

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED**TRANSFER OF WATER RIGHT*****AMENDED*****TRANSFER NO. 71741**

This is to certify that: J R SIMPLOT COMPANY

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>
33-2054	WR/Decreed	09/02/1951	2.32 cfs	98.0 af	996.0	1,928.0	GROUND WATER
33-2075	WR/Decreed	03/22/1955	10.12 cfs	3486.0 af	996.0	1,928.0	GROUND WATER
33-2076A	WR/Decreed	03/22/1955	7.50 cfs	3183.0 af	996.0	1,928.0	GROUND WATER
33-2076B	WR/Decreed	03/22/1955	6.80 cfs	1190.0 af	340.0	1,928.0	GROUND WATER
33-2119	WR/Decreed	05/11/1965	10.08 cfs	1512.0 af	N/A	504.0	GROUND WATER
33-2125	WR/Decreed	06/08/1966	10.00 cfs	1668.0 af	N/A	634.0	GROUND WATER
33-7007	WR/Decreed	01/27/1969	4.68 cfs	1326.0 af	442.0	1,928.0	GROUND WATER
33-7053	WR/Decreed	06/07/1977	6.00 cfs	2189.8 af	388.0	1,928.0	GROUND WATER
33-7061	WR/Decreed	10/24/1977	0.20 cfs	73.0 af	12.0	1,928.0	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>
33-2054	NO	YES	NO	NO	NO	NO
33-2075	NO	YES	NO	NO	NO	NO
33-2076A	NO	YES	NO	NO	NO	NO
33-2076B	NO	YES	NO	NO	NO	NO
33-2119	NO	YES	NO	NO	NO	NO
33-2125	NO	YES	NO	NO	NO	NO
33-7007	NO	YES	NO	NO	NO	NO
33-7053	NO	YES	NO	NO	NO	NO
33-7061	NO	YES	NO	NO	NO	NO

SUPPORT DATAIN FILE # 33-2054

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71741

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
33-2054	33-2054	2.32 cfs	985.0 af	996.0	1,928.0		N/A	N/A	N/A	N/A
33-2075	33-2075	10.12 cfs	3486.0 af	996.0	1,928.0		N/A	N/A	N/A	N/A
33-2076A	33-2076A	7.50 cfs	3183.0 af	996.0	1,928.0		N/A	N/A	N/A	N/A
33-2076B	33-2076B	6.80 cfs	1190.0 af	340.0	1,928.0		N/A	N/A	N/A	N/A
33-2119	33-2119	10.08 cfs	1512.0 af	N/A	504.0		N/A	N/A	N/A	N/A
33-2125	33-2125	10.00 cfs	1668.0 af	N/A	634.0		N/A	N/A	N/A	N/A
33-7007	33-7007	4.68 cfs	1326.0 af	442.0	1,928.0		N/A	N/A	N/A	N/A
33-7053	33-7053	6.00 cfs	2189.8 af	388.0	1,928.0		N/A	N/A	N/A	N/A
33-7061	33-7061	0.20 cfs	73.0 af	12.0	1,928.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		43.68 cfs	9928.0 af	3002.0	3002.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 9th day of March, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 33-2054
As Modified by Transfer No. 71741

In accordance with the approval of Transfer No. 71741, Water Right No. 33-2054 is now described as follows.

Right Holder: J R SIMPLOT CO
 C/O RON GRAVES
 999 MAIN ST STE 1300
 PO BOX 27
 BOISE ID 83707

Priority Date: September 02, 1951

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	2.32 CFS	985.0 AF
			2.32 CFS	985.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNW	Sec. 5	Twp 05N	Rge 30E	BUTTE County
GROUND WATER	SENW	Sec. 6	Twp 05N	Rge 30E	BUTTE County
GROUND WATER	SESE	Sec. 35	Twp 06N	Rge 29E	BUTTE County
GROUND WATER	NENE	Sec. 31	Twp 06N	Rge 30E	BUTTE County
GROUND WATER	L1 (SESE)	Sec. 32	Twp 06N	Rge 30E	BUTTE 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	
05N	29E	1	42.0	42.0	40.0	40.0	43.0	37.0	39.0	40.0	40.0	39.0	38.0	36.0	40.0	40.0	36.0	37.0	629.0
			L1	L2			L3	L4											
05N	30E	5	42.0	43.0	39.0	38.0	42.0	42.0	39.0	39.0	41.0	40.0	40.0	40.0	40.0	41.0	40.0	39.0	645.0
			L1	L2			L3	L4											
05N	30E	6	42.0	41.0	36.0	41.0	42.0	49.0	48.0	41.0	37.0	46.0	45.0	41.0	38.0	25.0	41.0	41.0	654.0
			L1	L2			L3	L4	L5			L6	L7						

