

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 75758 (Amended)

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

- | Yes | N/A | |
|-------------------------------------|--------------------------|--|
| ☒ | ☐ | * Means the item is <u>always required</u> and must be included with the application. |
| ☒ | ☐ | * Completed Application for Transfer of Water Right form, Part 1. |
| ☒ | ☐ | * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative. |
| ☒ | ☐ | * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded. |
| ☒ | ☐ | ☐ Complete and attach an Application for Transfer Part 2B <u>for each water right</u> for which <u>only a portion</u> is proposed to be changed through this transfer application |
| ☒ | ☐ | * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s). |
| ☒ | ☐ | * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.) |

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- | | | |
|-------------------------------------|-------------------------------------|--|
| ☐ | ☒ | #1 If the applicant is a business, partnership, organization, or association, and <u>not</u> currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.) |
| ☒ | ☐ | #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner. |
| ☐ | ☒ | #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). |
| ☐ | ☒ | #3 Documentation of authority to make the change if the applicant is not the water right owner. |
| ☐ | ☒ | #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.) |
| ☐ | ☒ | #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at http://www.idwr.idaho.gov/water/rights/ . |
| ☐ | ☒ | #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.) |
| ☒ | ☐ | * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.) |
| ☒ | ☐ | #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. |
| ☐ | ☒ | #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) |
| ☐ | ☒ | #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.) |
| ☐ | ☒ | #9 Other. Please describe: _____ |

RECEIVED

AUG 13 2009

WATER RESOURCES
WESTERN REGION

RECEIVEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 75758 (Amended)

AUG 13 2009

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**WATER RESOURCES
WESTERN REGIONName of Applicant(s) J.R. Simplot CompanyPhone 208-336-2110Mailing address PO Box 27 Boise, ID 83707

Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☒ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____

Phone _____

Mailing address _____

Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
- OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
- OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

J.R. Simplot Company

By: _____

Signature of Applicant or Authorized Representative

Terry T. Uhling
Senior Vice President,
Secretary and General Counsel

Print Name and Title if applicable

August 12, 2009

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**. 0.16 cfs out of 4.22 cfs licensed under water right no. 2-2053 will be transferred to a new point of diversion. 8.0 acres out of the 211 acres licensed for irrigation under water right no. 2-2053 will be transferred to a new place of use.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part					
☐ ☒	2-2053	4.06 cfs	Irrigation	3/15 to 11/15	Snake River Tributary to Columbia River
☐ ☐	2-2053	0.16 cfs	Irrigation	3/15 to 11/15	Snake River Tributary to Columbia River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 4.22 cfs cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed 0.16 cubic feet per second and/or _____ acre-feet per annum.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it Attachment #5.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
X		NE	SW	SW	8	6S	5E	Owyhee	Snake River	0.16 cfs
	1	NE	NE	NE	36	4S	2E	Elmore	Snake River	4.06 cfs

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4S	2E	25											20	40	15		40	38	153
		36		19			31												50
6S	5E	18																8	8

NEW

Total Acres (for irrigation use) 211

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future: _____

- b. Who owns the property at the point(s) of diversion? The U.S. BLM owns the property at the new point of diversion.
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: _____
BLM Right-of-Way for Irrigation Facilities Serial Number 0-12342 (copy attached)

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it Attachment #6. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: 8 acres
within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25 T.4S R.2E will no longer be irrigated.

- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use: _____

- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov/>, Water Right Transfers, Step 1.

Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov/>, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 2--2053

[illegible]

* 0.16 cfs out of the total 4.22 cfs will be transferred to the new point of diversion. The new point of diversion is located in within the NE1/4SW1/4 of Section 8 T.6S R.5E. Owyhee

County, Idaho

County, Idaho

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							BEFORE TRANSFER												
4S	2E	25											28	40	15		40	38	161
		36		19			31												50
																	TOTAL	=	211
							AFTER TRANSFER												
4S	2E	25											20	40	15		40	38	153
		36		19			31												50
6S	5E	18																8	8
																	TOTAL	=	211

Total Acres (for irrigation use) 211

Transfer contains 5 pages and 7 attachments.

