

- Wini 1/10/06

- SP 12/7/05

SIMPLOT TRANSFER APPLICATION 67838 (was 4122)

INFORMATION TO AMEND & PROCESS

Revise application per attached notes, \$50 re-advertising fee covered by excess payment: paid \$970, only \$890 needed for 16.22 cfs, overpaid \$80 - \$50 = \$30 refund to issue.

Compare water needed at new P/U with water retired at irrigation P/U. Include information for "before & after" rate, diversion volume & consumptive volume.

Water to retire at existing P/U:

- See Sheets 1 & 2 about irrigation rights.
- If retire 500 acres, determine consumptive use volume from Allen-Brockway data at www.kimberly.uidaho.edu
- Compare available rate, diversion volume & consumptive use volume from retired irrigation to water requirements at new P/U.
- Ok if irrigation reduction equals or exceeds stockwater requirement. If exceeds, retire fewer irrigated acres, can protect excess water via water bank or other similar protective strategy after transfer approval issued (don't include protective step in transfer).
- Not ok if irrigation reduction is less than stockwater requirement. Find more acres to retire if necessary. However, would be ok for supplemental stockwater use.

Water required at new P/U (more information in Application Part 3B, change in nature of use):

- Proposed stockwater P/U: supplemental water for existing stock or adding more animals? See "existing stockwater at proposed P/U" notes. Confirm total number of existing animals in existing water rights for stockwater P/U.
- If adding more animals, provide number & type of new animals to be covered, show maximum rate & maximum annual volume required as follows:
 1. max. rate = new range cattle rounded up to nearest 100 x 0.00022 = cfs.
 2. max. annual diversion volume = new range cattle x 0.0134 = afa.
 3. see Table 1 for more details.
- Will new stockwater use be fully consumptive by re-use of diverted water? Will new P/U include land application of waste water from wells in application? If so, list land application tracts in new P/U (can list as stockwater with explanation in remarks about land application).

IOWR NOTES c T. 67838

12/7/05

Sheet #1

Irrigation Right

-82/12/7/05

After approval of T. 70653 that split 61-2164 into 61-12039 & 61-12040. That transfer reduced 99 acres & left total shown below. Note 61-7170 only added 60 AF to irrigation total. Also included another 27.7 AF for non-irrigation: stock 26.5 & domestic 1.2.

Right	cfs	Div. volume AFA	Acres
61-2162	3.10	1440	320
61-2163	3.09	1332	296
from 61-2164 → 61-12039	3.47	994.5	221
61-2165	5.03	1413	314
61-7170	7.00	60	400
TOTAL	16.66	5239.5	1166

Sheet #2

Irrigation in Transition 67838

-80
12/7/05

Right	Irrigate			Retire		
	cfs	AFA	ACRES	cfs	AFA	ACRES
61-2162	1.55	720	166	1.55	720	166
61-2163	3.09	1332	296	0	0	0
61-12039	0	0	0	3.47	994.5	221
61-2165	3.12	872.5	195	1.91	535.5	119
61-7170	7.00	60	400	0	0	0
TOTAL	9.73	2989.5	666	6.93	2250*	506
TOTAL from sheet #1 minus total retired from sheet #2			AVAILABLE TO TRANSFER			

* DIVERSION volume. Need data to confirm consumptive use volume for retired acres. Use best-case values for cons. use (not necessarily limited to previous 5 years before Appl. Filed).

EXISTING STOCK WATER AT PROPOSED PLM

8/12/7/05

	<u>Right</u>	<u>RANGE CATTLE</u>	<u>CFS</u>	<u>AFA volume</u>
wells {	61-7348	25,000	1.00	335
	61-7667	75,000	8.56	1340
	61-7744	50,000	3.34	670
surface water {	61-366	10,000	.51	134
	61-367	5,000	.32	67
	61-4017	5,000	.83	67
	61-10439	50	.02	0.7
	TOTAL ②	170,050 ?	14.58 ?	2278.7 ?