Total Acres: 1928

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 996.0 acres within the place of use described above in a single irrigation season.
2. The point of diversion located in the SESE, S35, T6N, R29E is limited to a maximum diversion rate of 8.02 cfs.
3. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-07007, 33-07053 and 33-07061 when combined shall not exceed a total diversion rate of 30.78 cfs, a total annual maximum diversion volume of 6748.0 af at the field headgate, and the irrigation of 1928.0 acres.
4. The total instantaneous diversion of water from all points of diversion under Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 shall not exceed 43.68 cfs, nor a total combined annual volume of 9928.0 af for the irrigation of 3002.0 acres.

WATER RIGHT NO. 33-2054
As Modified by Transfer No. 71741

CONDITIONS OF APPROVAL

5. Prior to the 2006 irrigation season, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
6. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 are diverted through the point(s) of diversion described above.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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.

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 9th day of March, 20 05


Chief, Water Allocation Bureau

WATER RIGHT NO. 33-2075
As Modified by Transfer No. 71741

In accordance with the approval of Transfer No. 71741, Water Right No. 33-2075 is now described as follows.

Right Holder: J R SIMPLOT CO
C/O RON GRAVES
999 MAIN ST STE 1300
PO BOX 27
BOISE ID 83707

Priority Date: March 22, 1955

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	10.12 CFS	3,486.0 AF
			10.12 CFS	3,486.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNW	Sec. 5	Twp 05N	Rge 30E	BUTTE County
GROUND WATER	SENE	Sec. 6	Twp 05N	Rge 30E	BUTTE County
GROUND WATER	SESE	Sec. 35	Twp 06N	Rge 29E	BUTTE County
GROUND WATER	NENE	Sec. 31	Twp 06N	Rge 30E	BUTTE County
GROUND WATER	L1 (SESE)	Sec. 32	Twp 06N	Rge 30E	BUTTE 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	
05N	29E	1	42.0	42.0	40.0	40.0	43.0	37.0	39.0	40.0	40.0	39.0	38.0	36.0	40.0	40.0	36.0	37.0	629.0
			L1	L2			L3	L4											
05N	30E	5	42.0	43.0	39.0	38.0	42.0	42.0	39.0	39.0	41.0	40.0	40.0	40.0	40.0	41.0	40.0	39.0	645.0
			L1	L2			L3	L4											
05N	30E	6	42.0	41.0	36.0	41.0	42.0	49.0	48.0	41.0	37.0	46.0	45.0	41.0	38.0	25.0	41.0	41.0	654.0
			L1	L2			L3	L4	L5			L6	L7						

Total Acres: 1928

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 996.0 acres within the place of use described above in a single irrigation season.
2. The point of diversion located in the SESE, S35, T6N, R29E is limited to a maximum diversion rate of 8.02 cfs.
3. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-07007, 33-07053 and 33-07061 when combined shall not exceed a total diversion rate of 30.78 cfs, a total annual maximum diversion volume of 6748.0 af at the field headgate, and the irrigation of 1928.0 acres.
4. The total instantaneous diversion of water from all points of diversion under Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 shall not exceed 43.68 cfs, nor a total combined annual volume of 9928.0 af for the irrigation of 3002.0 acres.

WATER RIGHT NO. 33-2075
As Modified by Transfer No. 71741

CONDITIONS OF APPROVAL

5. Prior to the 2006 irrigation season, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
6. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 are diverted through the point(s) of diversion described above.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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.

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 9th day of March, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 33-2076A
As Modified by Transfer No. 71741

In accordance with the approval of Transfer No. 71741, Water Right No. 33-2076A is now described as follows.