Received by 88 Date 8.13.09 Prelim. Check by KW Date 9/24/2009

Fee Paid 7/10/2009 Date 100.00 Received by SRF Receipt # C088963

Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

A2110-113
(January, 1961)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Land Office
P. O. Box 2237
Boise, Idaho

DECISION

Right-of-way Granted

DETAILS OF GRANT

Serial number of grant: Idaho 012542

Name of grantee: Dean M. Oniz

Map showing the location and dimensions of grant:

Map designations: ----

Date filed: April 13, 1961

Permitted use by grantee: Irrigation pipeline and pump

Authority for grant: Act of March 3, 1891 (26 Stat. 1101), as amended.

Regulations applicable to grant:

Code reference: 43 CFR, Part 244, Subparts A and B
Circular numbers: 1915

Date of grant: OCT 19 1961

Expiration date of grant: -----

Rental:

Amount: none

When payable by grantee: -----

TERMS AND CONDITIONS OF GRANT

Pursuant to the authority vested in the undersigned by Order No. 541 of the Director, Bureau of Land Management, dated April 21, 1954 (19 F.R. 2473), as amended, a right-of-way, the details of which are shown above, is hereby granted subject to the following terms and conditions:

1. All valid rights existing on the date of the grant.
2. All regulations in the circulars specified above.
3. Filing of proof of construction within five years of the date of the grant.
4. Further terms and conditions as follows:

(a) Pursuant to 43 CFR 244.9 the District Manager, Boise District Office, 230 Collins Road, Boise, Idaho, has the authority to conduct all business with the grantee with respect to use of lands and disposition of resources, and the grantee is requested to contact the above-designated official prior to beginning of construction.

- (b) Attached Federal Power Commission Stipulation.
- (c) Attached Idaho Department of Fish and Game

Stipulation.

DIRECTOR, W. M. M. J.
VSS:kk-10/17/61
case file
DM Boise

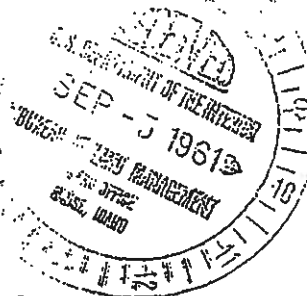
Michael T. Solan
Michael T. Solan
Manager

Attachment 1

STIPULATION

FEDERAL POWER COMMISSION

Right-of-Way Idaho 012542



The SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T. 6 S., R. 5 E., B.M., Idaho is withdrawn in Power Project No. 2055.

I, Dean Call, accept this right-of-way with the stipulation that the above subdivision is subject to Section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075, as amended, 49 Stat. 846; 16 U.S.C. 818) and further subject to the prior rights of the licensee or its successors to use the lands for power purposes in accordance with the terms of the license.

Accepted:

By

Dean Call
Dean Call

Dated

8/28/61

CASE FILE COPY

Attachment 2



SPECIAL STIPULATIONS

PIPELINE AND DITCH RIGHT-OF-WAY

Location on:

SW 1/4 Sec. 8, Township 5 South, Range 5 East, Boise Meridian, Idaho

1. That a 50-foot public road right-of-way crossing be provided for on and over the pipeline and ditch right-of-way, the center line of which crossing would be located South 60°03' West a distance of 80 feet from the point of diversion of said pipeline and ditch right-of-way as indicated on the applicant's map dated December 15, 1960.
2. That no buildings be permitted on the pipeline and ditch right-of-way other than the minimum sized building necessary for housing the pumping installation.
3. That no other use shall be made of the right-of-way except the installation, repair, maintenance, and/or removal of the pipeline and pumping installations.
4. That the Idaho Department of Fish and Game, as applicant for withdrawal of the lands under the provisions of the Coordination Act, Bureau of Land Management serial No. I-05080, shall not be denied entry on, over, and across the pipeline and ditch right-of-way for the purposes of laying pipelines, constructing canals, or making other improvements that may be proposed for wildlife management or public recreation purposes.
5. That the public shall not be prohibited from entry on and over said pipeline and ditch right-of-way.

Attachment 3

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 2-2053

NAME AND ADDRESS: J R SIMPLOT CO
C/O RON GRAVES
999 MAIN ST STE 1300
PO BOX 27
BOISE ID 83707

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 4.220 CFS

PRIORITY DATE: 02/22/1946

POINT OF
DIVERSION: T04S R02E S36 NENENE Lot 1 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	4.220 CFS

PLACE OF USE: IRRIGATION in ELMORE County

T04S R02E S25 Lot 1 SWSW	28.00	T04S R02E S25	SESW	40.00
T04S R02E S25	NESE	15.00	T04S R02E S25	SWSE
T04S R02E S25	SESE	38.00	T04S R02E S36 Lot 1 NWNE	19.00
T04S R02E S36 Lot 2 NENW	31.00			

211 ACRES TOTAL

Use of this right with Right No. 2-2118 is limited to the irrigation of a combined total of 252 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The following rights are also diverted through point of diversion described above: 2-76, 2-2139, and 2-2118.

