

STATE 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

RECEIVED
APR 01 2004

Department of Water Resources

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.

Permit No. 63-12399
Name(s) of Permit Holder: J. R. Simplot Company
Address: PO Box 27 City Boise State ID Zip 83707
Telephone No. 208-336-2110 Date Proof is Due: April 1, 2004

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".)

All permits, easements and other authorizations were obtained allowing the construction
of the permitted point of diversion and pipeline. Copies of photos taken during
construction of these improvements are attached. A photo taken during the site visit
by the IDWR Western Resion on March 15, 1999 is also attached.

Costing \$ Exceeding 1.5 million

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

Please See Exhibit A

Permit holder(s) request an extension to April 1, 20 09
J. R. Simplot Company

By: [Signature]
(Signature) Terry T. Uhling, Senior Vice President, Secretary
*If other than permit holder, Power of Attorney must be supplied. 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, 2009.

Signed this 8th day of April, 20 04

[Signature]
GARY SPACKMAN

**Exhibit A to Request for Extension of Time to Provide Additional Time in Which to
Submit Proof of Beneficial Use for IDWR Water Right Permit No. 63-12399**

The water uses permitted under Permit No. 63-12399 are supplementary to other water rights used in a system constructed to divert water from the Boise River for various purposes. Water under this late priority (June 6, 1997) is available only during seasonal high flow periods when authorized by the Boise River Water Master and when water is being released by the United States from the Lucky Peak Dam outlet under procedures and requirements set forth under the Memorandum of Agreement between the U.S. Department of Army and the U.S. Department of Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953.

The use of water diverted pursuant to this permit will ultimately provide a portion of the irrigation requirements for subdivision lawns and other landscaping installed to conform to standards of the City of Boise. Water to meet these irrigation requirements will either be supplied through this system, or through the municipal water supply system owned by United Water Idaho, Inc. An extension of time to complete development of the permitted place of use will allow water to be supplied from this system, without causing additional demand on United Water's municipal potable water supply. Preserving the United Water system for supplying drinking water for human consumption while irrigating with non-potable water through the Simplot system is the most efficient and cost effective use of this intermittent supply when available under this permit.

The diversion and transportation pipeline used to transport water under this permit and other water rights were constructed over a three-year period at a cost exceeding \$1.5 million. This system became operational on March 15, 1999. Although the system is partially completed, the system still needs additional work to fully serve the permitted place of use. An extension of the permitted development period will not injure any other user of the Boise River.

There are considerable benefits to extending this permit without any downside. An extension will allow completing the system that allows for efficient use of excess water when it is available from the Boise River. An incidental benefit of completing this development is to reduce the burden on the municipal system in supplying the demands for these same uses. For these reasons we request an extension until April 1, 2009, to complete development under this permit.

**Request For Extension of Time
IDWR Permit No. 63-12399
Construction Photos**

Excavation for Point of Diversion and Pump Station began December 1996



Pump Station Construction March, 1996 (Hwy 21 Bridge and Boise River in Background)



Discharge Manifold March, 1996:



Point of Diversion, April 1998



Pump House and Point of Diversion May 1998



Interior of Pump House April 1998



Pipeline Trench Through New York Canal December 1996



Pipeline Installation Underneath New York Canal December, 1996



New York Canal Replacement After Pipeline Installation February 1996



Drill Holes for Blasting During Pipeline Installation January 1998



Pipeline Trench Excavation after Blasting February 1998



Pipeline Installed in Trench February 1998



Tap-off to Permitted Place of Use February 1998



Pipeline Prepared for Backfill March 1998



IDWR Western Region Site Visit March 1999

Photo Taken 3/17/1999

Pump Station began operating March 15, 1999

Idaho Department of Water Resources Western Regional Office
Pump Station Visit