Right Holder: J R SIMPLOT CO
 C/O RON GRAVES
 999 MAIN ST STE 1300
 PO BOX 27
 BOISE ID 83707

Priority Date: March 22, 1955

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	7.50 CFS	3,183.0 AF
			7.50 CFS	3,183.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNW	Sec. 5	Twp 05N	Rge 30E	BUTTE County
GROUND WATER	SENW	Sec. 6	Twp 05N	Rge 30E	BUTTE County
GROUND WATER	SESE	Sec. 35	Twp 06N	Rge 29E	BUTTE County
GROUND WATER	NENE	Sec. 31	Twp 06N	Rge 30E	BUTTE County
GROUND WATER	L1 (SESE)	Sec. 32	Twp 06N	Rge 30E	BUTTE 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	
05N	29E	1	42.0	42.0	40.0	40.0	43.0	37.0	39.0	40.0	40.0	39.0	38.0	36.0	40.0	40.0	36.0	37.0	629.0
			L1	L2			L3	L4											
05N	30E	5	42.0	43.0	39.0	38.0	42.0	42.0	39.0	39.0	41.0	40.0	40.0	40.0	40.0	41.0	40.0	39.0	645.0
			L1	L2			L3	L4											
05N	30E	6	42.0	41.0	36.0	41.0	42.0	49.0	48.0	41.0	37.0	46.0	45.0	41.0	38.0	25.0	41.0	41.0	654.0
			L1	L2			L3	L4	L5			L6	L7						

Total Acres: 1928

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 996.0 acres within the place of use described above in a single irrigation season.
2. The point of diversion located in the SESE, S35, T6N, R29E is limited to a maximum diversion rate of 8.02 cfs.
3. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-07007, 33-07053 and 33-07061 when combined shall not exceed a total diversion rate of 30.78 cfs, a total annual maximum diversion volume of 6748.0 af at the field headgate, and the irrigation of 1928.0 acres.
4. The total instantaneous diversion of water from all points of diversion under Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 shall not exceed 43.68 cfs, nor a total combined annual volume of 9928.0 af for the irrigation of 3002.0 acres.

WATER RIGHT NO. 33-2076A
As Modified by Transfer No. 71741

CONDITIONS OF APPROVAL

5. Prior to the 2006 irrigation season, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
6. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 are diverted through the point(s) of diversion described above.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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.

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 9th day of March, 20 05



Chief, Water Allocation Bureau

WATER RIGHT NO. 33-2076B
As Modified by Transfer No. 71741

In accordance with the approval of Transfer No. 71741, Water Right No. 33-2076B is now described as follows.

Right Holder: J R SIMPLOT CO
 C/O RON GRAVES
 999 MAIN ST STE 1300
 PO BOX 27
 BOISE ID 83707

Priority Date: March 22, 1955

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	6.80 CFS	1,190.0 AF
			6.80 CFS	1,190.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNW	Sec. 5	Twp 05N	Rge 30E	BUTTE County
GROUND WATER	SENE	Sec. 6	Twp 05N	Rge 30E	BUTTE County
GROUND WATER	SESE	Sec. 35	Twp 06N	Rge 29E	BUTTE County
GROUND WATER	NENE	Sec. 31	Twp 06N	Rge 30E	BUTTE County
GROUND WATER	L1 (SESE)	Sec. 32	Twp 06N	Rge 30E	BUTTE 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	
05N	29E	1	42.0	42.0	40.0	40.0	43.0	37.0	39.0	40.0	40.0	39.0	38.0	36.0	40.0	40.0	36.0	37.0	629.0
			L1	L2			L3	L4											
05N	30E	5	42.0	43.0	39.0	38.0	42.0	42.0	39.0	39.0	41.0	40.0	40.0	40.0	40.0	41.0	40.0	39.0	645.0
			L1	L2			L3	L4											
05N	30E	6	42.0	41.0	36.0	41.0	42.0	49.0	48.0	41.0	37.0	46.0	45.0	41.0	38.0	25.0	41.0	41.0	654.0
			L1	L2			L3	L4	L5			L6	L7						

Total Acres: 1928

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 340.0 acres within the place of use described above in a single irrigation season.
2. Rights 33-02076B and 33-07007 when combined shall not exceed a total diversion rate of 10.84 cfs, a total annual maximum diversion volume of 1897.0 af at the field headgate, and the irrigation of 542.0 acres.
3. The point of diversion located in the SESE, S35, T6N, R29E is limited to a maximum diversion rate of 8.02 cfs.
4. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-07007, 33-07053 and 33-07061 when combined shall not exceed a total diversion rate of 30.78 cfs, a total annual maximum diversion volume of 6748.0 af at the field headgate, and the irrigation of 1928.0 acres.