Place of use is within the area served by Snake River Irrigation District.

Instrument # 408679
Elmore County, Idaho
11:41am Jul.28,2009
For: SIMPLOT
No. of Pages: 3 Fee: \$9.00
MARSA PLUMMER, Recorder
Deputy: DLE

IDI- 33181

WATER RIGHT QUITCLAIM DEED

THIS INDENTURE, made this eleventh day of June, 2009, between the UNITED STATES OF AMERICA, acting by and through the Department of the Interior, Bureau of Land Management, Idaho State Office, hereinafter called the Grantor, and the J. R. Simplot Company, hereinafter called the Grantee.

WITNESSETH that the Grantor, for good and valuable consideration, the receipt whereof is hereby acknowledged, does convey, remise, release, and forever quitclaim unto the Grantee, and its successors and assigns, all of those portions of that certain Idaho Department of Water Resources Water Right Number 2-2053 appurtenant to the following described real property situated in the County of Elmore, State of Idaho, to wit:

A parcel of land being a portion of the SW 1/4 of Section 25 and a portion of the NW 1/4 of Section 36, T. 4 S., R. 2 E., B.M., Elmore County, Idaho and more particularly described as follows:

Commencing at a stone monument marking the West 1/4 corner of said Section 25, which bears South 00°42'08" West 2602.45 feet from the Northwest corner of said Section 25; thence along the West boundary of said Section 25

South 00°39'27" West 1520.91 feet to an iron pin, said point being the POINT OF BEGINNING; thence leaving said West boundary and along the existing fence line the following courses and distances:

North 65°02'10" East 96.04 feet to an iron pin; thence

South 63°28'30" East 242.55 feet to an iron pin; thence

South 64°27'23" East 206.49 feet to an iron pin; thence

South 65°08'56" East 920.69 feet to an iron pin; thence

South 02°12'04" East 1379.25 feet to an iron pin on the North bank of the Snake River; thence along said North bank the following courses and distances:

North 57°05'00" West 585.90 feet to a point; thence

North 43°06'37" West 423.00 feet to a point; thence

North 40°08'09" West 657.06 feet to a point; thence

North 36°59'06" West 300.35 feet to an iron pin on said West boundary of Section 25; thence along said West boundary

North 00°39'27" East 552.58 feet to the POINT OF BEGINNING;

Containing 33.69 acres, more or less.

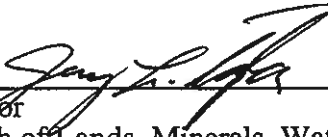
The aforementioned water right is conveyed hereby and the real property described above shall not be conveyed hereby and shall continue to be owned by the Grantor.

Quitclaim No. ID-2009-0001

Attachment 5

TO HAVE AND TO HOLD, all and singular, all tenements, hereditaments and appurtenances belonging to said water right, unto the said Grantee, its successors and assigns, forever.

IN TESTIMONY WHEREOF, the United States of America has executed this quitclaim deed as of this eleventh day of June, 2009.



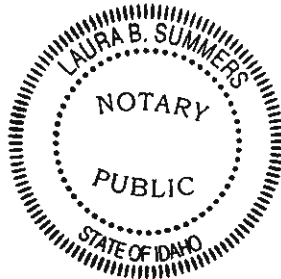
Jerry L. Taylor
Chief, Branch of Lands, Minerals, Water Rights
Resource Services Division

Quitclaim No. ID-2009-0001

attachment 5a

STATE OF IDAHO)
) s.s.
COUNTY OF ADA)

On this twelfth day of June, 2009, personally appeared before me, Jerry L. Taylor, whose identity is personally known to me and who, being duly sworn, did say that he is the Chief, Branch of Lands Minerals and Water Rights, Resource Services Division of the U. S. Department of the Interior, Bureau of Land Management, Idaho State Office, and that he executed the foregoing instrument by authority of and in behalf of the United States of America; and he acknowledged said instrument to be the act and deed of the United States of America.



