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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
DEPARTMENT OF
WATER RESOURCES

FOR OFFICE USE ONLY:
\$50 Fee Received by SR
Date 4-17-2009
Receipt No. 0088500

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right and file proof of beneficial use of water. There is a **FILING FEE** of \$50.00 to be included with this form when filed with IDWR.

Permit No. 51-7346 Date Proof is Due: May 1, 2009

Name(s) of Permit Holder: J.R. Simplot Self-Declaration of Revocable Trust

Address: PO Box 27 City Boise State ID Zip 83707

Telephone No. 208-336-2110 Email: _____

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

A diversion system was built and has been in use (seasonally) since the 2000
irrigation season.

Costing \$ _____

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

The permit holder is currently working with the Bruneau Hot Spring Snail Agency
Coordination Committee on a project to construct a second pump station (point of
diversion) under this permit. A more detailed description of the proposed project
is attached as Exhibit A.

Permit holder(s) request an extension to May 1, 2014.

J.R. Simplot Self-Declaration of Revocable Trust
By: Ronald N. Graves - Trustee April 15, 2009
(Signature) If other than permit holder, Power of Attorney must be supplied. (Date)
Ronald N. Graves, Trustee

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

DENIED per Order dated May 4, 2009

Signed this _____ day of _____, 20____.

Exhibit A

Since construction, approximately 4,874 acre feet have been diverted from the first pump station built under IDWR water right permit no. 51-7346. Water diverted under this permit substitutes the use of groundwater that would otherwise be pumped from the local aquifer under other water rights owned by the Permit holder.

A second proposal involving the construction of a second pump station failed to gain approval during 2005 due to lack of funding. A third project is now under consideration by the Bruneau Hotsprings Snail Agency Coordination Committee which includes representatives of the US Fish & Wildlife Service, the Natural Resource Conservation Service, the Idaho Office of Species Conservation and Idaho Association of Soil Conservation Districts.

Similar to 2005 project, the construction of a second pump station is proposed to allow the diversion of water from the Bruneau River when water is available under this permit. The second pump station would be located on the Permit holder's land within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34 T.7S R.6E B.M., Owyhee County, Idaho. To authorize the diversion of water from this new location permit no. 51-7346 will need to be amended to add a second point of diversion and to amend the permitted place of use.

Should the IDWR grant this request to extend the time to complete development under permit no. 51-7346, an application to amend this permit will be filed after communicating with the leadership of the Bruneau Buckaroo Cooperative Ditch Company, the Hot Springs Ditch Company and the South Side Bruneau Canal Company (together referred to as "Canal Companies"). The communication with the Canal Companies will convey the intention that any water diverted under this permit will continue to be junior and subordinate to the all diversions under the decreed water rights held by the Canal Companies.

If built, a second diversion point would provide a substitute water supply which could further reduce the pumping of groundwater during periods when seasonal run-off is available for diversion from the Bruneau River. An extension of this permit will not adversely affect any other water right holders. It will provide the opportunity to make the most efficient beneficial use of the available water resources within this groundwater management area.