NOTES

- ① Volume undefined but assumed as lesser of volume required (V_R) vs. volume diverted (V_D):

$$V_R = \# \text{ Animals} \times .0134 = \text{AFA}$$

$$V_D = \text{cfs} \times 365 \times 1.9835 = \text{AFA}$$

Assume full development of Permit 61-7744 per part of ltr. filed.

Therefore:

<u>Right</u>	<u>V_R</u>	<u>V_D</u>	<u>Volume Assumed</u>
61-7744	670	2418.1	670 $V_R < V_D$
61-366	134	365.2	134 "
61-367	67	231.7	67 "
61-4017	67	600.9	67 "
61-10439	0.7	14.5	0.7 "

- ② IF total cattle < 170,050 (overlap), total cfs flow volume could be less.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 67838

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant J. R. Simplot Company Phone 208-336-2110

Post Office address P. O. Box 27, Boise, ID 83707

RECEIVED

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 _____

NOV 18 2002

WATER RESOURCES
WESTERN REGION

Describe the reason for the proposed changes The purposes of this transfer are to (1) identify the current locations for all existing points of diversion for water right nos. 61-2162, 61-2163, 61-2164, 61-2195 and 61-7170 and (2) change the place, season and nature of use for all of water right no. 61-2164 and portions of water right nos. 61-2162 and 61-2165 from irrigation to stockwater.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
61-2162	1/22/1964	1.55 cfs	Irrigation	4/1 to 10/31
		1.55 cfs	Stockwater	1/1 to 12/31
61-2163	12/2/1963	3.09 cfs	Irrigation	3/15 to 11/15
✓ 61-2164 ¹²⁰³⁹ 1/13	1/8/1964	~~5.03~~ 3.47 cfs	Stockwater	1/1 to 12/31
61-2165	12/12/1963	3.12 cfs	Irrigation	3/1 to 11/1
		1.91 cfs	Stockwater	1/1 to 12/31
61-7170	10/24/1973	7.00 cfs	Irrigation	3/1 to 11/15
		0.26 cfs	Stockwater	1/1 to 12/31
		0.04 cfs	Domestic	1/1 to 12/31
		7.00 cfs	Div. To Storage	1/1 to 12/31
		10.4 af	Stockwater Storage	1/1 to 12/31

✓ 2. Total amount of water being transferred 18.22 cubic feet per second and/or 5,712.70 acre-feet per annum.

3. Source of water Groundwater tributary to 16.66 5,287.2

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SW	SE	31	4S	4E	Elmore	Well #10
		SE	NW	5	5S	4E	Elmore	Well #11 (domestic well) <u>See Remarks</u>
		SE	SE	31	4S	4E	Elmore	Well #1
		NW	SW	4	5S	4E	Elmore	Well #7
		NW	NW	5	5S	4E	Elmore	Well #2
		SE	NW	5	5S	4E	Elmore	Well #3
		NE	SW	5	5S	4E	Elmore	Well #4
		NE	SE	5	5S	4E	Elmore	Well #5
		NE	SE	5	5S	4E	Elmore	Well #6
		SE	NE	6	5S	4E	Elmore	Well #8

* per 12/7/05
NOTES

AMENDED

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	N W	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4S	3E	27									S	S	S	S		S	S	S	
		34	S	S	S	S	S	S							S			S	
		35						S	S		S	S	S	S		S	S		
	4E	31															39	40	79
5S	3E	2					S	S	S	S	S	S							
	4E	5						38	40	35 D	39	40	39	40		37	40		348
		6	39	40	40	40									40	40 S/SS			239
		8	S/SS																

S = Stockwater

SS = Stockwater Storage

D = Domestic

Total Acres 666

✓ *add additional stock tanks if Applicable (see map)*

PART 1 *if land appl. waste water?*

6. General Information:

- a. Description of diversion system 9 irrigation wells, 1 domestic well, pumps and underground pipelines

- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
 _____ Yes _____ x _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

The land from which the water rights are being transferred will no longer be irrigated

- ✓ d. Remarks ~~if the place of use is changed pursuant to this transfer:~~

~~The land from which the water rights are:~~

Wells 1-8 & 10 for All Rights.