Laura B. Summers

Notary Public in and for the State of Idaho
Residing at: Boise, Idaho
Commission expires: April 25, 2014

Quitclaim No. ID-2009-0001

Attachment 5b

The United States of America
To all to whom these presents shall come, Greeting:

IDI-30002

WHEREAS**J. R. Simplot Company**

is entitled to a land patent pursuant to Section 206, Act of October 21, 1976, as amended (43 U.S.C. 1716) for the following described land:

Boise Meridian, Idaho

T. 4 S., R. 3 E.,
 sec. 27, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 5 S., R. 3 E.,
 sec. 11, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$.

T. 5 S., R. 4 E.
 sec. 20, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$;
 sec. 21, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
 sec. 28, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 sec. 33, W $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$.

T. 6 S., R. 4 E.,
 sec. 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 sec. 4, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$.

T. 6 S., R. 5 E.,
 sec. 18, lots 10, 12.

Containing 252.06 acres.

306853

ELMORE COUNTY, IDAHO ss
 Request of

GUARANTY TITLE, INC.

Time 2:12 P M
 Date March 26, 1998
 Book _____ Page _____

DOLORES ROBISON
 Recorder

By [Signature]
 Deputy

Fee \$9.00

FILED
 MAR 31 1998
 DEPT OF
 LAND

224413

FILED - RECORDED
 98 MAR 31 PM 2:23
 JIM HUNTLEY JR.
 OWYHEE COUNTY RECORDER
 BY [Signature]
 DEPUTY

NOW KNOW YE, that there is, therefore, granted by the **UNITED STATES** unto J. R. Simplot Company, the land described above; **TO HAVE AND TO HOLD** the said land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto J. R. Simplot Company, and to its successors and assigns, forever; and

Patent No. 11-98-0014

Attachment 6

EXCEPTING AND RESERVING TO THE UNITED STATES:

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States. Act of August 30, 1890 (43 U.S.C. 945).
2. The right to itself, its permittees or licensees, to enter upon, occupy and use any part or all of the $W\frac{1}{2}W\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}$ of section 33, T. 5 S., R. 4 E., B.M. lying within 50 feet of the centerline of the transmission line right-of-way of the Idaho Power Company Power Project No. 2055, right-of-way no. IDI-23376, for the purposes set forth in and subject to the conditions and limitations of Section 24 of the Federal Power Act of August 26, 1935, as amended (16 U.S.C. 818).
3. A right-of-way for a Federal Aid Highway issued to the Idaho Department of Transportation, its successors or assigns, by right-of-way no. IDI-03082, pursuant to the Act of November 9, 1921 (42 Stat. 216) as to lots 10 and 12 of section 18, T. 6 S., R. 5 E., B.M.

SUBJECT TO:

1. Those rights for buried telephone line purposes granted to Gem State Utilities Corporation, its successors or assigns, by right-of-way no. IDI-15495, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761) as to lots 10 and 12 of section 18, T. 6 S., R. 5 E., B.M.
2. Those rights asserted by Owyhee County Road and Bridge, its successors or assigns, for an existing road exercised under RS 2477 and noted under right-of-way no. IDI-20724 as to lot 12 of section 18, T. 6 S., R. 5 E., B.M.
3. Those rights for irrigation canal purposes granted to Snake River Irrigation District, its successors or assigns, by right-of-way no. IDI-03816, pursuant to the Act of March 3, 1891, as amended (formerly 43 U.S.C. 946-949) as to the $SW\frac{1}{4}SW\frac{1}{4}NW\frac{1}{4}NW\frac{1}{4}$ of section 20, $SW\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}SW\frac{1}{4}$ of section 28, and the $W\frac{1}{2}W\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}$ of section 33, T. 5 S., R. 4 E., B.M.
4. Those rights for transmission line purposes granted to Idaho Power Company, its successors or assigns, by right-of-way no. IDI-1188, pursuant to the Act of March 4, 1911, as amended (43 U.S.C. 961) as to the $NW\frac{1}{4}NW\frac{1}{4}$ of section 21, T. 5 S., R. 4 E., B.M.

Patent No. 11-98-0014*Attachment 6A*

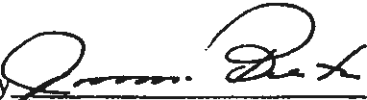
5. Those rights for transmission line purposes granted to Idaho Power Company, its successors or assigns, by right-of-way no. IDI-016362, pursuant to the Act of March 4, 1911, as amended (43 U.S.C. 961) as to the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 21, T. 5 S., R. 4 E., B.M.

