

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72288

This is to certify that: J R SIMPLOT CO
 PO BOX 27
 BOISE ID 83707
 (208) 336-2110

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
29-2375	WR/Decreed	03/13/1956	6.68 cfs	N/A	N/A	N/A	GROUND WATER
29-2501	WR/Decreed	04/12/1965	5.57 cfs	N/A	N/A	N/A	GROUND WATER
29-2502	WR/Decreed	04/12/1965	6.66 cfs	N/A	N/A	N/A	GROUND WATER
29-7763	WR/Decreed	01/17/1984	0.10 cfs	72.4 af	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
29-2375	NO	NO	NO	YES	NO	NO
29-2501	NO	NO	NO	YES	NO	NO
29-2502	NO	NO	NO	YES	NO	NO
29-7763	NO	NO	NO	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
29-2375	29-2375	6.68 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
29-2501	29-2501	5.57 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
29-2502	29-2502	6.66 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
29-7763	29-7763	0.10 cfs	72.4 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED TOTALS		19.01 cfs	8500 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 21ST day of November, 20 05


 Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 29-2375

WATER RIGHT NO. 29-2375
As Modified by Transfer No. 72288

In accordance with the approval of Transfer No. 72288, Water Right No. 29-2375 is now described as follows.

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

Priority Date: March 13, 1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
INDUSTRIAL	01/01	to 12/31	6.68 CFS	
			6.68 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L6 (SENE)	Sec. 7	Twp 06S	Rge 34E	POWER County
GROUND WATER	L6 (SENE)	Sec. 7	Twp 06S	Rge 34E	POWER County
GROUND WATER	NESW	Sec. 7	Twp 06S	Rge 34E	POWER County
GROUND WATER	SESW	Sec. 7	Twp 06S	Rge 34E	POWER County
GROUND WATER	SESW	Sec. 7	Twp 06S	Rge 34E	POWER County

PLACE OF USE: INDUSTRIAL

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 34E 25	X	X	X	X	X				X	X	X	X	X	X	X	X	
05S 34E 31					X	X	X	X									
05S 34E 36	X	X	X	X	X	L 1	X										
05S 35E 30	X	X	X	X	X	X	X	X									
06S 34E 7				X		L 1	L 2		X			X	X	X	X	X	
06S 34E 8				L 6	X	X	X	X	X	X	X	X	L 7		X	L 10	
06S 34E 17		X			X												

CONDITIONS OF APPROVAL

1. 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.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

WATER RIGHT NO. 29-2375
As Modified by Transfer No. 72288

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 72288, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
7. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
8. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. Rights 29-2375, 29-2501, 29-2502 and 29-7763 when combined shall not exceed a total annual maximum diversion volume of 8500 af.
10. Industrial use is for ore processing, and chemical and fertilizer manufacturing.

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 21ST day of November, 20 05


Chief, Water Allocation Bureau

WATER RIGHT NO. 29-2501
As Modified by Transfer No. 72288

In accordance with the approval of Transfer No. 72288, Water Right No. 29-2501 is now described as follows.

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

Priority Date: April 12, 1965

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
INDUSTRIAL	1/01 to	12/31	5.57 CFS	
			5.57 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L6 (SENE)	Sec. 7	Twp 06S	Rge 34E	POWER County
GROUND WATER	L6 (SENE)	Sec. 7	Twp 06S	Rge 34E	POWER County
GROUND WATER	NESW	Sec. 7	Twp 06S	Rge 34E	POWER County
GROUND WATER	SESW	Sec. 7	Twp 06S	Rge 34E	POWER County
GROUND WATER	SESW	Sec. 7	Twp 06S	Rge 34E	POWER County

PLACE OF USE: INDUSTRIAL

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 34E 25	X	X	X	X	X				X	X	X	X	X	X	X	X	
05S 34E 31					X	X	X	X									
05S 34E 36	X	X	X	X	X	X											
05S 35E 30	X	X	X	X	X	X	X	X									
06S 34E 7				X					X			X	X	X	X	X	
06S 34E 8				L 6	X	X	X	X	X	X	X	X			X	L 10	
06S 34E 17		X			X												

CONDITIONS OF APPROVAL

1. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. Industrial use is for ore processing, and chemical and fertilizer manufacturing.
4. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
5. 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.