Well #11 only for domestic portion of 61.7170.

land appl. waste water? Trade? B.U = stockwater.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

See the attached water right documents:
SRBA Partial Decrees: 61-2162, 61-2163, 61-2164, 61-2165
IDWR Water Right Report: 61-2163
Director's Report: 61-2165
IDWR License: 61-7170

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:
 - a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
 - b. License No. _____ issued by the Idaho Department of Water Resources.
 - c. Claim No. _____ on file with the Idaho Department of Water Resources.
 - d. Transfer No. _____ which produced this right.
2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

2. Source of water _____ tributary to _____

3. Date or priority _____

4. Water is used for the following purposes:

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

5. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

6. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion

7. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

9. Describe any other water rights used for the same purpose as described above _____

NONE OTHER THAN RIGHTS IN THIS APPLICATION

PART 2

Water Right No. 61-2162

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No. _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

✓ 1. amount 1.55 cfs for irrigation purposes from 4-1 to 10-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

NO →

The points of diversion below are those which need to be added to the decreed points of diversion to accurately describe the location of all existing diversion points.

✓ 2. Point(s) of Diversion:

List current wells for 61-2162, not ones to add

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SW	SE	31	4S	4E	Elmore	Well #10
		NW	SW	4	5S	4E	"	Well #7
		SE	NW	5	5S	4E	"	Well #3
		SE	NE	6	5S	4E	"	Well #8

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5S	4E	6															40	40	80
		7	40			40													80

Total Acres 160**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 1.55 cfs for irrigation purposes from 4-1 to 10-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SE	SE	31	4S	4E	Elmore	Well #1
		NW	NW	5	5S	4E	"	Well #2
		NE	SW	5	5S	4E	"	Well #4
		NE	SE	5	5S	4E	"	Well #5 and Well #6 (Two Wells)

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5S	4E	6			40	40									40	40			160

*Part C ok fill out - or -
 ok "balance of right"*

Total Acres 160

11. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?



If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

✓ N/A

The points of diversion identified below are only those which need to be added to the decreed points of diversion to accurately describe the location for all of the existing diversion points.

3. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SW	SE	31	4S	4E	Elmore	Well #10
		NW	SW	5	5S	4E	"	Well #7
		SE	NW	5	5S	4E	"	Well #3
		SE	NE	6	5S	4E	"	Well #8

4. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

PART 2

Water Right No. 61-2164

Transfer No. _____

12. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No. _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 5.03 cfs for irrigation purposes from 4-1 to 10-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

The points of diversion below are those which need to be added to the decreed points of diversion to accurately describe the location of all existing diversion points.

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SW	SE	31	4S	4E	Elmore	Well #10
		NW	SW	4	5S	4E	"	Well #7
		SE	NW	5	5S	4E	"	Well #3
		SE	NE	6	5S	4E	"	Well #8

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5S	4E	8	40	40	40	40	40	40	40	40									320

Total Acres 320**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SE	SE	31	4S	4E	Elmore	Well #1
		NW	NW	5	5S	4E	"	Well #2
		NE	SW	5	5S	4E	"	Well #4
		NE	SE	5	5S	4E	"	Well #5 and Well #6 (Two Wells)

7. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

WATER RIGHT NO. 61-12039
As Modified by Transfer No. 70653

In accordance with the approval of Transfer No. 70653, Water Right No. 61-12039 is now described as follows.

