



J.R. SIMPLOT COMPANY ONE CAPITAL CENTER 999 MAIN STREET SUITE 1300
P.O. BOX 27 BOISE, IDAHO 83707-0027 (208) 336-2110 FAX (208) 369-7515

CORPORATE HEADQUARTERS

RECEIVED

DEC 13 2010

DEPARTMENT OF
WATER RESOURCES

December 9, 2010

Monica Vianbussum
Senior Water Resource Agent
322 East Front Street
PO Box 83720
Boise, Idaho 83720-0098

Re: IDWR Permit No. 63-31639.

Dear Ms. Vianbussum:

Enclosed is an application to the Idaho Water Resource Board to lease the above referenced permit to the Water Supply Bank.

Sincerely,

Vic Conrad
Land, Water & Asset Recovery

Enclosure

c: M. Clements (w/enclosure)

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

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK

DEPARTMENT OF
WATER RESOURCES

DEC 13 2010

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

Mailing address PO Box 27, Boise, ID 83707 Email _____

A. DESCRIPTION OF WATER RIGHT, OR PORTION THEREOF, OFFERED TO THE BANK

If the entire right is for sale or lease, show "ALL" below and skip the remainder of part A. Attach a copy of the water right report.

1. Water Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-31639</u>	_____	_____	_____ to _____
	_____	_____	_____ to _____
	_____	_____	_____ to _____

Total Amount: All

2. Source of water Groundwater tributary to _____

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County

4. Lands 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	

If the right is for irrigation, show total number of acres offered to the bank. Total Acres _____

B. OWNERSHIP

1. Are you currently listed in IDWR's records as the owner of the water right being offered to the bank? Yes ☒ No ☐
If no, provide documentation of your authority to sign on behalf of the right holder OR attach a Notice of Change in Water Right Ownership form along with the required documentation and fee.

2. Is the water right appurtenant to land subject to any liens, deeds of trust, mortgages, or contracts? Yes ☐ No ☒
If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes and list name of entity: _____

C. GENERAL INFORMATION

1. Please provide a description of the current diversion system.
Wells, pipelines and pressurized irrigation system.
2. Describe any other water rights used for the same purpose or at the same place of use as described above.
None.
3. Will the present place of use continue to receive water from any source? Yes ☒ No ☐
If yes, describe. Rights to irrigate through the Wilder Irrigation District will be transferred on a temporary basis and used to irrigate the same permitted place of use identified under water permit 63-31639 during the 2011 irrigation season.
4. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes ☐ No ☒
If yes, describe and attach watermaster records or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture pursuant to Section 42-222(2), Idaho Code. _____
5. Is this water right involved in any other Department process such as an application for transfer or a mitigation plan? Yes ☐ No ☒
If yes, describe. _____

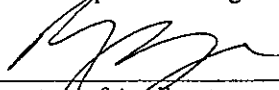
D. SALE/LEASE AGREEMENT

1. Is the water right, or portion thereof, described above offered to the Idaho Water Resource Board for sale ☐ or lease ☒?
If Lease, for a period from 1/1/2011 to 12/1/2011 (not to exceed 5 years).
(Month / Day / Year) (Month / Day / Year)
2. Show the minimum payment acceptable to the Seller/Lessor. The minimum payment may be shown as the "current rental rate" as established by the Idaho Water Resource Board. Include the method of determining the minimum payment if other than the current rental rate. Current rental rate.

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 this right for sale or lease to the Idaho Water Resource Board.

The owner/lessor acknowledges the following:

1. Payment to the owner/lessor is contingent upon the sale or rental of the right from the bank.
2. While a right is in the bank, the owner/lessor of the right may not use the right even if the right is not rented from the bank.
3. A right accepted into the bank stays in the bank until the Board releases it or the lease term expires.
4. While a right is in the bank, forfeiture provisions are stayed.
5. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.



Signature of Applicant

Terry T. Uhling

Printed Name and Title*

12/9/10

Date

Signature of Applicant

Senior V. P., Secretary and General Counsel

Printed Name and Title*

Date

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

IDAHO DEPARTMENT OF WATER RESOURCES
Water Permit Report 63-31639

WATER RIGHT NUMBER: 63-31639

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	J R SIMPLOT CO 999 MAIN ST STE 1300 PO BOX 27 BOISE, ID 83707 (208) 336-2110

Priority Date: 09/07/1990

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	2.180 CFS	
	<u>Total Diversion:</u>	2.180 CFS	

Location of Point(s) of Diversion

GROUND WATER	L3 (NE1/4NW1/4)	Sec. 1, Twp 03N, Rge 05W, B.M.
CANYON County		
GROUND WATER	NE1/4SE1/4	Sec. 10, Twp 04N, Rge 05W, B.M.
CANYON County		
GROUND WATER	NE1/4SE1/4	Sec. 10, Twp 04N, Rge 05W, B.M.
CANYON County		

Place of Use

IRRIGATION Within CANYON County

T03N R05W S01 Lot 2 NWNE	41.0	T03N R05W S01	SWNE	30.0
T03N R05W S01	SENE	38.0		

Total Acres: 109

Conditions of Approval:

1. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. R65 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 lands above.
3. WD8 The waste water from this industrial process may be land-applied anywhere within the places of use identified under this right,
4. X01 Industrial use is for meat processing purposes.

Remarks:

Comments:

1. scurtis 3/14/2003 Ownership Change
Comment: Rights 63-31639 and 63-31640 are the resulting splits of Right 63-11398 by an ownership change.