WATER RIGHT NO. 29-2501
As Modified by Transfer No. 72288

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. Rights 29-2375, 29-2501, 29-2502 and 29-7763 when combined shall not exceed a total annual maximum diversion volume of 8500 af.
10. Prior to the diversion and use of water under Transfer approval 72288, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.

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 21ST day of November, 20 05



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-2502
As Modified by Transfer No. 72288

In accordance with the approval of Transfer No. 72288, Water Right No. 29-2502 is now described as follows.

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

Priority Date: April 12, 1965

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
INDUSTRIAL	1/01 to	12/31	6.66 CFS	
			6.66 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L6 (SENE)	Sec. 7	Twp 06S	Rge 34E	POWER County
GROUND WATER	L6 (SENE)	Sec. 7	Twp 06S	Rge 34E	POWER County
GROUND WATER	NESW	Sec. 7	Twp 06S	Rge 34E	POWER County
GROUND WATER	SESW	Sec. 7	Twp 06S	Rge 34E	POWER County
GROUND WATER	SESW	Sec. 7	Twp 06S	Rge 34E	POWER County

PLACE OF USE: INDUSTRIAL

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 34E 25	X	X	X	X	X				X	X	X	X	X	X	X	X	
05S 34E 31					X	X	X	X									
05S 34E 36	X	X	X	X	X	X	X										
05S 35E 30	X	X	X	X	X	X	X	X									
06S 34E 7				X					X			X	X	X	X	X	
06S 34E 8				L 6	X	X	X	X	X	X	X	X			X	L 10	
06S 34E 17		X			X												

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.
- Prior to the diversion and use of water under Transfer approval 72288, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
- The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

WATER RIGHT NO. 29-2502
As Modified by Transfer No. 72288

CONDITIONS OF APPROVAL

5. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
8. Rights 29-2375, 29-2501, 29-2502 and 29-7763 when combined shall not exceed a total annual maximum diversion volume of 8500 af.
9. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
10. Industrial use is for ore processing, and chemical and fertilizer manufacturing.

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 21ST day of November, 20 05



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-7763
As Modified by Transfer No. 72288

In accordance with the approval of Transfer No. 72288, Water Right No. 29-7763 is now described as follows.

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

Priority Date: January 17, 1984

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
INDUSTRIAL	1/01 to	12/31	0.10 CFS	72.4 AF
			0.10 CFS	72.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L6 (SENE)	Sec. 7	Twp 06S	Rge 34E	POWER County
GROUND WATER	L6 (SENE)	Sec. 7	Twp 06S	Rge 34E	POWER County
GROUND WATER	NESW	Sec. 7	Twp 06S	Rge 34E	POWER County
GROUND WATER	SESW	Sec. 7	Twp 06S	Rge 34E	POWER County
GROUND WATER	SESW	Sec. 7	Twp 06S	Rge 34E	POWER County

PLACE OF USE: INDUSTRIAL

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 34E 25	X	X	X	X	X				X	X	X	X	X	X	X	X	
05S 34E 31					X	X	X	X									
						L1	L2										
05S 34E 36	X	X	X	X	X	X	X										
05S 35E 30	X	X	X	X	X	X	X	X									
						L1	L2										
06S 34E 7				X					X			X	X	X	X	X	
				L6									L7			L10	
06S 34E 8					X	X	X	X	X	X	X	X			X		
06S 34E 17		X			X												

CONDITIONS OF APPROVAL

1. Prior to the diversion and use of water under Transfer approval 72288, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Industrial use is for ore processing, and chemical and fertilizer manufacturing.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

WATER RIGHT NO. 29-7763
As Modified by Transfer No. 72288

CONDITIONS OF APPROVAL

6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
7. Rights 29-2375, 29-2501, 29-2502 and 29-7763 when combined shall not exceed a total annual maximum diversion volume of 8500 af.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

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 21ST day of November, 20 05



Chief, Water Allocation Bureau