Right Holder: J R SIMPLOT CO
 PO BOX 27
 BOISE ID 83707

Priority Date: January 13, 1964

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	3.47 CFS	994.5 AF
			3.47 CFS	994.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESE	Sec. 31 Twp 04S	Rge 04E	ELMORE County
GROUND WATER	NWNW	Sec. 5 Twp 05S	Rge 04E	ELMORE County
GROUND WATER	NESW	Sec. 5 Twp 05S	Rge 04E	ELMORE County
GROUND WATER	NESE	Sec. 5 Twp 05S	Rge 04E	ELMORE County
GROUND WATER	SENE	Sec. 6 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 8	40.0	21.0			40.0	40.0	40.0	40.0									221.0

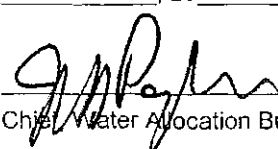
Total Acres: 221

CONDITIONS OF APPROVAL

- 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.
- The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than October 26, 2000.
- All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

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 1 day of August, 2003

for  Chief, Water Allocation Bureau

PART 2

13. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 1.91 cfs for irrigation purposes from 3-1 to 11-1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

✓ NO →

The points of diversion below are those which need to be added to the decreed points of diversion to accurately describe the location of all existing diversion points.

5. Point(s) of Diversion:

List current wells for right, not one to add →

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SW	SE	31	4S	4E	Elmore	Well #10

6. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5S	4E	4										40							40
		5												40				39	79

Total Acres 119

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 3.12 cfs for irrigation purposes from 3-1 to 11-1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

All diversion points identified on the attached Director's Report will remain unchanged. There are 2 wells located in the NE1/4SE1/4 of Section 5 T.5S R.4E.

8. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion

9. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5S	4E	5									39		39	40		37	40		195

Total Acres 195

PART 2

14. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Point(s) of Diversion:

The points of diversion below are those which need to be added to the decreed points of diversion to accurately describe the location of all existing diversion points.

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SW	SE	31	4S	4E	Elmore	Well #10
		SE	NE	6	5S	4E	"	Well #8

7. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5S	4E	4										40							40
		5													40			39	79
		6															40	40	80
		7	40			40													80
		8	40	40	40	40	40	40	40	40									320

Total Acres _____ 599

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 7.00 cfs for Irrigation purposes from 3-1 to 11-15
 (cfs/ac-ft)
 amount 0.23 cfs for Stockwater purposes from 1-1 to 12-31
 (cfs/ac-ft)
 amount 0.04 cfs for Domestic (2) purposes from 1-1 to 12-31
 (cfs/ac-ft)
 amount 10.4 acre-ft for Stockwater Storage purposes from 1-1 to 12-31
 (cfs/ac-ft)
 amount 7.0 cfs for Diversion to Storage purposes from 1-1 to 12-31
 (cfs/ac-ft)

10. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
								See Points of Diversion identified on attached License

11. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5S	4E	5						38	40	D 35	39	40	39	40		S 37	40		348
		6	39	40	40	40									40	40			239

D = Domestic; S = Stockwater and Stockwater Storage

Total Acres _____ 587

WATER RIGHT NO. 61-7170
As Modified by Transfer No. 70653

In accordance with the approval of Transfer No. 70653, Water Right No. 61-7170 is now described as follows.

Right Holder: J R SIMPLOT CO
 PO BOX 27
 BOISE ID 83707

Priority Date: October 24, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to	12/31	0.26 CFS	16.1 AF
DOMESTIC	01/01 to	12/31	0.04 CFS	1.2 AF
STOCKWATER STORAGE	01/01 to	12/31		10.4 AF
DIVERSION TO STORAGE	01/01 to	12/31	7.00 CFS	
IRRIGATION	03/01 to	11/15	7.00 CFS	60.0 AF
			7.00 CFS	87.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESE	Sec. 31 Twp 04S	Rge 04E	ELMORE County
GROUND WATER	NWSW	Sec. 4 Twp 05S	Rge 04E	ELMORE County
GROUND WATER	NWNW	Sec. 5 Twp 05S	Rge 04E	ELMORE County
GROUND WATER	SENE	Sec. 5 Twp 05S	Rge 04E	ELMORE County
GROUND WATER	SENE	Sec. 5 Twp 05S	Rge 04E	ELMORE County
GROUND WATER	NESE	Sec. 5 Twp 05S	Rge 04E	ELMORE County
GROUND WATER	NESE	Sec. 5 Twp 05S	Rge 04E	ELMORE County
GROUND WATER	NESE	Sec. 5 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	
04S 04E 31															39.0	40.0	79.0
05S 04E 4									40.0								40.0
05S 04E 5					38.0	40.0	35.0	39.0	40.0	39.0	40.0	40.0	40.0	37.0	40.0	39.0	427.0
05S 04E 6	39.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	319.0
05S 04E 7	40.0			40.0													80.0
05S 04E 8	40.0	21.0			40.0	40.0	40.0	40.0									221.0