6. Those rights for transmission line purposes granted to Idaho Power Company, its successors or assigns, by right-of-way no. IDI-16256, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761) as to the SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 20, T. 5 S., R. 4 E., B.M.



IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

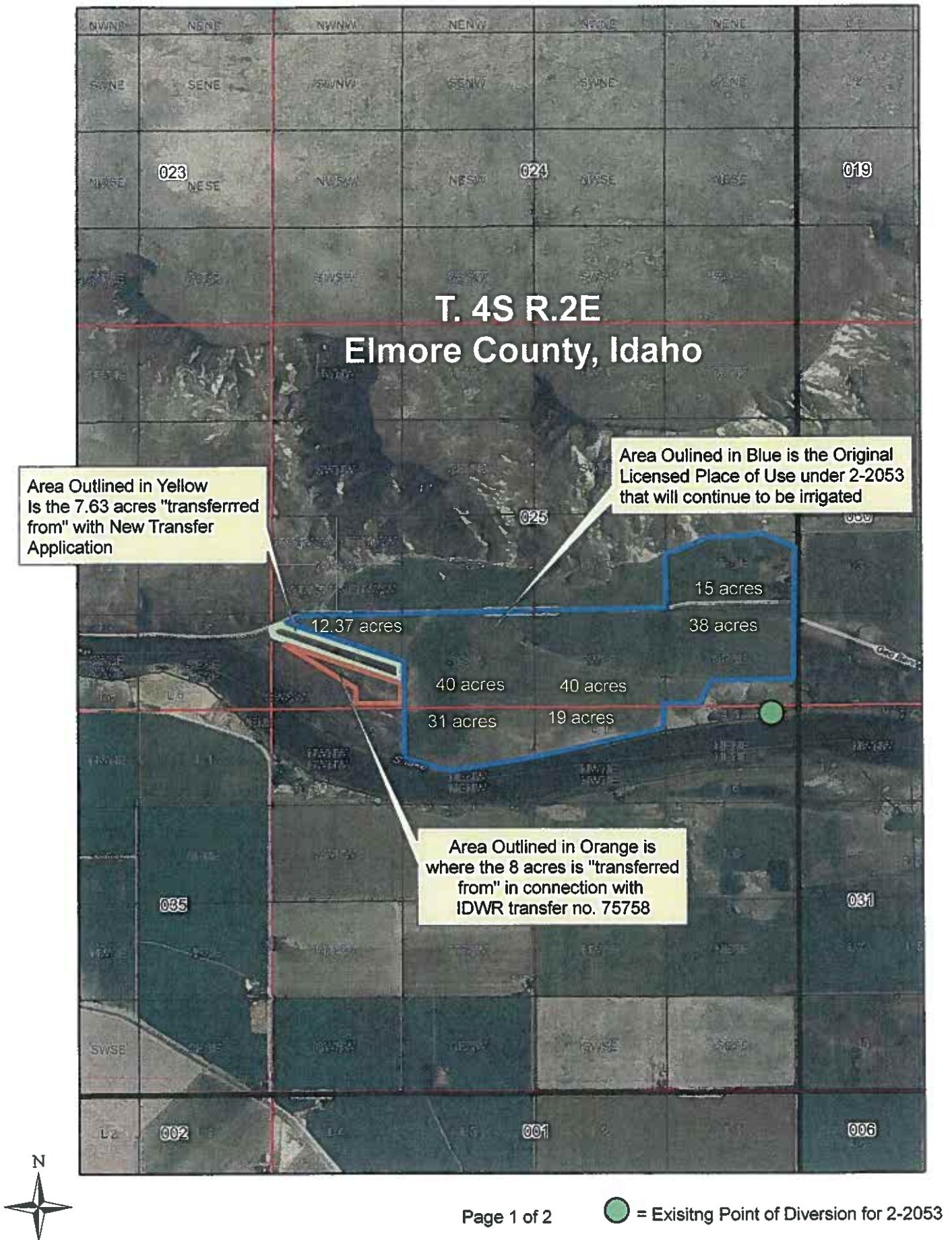
GIVEN under my hand, in Boise, Idaho, the seventeenth day of March in the year of our Lord one thousand nine hundred and NINETY EIGHT and of the Independence of the United States the two hundred and TWENTY-SECOND.

By 
Jimmie Buxton
Branch Chief, Lands and Minerals
Resource Services Division

Patent Number 11-98-0014

Attachment 6B

Attachment #7b



Attachment #7b

