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Receipt No. 0088339STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## 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. 63-12399 Date Proof is Due: April 1, 2009Name(s) of Permit Holder: J. R. Simplot CompanyAddress: PO Box 27 City Boise State ID Zip 83707Telephone 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".)

Please See Exhibit A Attached HeretoCosting \$ 1.55 million+

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

In addition to the administrative and regulatory requirements that were necessary to develop reliable water supplies and to advance the project, the residential and urban growth has developed at a slower rate than expected. Consequently, the inevitable demands for water are compelling, but do not justify completing the project as rapidly as originally planned.

Permit holder(s) request an extension to April 1, 20 14.J. R. Simplot Company

By: [Signature] (Date) \_\_\_\_\_  
(Signature) *If other than permit holder, Power of Attorney must be supplied.*  
Terry T. Uhling, Senior Vice President, Secretary and  
General Counsel

## ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to April 1, 2014.

Signed this 30<sup>th</sup> day of March, 20 09.

[Signature]  
JEFF PEPPERSACK, Chief  
Water Allocation Bureau

## **Exhibit A**

Since the system for diverting water under this permit became operational in 1999, the J. R. Simplot Company ("Simplot") began assembling a portfolio of water supplies in preparing for the future urban water demands in southeast Boise. In addition to this permit, Simplot secured a water storage contract through the US Bureau of Reclamation; annexation was completed for Simplot-owned lands into the Nampa & Meridian Irrigation District and a transfer of a portion of the water rights owned by the Boise Valley Irrigation Company was applied for and approved.

Although water is available for diversion under this permit on a limited basis (due to its junior priority) this permit provides a significant contribution to the overall portfolio of surface water supplies for this area. As a member of the Advisory Committee for the Southeast Boise Groundwater Management Area, Simplot recognizes the severely limited potential for future groundwater development. Developing a wide-range of surface water supply options will be crucial to meeting the water supply demands for this groundwater limited area.

When water is available for diversion under this permit the water supply exceeds the demands of all prior water rights holders, hence there is no interference with, or damage to existing water users. Because of the junior status of this permit, there will be no negative effect to the water supply for existing water users by extending the development period under this permit. Furthermore, without this permit, a significant portion of the overall water supply for this area will become unavailable for use in combination other water supply options. Using water under this permit together with other supplies augments the reliability of all sources and promotes the efficient use of the State's water resources. To preserve the opportunity to maximize the use of this resource in a geographic area with limited water development potential but which will inevitably be subject to extensive urban growth, we request an extension of this permit until April 1, 2014 to allow addition time to complete development.