WATER RIGHT NO. 33-2076B
As Modified by Transfer No. 71741

CONDITIONS OF APPROVAL

5. The total instantaneous diversion of water from all points of diversion under Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 shall not exceed 43.68 cfs, nor a total combined annual volume of 9928.0 af for the irrigation of 3002.0 acres.
6. Prior to the 2006 irrigation season, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
8. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 are diverted through the point(s) of diversion described above.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.

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 9th day of March, 20 05



Chief, Water Allocation Bureau

WATER RIGHT NO. 33-2119
As Modified by Transfer No. 71741

In accordance with the approval of Transfer No. 71741, Water Right No. 33-2119 is now described as follows.

Right Holder: J R SIMPLOT CO
 C/O RON GRAVES
 999 MAIN ST STE 1300
 PO BOX 27
 BOISE ID 83707

Priority Date: May 11, 1965

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	09/15	10.08 CFS	1,512.0 AF
			10.08 CFS	1,512.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESE	Sec. 35 Twp 06N	Rge 29E	BUTTE County
GROUND WATER	NENE	Sec. 31 Twp 06N	Rge 30E	BUTTE County
GROUND WATER	L1 (SESE)	Sec. 32 Twp 06N	Rge 30E	BUTTE 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	
06N	30E	32													32.0			32.0	64.0
06N	30E	33	40.0	40.0	40.0	40.0	40.0		40.0	40.0	40.0	40.0	40.0	40.0					440.0

Total Acres: 504

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 504.0 acres within the place of use described above in a single irrigation season.
2. The point of diversion located in the SESE, S35, T6N, R29E is limited to a maximum diversion rate of 8.02 cfs.
3. Rights 33-02119, and 33-02125 when combined shall not exceed a total diversion rate of 12.90 cfs, a total annual maximum diversion volume of 3180.0 af at the field headgate, and the irrigation of 1074.0 acres.
4. The total instantaneous diversion of water from all points of diversion under Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 shall not exceed 43.68 cfs, nor a total combined annual volume of 9928.0 af for the irrigation of 3002.0 acres.
5. Prior to the 2006 irrigation season, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

WATER RIGHT NO. 33-2119
As Modified by Transfer No. 71741

CONDITIONS OF APPROVAL

6. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 9/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 8/11/2000.
8. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 are diverted through the point(s) of diversion described above.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.

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 9th day of March, 2005


Chief, Water Allocation Bureau

WATER RIGHT NO. 33-2125
As Modified by Transfer No. 71741

In accordance with the approval of Transfer No. 71741, Water Right No. 33-2125 is now described as follows.

Right Holder: J R SIMPLOT CO
 C/O RON GRAVES
 999 MAIN ST STE 1300
 PO BOX 27
 BOISE ID 83707

Priority Date: June 08, 1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 09/15	10.00 CFS	1,668.0 AF
			10.00 CFS	1,668.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESE	Sec. 35 Twp 06N	Rge 29E	BUTTE County
GROUND WATER	NENE	Sec. 31 Twp 06N	Rge 30E	BUTTE County
GROUND WATER	L1 (SESE)	Sec. 32 Twp 06N	Rge 30E	BUTTE 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	
06N	29E	35													31.0	30.0	30.0	31.0	122.0
06N	30E	31	32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0									256.0
06N	30E	32									32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0	256.0

Total Acres: 634

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 634.0 acres within the place of use described above in a single irrigation season.
2. The point of diversion located in the SESE, S35, T6N, R29E is limited to a maximum diversion rate of 8.02 cfs.
3. Rights 33-02119, and 33-02125 when combined shall not exceed a total diversion rate of 12.90 cfs, a total annual maximum diversion volume of 3180.0 af at the field headgate, and the irrigation of 1074.0 acres.
4. The total instantaneous diversion of water from all points of diversion under Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 shall not exceed 43.68 cfs, nor a total combined annual volume of 9928.0 af for the irrigation of 3002.0 acres.