Total Acres: 1166

WATER RIGHT NO. 61-7170
As Modified by Transfer No. 70653

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
05S 04E 6	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S 04E 8	X												X				

PLACE OF USE: STOCKWATER STORAGE, same as Stockwater

PLACE OF USE: DOMESTIC

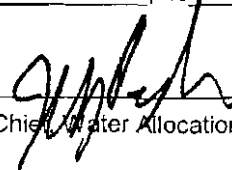
Twp Rge Sec	NE				NW				SW				SE				Totals
05S 04E 5	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
								X									

CONDITIONS OF APPROVAL

1. Rights 61-02162, 61-02163, 61-02165, 61-07170 and 61-12039 when combined shall not exceed a total diversion rate of 16.66 cfs and the irrigation of a total of 1166 acres in a single irrigation season.
2. This right is limited to the irrigation of 400 acres within the place of use described above in a single irrigation season.
3. Domestic use is for 1 home and a shop and does not include lawn, garden, landscape, or other types of irrigation.
4. Rights 61-02162, 61-02163, 61-02165 and 61-12039 are also diverted through the points of diversion described above.

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 7 day of August, 2003

For 
Chief of Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.

Please see the attached maps (2):

1. "Points of Diversion" identifies all existing points of diversion. This map shows the existing points of diversion that need to be added to Water Right Nos. 61-2162, 61-2163, 61-2164, 61-2165, 61-7170.
2. "New Place of Use" provides the location for the new Stockwater place of use.

12039

Also shows Redwood River for irrigation

PART 3

B. CHANGES IN NATURE OF USE

1.	New Nature of Use	Amount(cfs/af-ft)	Hours/days/year	Period of Use
✓	Stockwater	8.49 cfs 6.93		1-1 to 12-31 to

Quantity and quality of return flows and location of discharge:

Any return flows will be reirculated and reused within the places of use.

from the railroad irrigation

2. Describe effects on other water uses resulting from the proposed change:

Other Water User's will not be affected by the proposed change.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

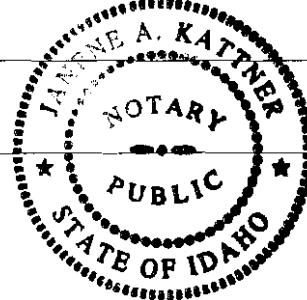
I understand that any willful misrepresentations made in this application may result in voiding its approval.

J. R. Simplot Company

By: *Ronald N. Graves*
(Signature of Applicant)
Ronald N. Graves, Senior Vice President, Secretary and Chief Legal Officer

Subscribed and sworn to before me this 11th day of November, 20 02

Jane A. Kattner
(Notary Public)



My commission expires 5/31/08

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by *Sturges* Date 11/12/02 Protest filed by _____

Prelim. Check by _____ Fee _____

Received by *McSaurly's Masi* Date 11/12/02 / 6/20/02 606.00 3.00 C065704/C062881

