

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75905

This is to certify that: J R SIMPLOT CO
C/O TERRY T UHLING
999 MAIN ST STE 1300
PO BOX 27
BOISE ID 83707
(208) 336-2110

has requested a change to the water right listed below. This change in water right is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
2-10441	AJC/License	02/22/1946	0.15 cfs	N/A		7.6	SNAKE RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
2-10441	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
2-10441	2-10441	0.15 cfs	N/A	N/A	7.6		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.15 cfs	N/A	N/A	7.6		N/A	N/A	N/A	N/A

Detailed Water Right Description attached

Dated this 1st day of December, 2009


John Westra, Western Regional Manager

WATER RIGHT NO. 2-10441
As Modified by Transfer No. 75905

In accordance with the approval of Transfer No. 75905, Water Right No. 2-10441 is now described as follows.

Right Holder: J R SIMPLOT CO
C/O TERRY T UHLING
999 MAIN ST STE 1300
PO BOX 27
BOISE ID 83707

Priority Date: February 22, 1946

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/01	to 11/15	0.15 CFS
			0.15 CFS

LOCATION OF POINT OF DIVERSION:

SNAKE RIVER L4 (NESWNW) Sec. 34 Twp 05S Rge 04E ELMORE 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	
05S	04E	33					7.6												7.6

Total Acres: 7.6

CONDITIONS OF APPROVAL

1. 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.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. The following rights are also diverted through point of diversion described above: 2-78, 2-79, 2-10047 and 2-10048.
4. Place of use does not include federal public lands.
5. Place of use is within the area served by Snake River Irrigation District.
6. This right is a split from former right 2-2053.

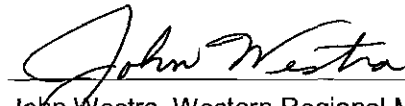
WATER RIGHT NO. 2-10441
As Modified by Transfer No. 75905

CONDITIONS OF APPROVAL

7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 1st day of December, 20 09


John Westra, Western Regional Manager