WATER RIGHT NO. 33-2125
As Modified by Transfer No. 71741

CONDITIONS OF APPROVAL

5. Prior to the 2006 irrigation season, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
6. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 9/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 8/11/2000.
8. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 are diverted through the point(s) of diversion described above.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.

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 9th day of March, 20 05


Chief, Water Allocation Bureau

WATER RIGHT NO. 33-7007
As Modified by Transfer No. 71741

In accordance with the approval of Transfer No. 71741, Water Right No. 33-7007 is now described as follows.

Right Holder: J R SIMPLOT CO
 C/O RON GRAVES
 999 MAIN ST STE 1300
 PO BOX 27
 BOISE ID 83707

Priority Date: January 27, 1969

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	09/15	4.68 CFS	1,326.0 AF
			4.68 CFS	1,326.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNW	Sec. 5	Twp 05N	Rge 30E	BUTTE County
GROUND WATER	SENW	Sec. 6	Twp 05N	Rge 30E	BUTTE County
GROUND WATER	SESE	Sec. 35	Twp 06N	Rge 29E	BUTTE County
GROUND WATER	NENE	Sec. 31	Twp 06N	Rge 30E	BUTTE County
GROUND WATER	L1 (SESE)	Sec. 32	Twp 06N	Rge 30E	BUTTE 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	
05N	29E	1	42.0	42.0	40.0	40.0	43.0	37.0	39.0	40.0	40.0	39.0	38.0	36.0	40.0	40.0	36.0	37.0	629.0
			L1	L2			L3	L4											
05N	30E	5	42.0	43.0	39.0	38.0	42.0	42.0	39.0	39.0	41.0	40.0	40.0	40.0	40.0	41.0	40.0	39.0	645.0
			L1	L2			L3	L4											
05N	30E	6	42.0	41.0	36.0	41.0	42.0	49.0	48.0	41.0	37.0	46.0	45.0	41.0	38.0	25.0	41.0	41.0	654.0
			L1	L2			L3	L4	L5			L6	L7						

Total Acres: 1928

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 442.0 acres within the place of use described above in a single irrigation season.
2. Rights 33-02076B and 33-07007 when combined shall not exceed a total diversion rate of 10.84 cfs, a total annual maximum diversion volume of 1897.0 af at the field headgate, and the irrigation of 542.0 acres.
3. The point of diversion located in the SESE, S35, T6N, R29E is limited to a maximum diversion rate of 8.02 cfs.
4. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-07007, 33-07053 and 33-07061 when combined shall not exceed a total diversion rate of 30.78 cfs, a total annual maximum diversion volume of 6748.0 af at the field headgate, and the irrigation of 1928.0 acres.

WATER RIGHT NO. 33-7007
As Modified by Transfer No. 71741

CONDITIONS OF APPROVAL

5. The total instantaneous diversion of water from all points of diversion under Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 shall not exceed 43.68 cfs, nor a total combined annual volume of 9928.0 af for the irrigation of 3002.0 acres.
6. Prior to the 2006 irrigation season, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 9/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 8/11/2000.
9. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 are diverted through the point(s) of diversion described above.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

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 9th day of March, 20 05


Chief, Water Allocation Bureau

WATER RIGHT NO. 33-7061
As Modified by Transfer No. 71741

In accordance with the approval of Transfer No. 71741, Water Right No. 33-7061 is now described as follows.

Right Holder: J R SIMPLOT CO
 C/O RON GRAVES
 999 MAIN ST STE 1300
 PO BOX 27
 BOISE ID 83707

Priority Date: October 24, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/15	0.20 CFS	73.0 AF
			0.20 CFS	73.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNW	Sec. 5	Twp 05N	Rge 30E	BUTTE County
GROUND WATER	SENE	Sec. 6	Twp 05N	Rge 30E	BUTTE County
GROUND WATER	SESE	Sec. 35	Twp 06N	Rge 29E	BUTTE County
GROUND WATER	NENE	Sec. 31	Twp 06N	Rge 30E	BUTTE County
GROUND WATER	L1 (SESE)	Sec. 32	Twp 06N	Rge 30E	BUTTE 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	
05N	29E	1	42.0	42.0	40.0	40.0	43.0	37.0	39.0	40.0	40.0	39.0	38.0	36.0	40.0	40.0	36.0	37.0	629.0
			L1	L2			L3	L4											
05N	30E	5	42.0	43.0	39.0	38.0	42.0	42.0	39.0	39.0	41.0	40.0	40.0	40.0	40.0	41.0	40.0	39.0	645.0
			L1	L2			L3	L4											
05N	30E	6	42.0	41.0	36.0	41.0	42.0	49.0	48.0	41.0	37.0	46.0	45.0	41.0	38.0	25.0	41.0	41.0	654.0
			L1	L2			L3	L4	L5			L6	L7						

