

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70506

This is to certify that: J R SIMPLOT CO
C/O RON GRAVES
999 MAIN ST STE 1300
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>
29-4088	AJC/Beneficial Use	06/18/1902	2.94 cfs	N/A	130.0	146.6	PORTNEUF RIVER

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>
29-4088	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>
-----------------------	----------------------------------	----------------------	------------------------	-------------------	--------------------	------------------------------------	-----------------------	-------------------------	-----------------------------	------------------------------

29-4088	29-4088	2.94 cfs	586.4 af	N/A	146.6		N/A	N/A	N/A	N/A
---------	----------------	----------	----------	-----	-------	--	-----	-----	-----	-----

COMBINED

TOTALS		2.94 cfs	586.4 af	N/A	146.6		N/A	N/A	N/A	N/A
---------------	--	-----------------	-----------------	------------	--------------	--	------------	------------	------------	------------

Detailed Water Right Description(s) attached

Dated this 16th day of December, 2003



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-4088
As Modified by Transfer No. 70506

In accordance with the approval of Transfer No. 70506, Water Right No. 29-4088 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 18, 1902

Source: PORTNEUF RIVER
 GROUND WATER

Tributary: SNAKE RIVER
 PORTNEUF RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	2.94 CFS	586.4 AF
			2.94 CFS	586.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNESE	Sec. 7	Twp 06S	Rge 34E	POWER County
PORTNEUF RIVER	L7 (SENESE)	Sec. 7	Twp 06S	Rge 34E	BANNOCK County
PORTNEUF RIVER	SWSESW	Sec. 16	Twp 06S	Rge 34E	BANNOCK 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	
06S	34E	7													12.0			3.4	15.4
06S	34E	8									26.0	31.0	20.0	38.0	L 7			L 10	118.6
06S	34E	17			9.0				3.6										12.6

Total Acres: 146.6

CONDITIONS OF APPROVAL

- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
- After specific notification by the Department, the right holder shall measure the diversion 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.
- Prior to diversion of water under this approval, 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.
- The total instantaneous diversion of water from all points of diversion under Right 29-4088 shall not exceed 2.94 cfs, nor total combined annual volume of 586.4 af.
- This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

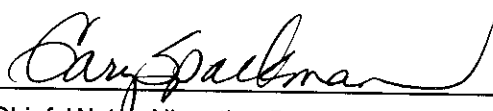
WATER RIGHT NO. 29-4088
As Modified by Transfer No. 70506

CONDITIONS OF APPROVAL

6. 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.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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.

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 16th day of December, 2003



Chief, Water Allocation Bureau