Published in _____ Copies of protest forwarded by _____

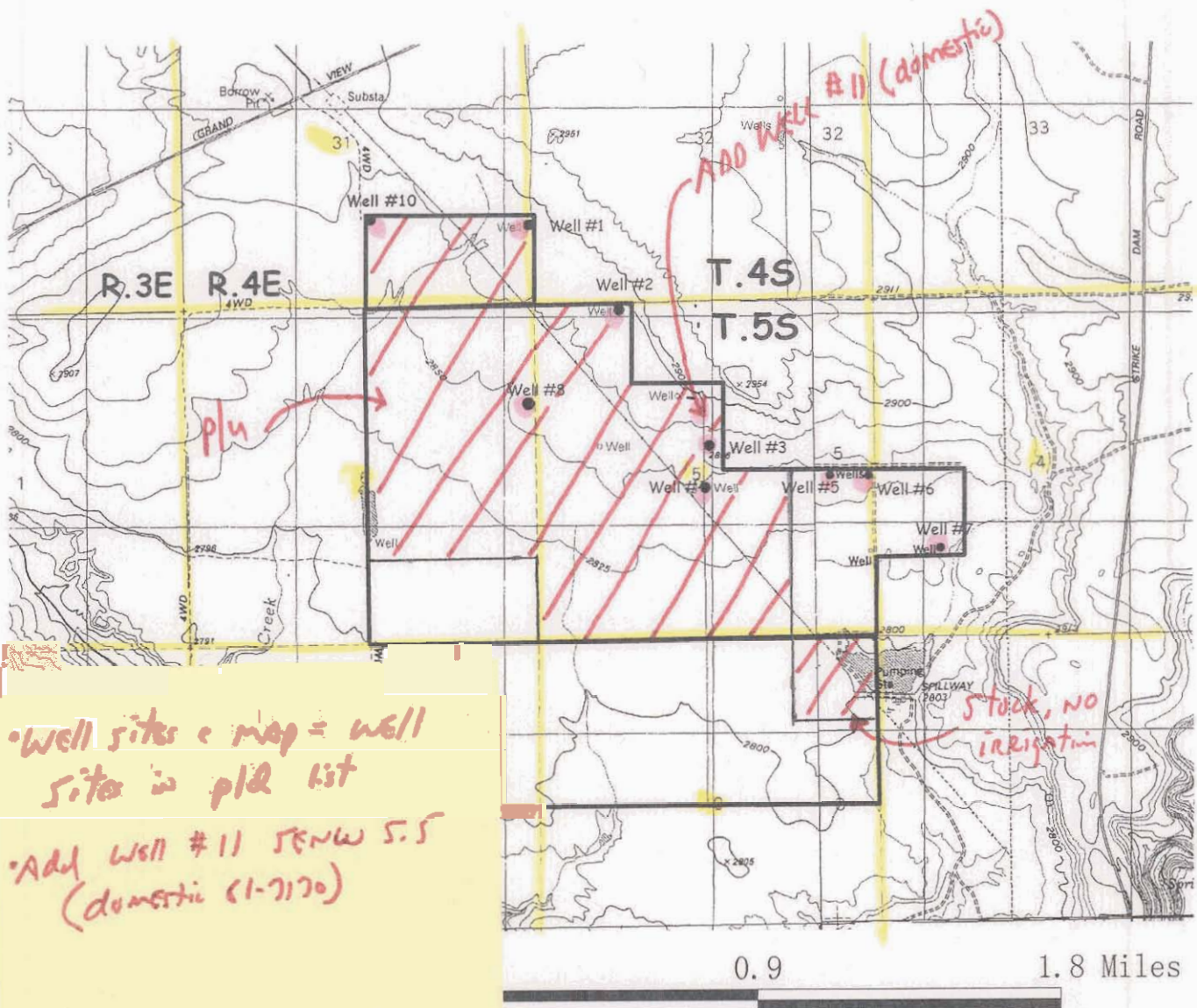
Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

Points of Diversion



- Well sites on map = well sites in plr list
- Add Well #11 SE NW 5.5 (domestic (1-7170))

• Delete notes ↓

● P/D
/// plu

New points of diversion for the following water rights:

Water Right Number

61-02162

61-02164

61-02165

61-07170

Well Nos.