Total Acres: 1928

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 12.0 acres within the place of use described above in a single irrigation season.
2. Rights 33-7053 and 33-7061 when combined shall not exceed the irrigation of 388.0 acres.
3. The point of diversion located in the SESE, S35, T6N, R29E is limited to a maximum diversion rate of 8.02 cfs.
4. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-07007, 33-07053 and 33-07061 when combined shall not exceed a total diversion rate of 30.78 cfs, a total annual maximum diversion volume of 6748.0 af at the field headgate, and the irrigation of 1928.0 acres.

WATER RIGHT NO. 33-7061
As Modified by Transfer No. 71741

CONDITIONS OF APPROVAL

5. The total instantaneous diversion of water from all points of diversion under Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 shall not exceed 43.68 cfs, nor a total combined annual volume of 9928.0 af for the irrigation of 3002.0 acres.
6. Prior to the 2006 irrigation season, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 8/11/2000.
9. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 are diverted through the point(s) of diversion described above.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

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 9th day of March, 20 05



Chief, Water Allocation Bureau

WATER RIGHT NO. 33-7053
As Modified by Transfer No. 71741

In accordance with the approval of Transfer No. 71741, Water Right No. 33-7053 is now described as follows.

Right Holder: J R SIMPLOT CO
 C/O RON GRAVES
 999 MAIN ST STE 1300
 PO BOX 27
 BOISE ID 83707

Priority Date: June 07, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	6.00 CFS	2,189.8 AF
			6.00 CFS	2,189.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNW	Sec. 5	Twp 05N	Rge 30E	BUTTE County
GROUND WATER	SENE	Sec. 6	Twp 05N	Rge 30E	BUTTE County
GROUND WATER	SESE	Sec. 35	Twp 06N	Rge 29E	BUTTE County
GROUND WATER	NENE	Sec. 31	Twp 06N	Rge 30E	BUTTE County
GROUND WATER	L1 (SESE)	Sec. 32	Twp 06N	Rge 30E	BUTTE 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	
05N	29E	1	42.0	42.0	40.0	40.0	43.0	37.0	39.0	40.0	40.0	39.0	38.0	36.0	40.0	40.0	36.0	37.0	629.0
			L1	L2			L3	L4											
05N	30E	5	42.0	43.0	39.0	38.0	42.0	42.0	39.0	39.0	41.0	40.0	40.0	40.0	40.0	41.0	40.0	39.0	645.0
			L1	L2			L3	L4											
05N	30E	6	42.0	41.0	36.0	41.0	42.0	49.0	48.0	41.0	37.0	46.0	45.0	41.0	38.0	25.0	41.0	41.0	654.0
			L1	L2			L3	L4	L5			L6	L7						

Total Acres: 1928

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 388.0 acres within the place of use described above in a single irrigation season.
2. Rights 33-7053 and 33-7061 when combined shall not exceed the irrigation of 388.0 acres.
3. The point of diversion located in the SESE, S35, T6N, R29E is limited to a maximum diversion rate of 8.02 cfs.
4. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-07007, 33-07053 and 33-07061 when combined shall not exceed a total diversion rate of 30.78 cfs, a total annual maximum diversion volume of 6748.0 af at the field headgate, and the irrigation of 1928.0 acres.

WATER RIGHT NO. 33-7053
As Modified by Transfer No. 71741

CONDITIONS OF APPROVAL

5. The total instantaneous diversion of water from all points of diversion under Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 shall not exceed 43.68 cfs, nor a total combined annual volume of 9928.0 af for the irrigation of 3002.0 acres.
6. Prior to the 2006 irrigation season, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 8/11/2000.
9. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 are diverted through the point(s) of diversion described above.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

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 9th day of March, 2005


Chief, Water Allocation Bureau