 336-2110 FAX (208) 389-7515

CORPORATE HEADQUARTERS

March 20, 2009

Aaron Marshall
Senior Water Resource Agent
State of Idaho
Department of Water Resources
322 E. Front Street
Boise, Idaho 83720-0098

RECEIVED

MAR 23 2009

DEPARTMENT OF
WATER RESOURCES

Re: IDWR Water Right Nos. 35-7034, 35-8726, 35-7560, 35-10427, 35-7169, 35-7373, 35-10422, 35-2713, 35-7372, 35-2553A, 35-2553B, 35-2351.

Dear Aaron:

Enclosed for filing are the following in connection with the above referenced water rights.

1. Notice of Change of Water Right Ownership:

Attached to the enclosed Notice is a copy of the Warranty Deed recorded on December 21, 2001 in the official real property records of Bingham County, Idaho. On the date this deed recorded, all of the above referenced water rights were conveyed to the J. R. Simplot Company ("Simplot") except for 10 acres described under the places of use for water right nos. 35-7560 and 35-10427 within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1 T.5S R.30E. Water Right nos. 35-7560 and 35-10427 describe overlapping places of use and combined use limits. Consequently Simplot did not acquire a 10 acre portion of the place of use described under 35-7560 and 35-10427 together with a proportionate share of the quantity decreed under each right. Enclosed is a check in the amount of \$300.00 to cover the filing of the enclosed Notice (\$25/water right x 12 water rights = \$300.00).

2. Application to Lease a Portion of Water Right Nos. 35-7169, 35-7373 and 35-10422 to the Water Supply Bank: These water rights describe overlapping places of use with combined use limits. Consequently, they are shown together on the same lease application. The amount attributable to each water right is shown as an exhibit attached to the lease application. The decreed diversion rate per acre for each water right is the basis for calculating the allocation of acres, diversion rate and annual volume each individual water right shown.

3. Application to Lease a Portion of Water Right No. 35-2553A to the Water Supply Bank.
4. Application to Lease a Portion of Water Right No. 35-2713 to the Water Supply Bank.
5. Application to Lease a Portion of Water Right Nos. 35-2553B, 35-2351 and 35-7372 to the Water Supply Bank: Similar to no. 2 above, these water rights describe overlapping places of use with combined use limits. They are shown together on the same lease application for this reason. The amount attributable to each water right is shown as an exhibit attached to the lease application. The decreed diversion rate per acre for each water right is the basis for calculating the allocation of acres, diversion rate and annual volume each individual water right shown.

Those portions of the water rights identified on the lease applications 2-5 above are available to be leased to the Water Supply Bank due to irrigation system changes that were installed for the purpose of land applying industrial effluent from Simplot's food processing plant located in Aberdeen, Idaho. The irrigation system for the balance of the water rights shown in the Notice described in no. 1 above (35-7034, 35-8726, 35-7560, 35-10427) have not yet been modified for land applying effluent from Simplot's Aberdeen food processing plant. Consequently none of these 4 water rights are available to lease to the Bank.

Sincerely,



Vic Conrad

Land, Water & Asset Recovery

Enclosures