10, 7, 3, 8

10, 7, 3, 8

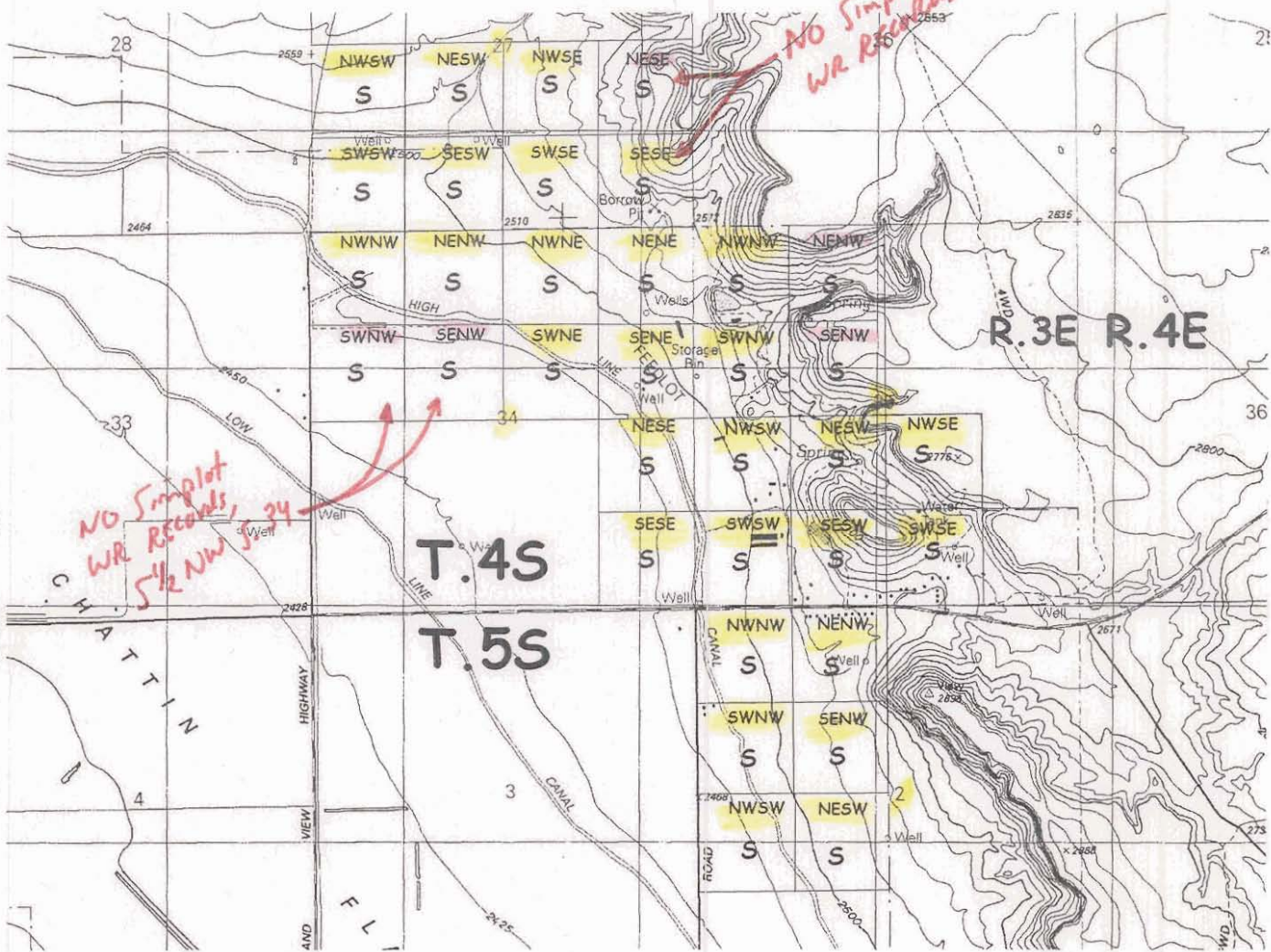
10

2, 4, 5, 6, 7, 8, 10



MAP should agree w/ Pln list in Part 1 of Appl.

New Places of Use



0.8 0 0.8 1.6 Miles

S = Stock water places of use

All tracts include existing Simplot WR Records except as noted

in Part 1 Pln chart, OK

not " " , not ok

→ S. 27 NESE
S. 34 S 1/2 NW
S. 35 E 1/2 NW } include or not?

