

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 87564**

This is to certify that: LAMB WESTON INC
2975 LAMB WESTON RD
PO BOX 489
AMERICAN FALLS, ID 83211

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 Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
35-12670	WR/DECREED	8/24/1962	2.010 cfs	1455.2 af	N/A	N/A	GROUND WATER
35-2603	WR/DECREED	7/7/1960	3.340 cfs	2418.1 af	N/A	N/A	GROUND WATER
35-4127	WR/DECREED	8/14/1961	4.680 cfs	3388.2 af	N/A	N/A	GROUND WATER
35-8669	WR/LICENSE	4/21/1988	0.030 cfs	4.0 af	N/A	1.0	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>
35-12670	NO	YES	NO	YES	NO	NO
35-2603	NO	YES	NO	YES	NO	NO
35-4127	NO	YES	NO	YES	NO	NO
35-8669	NO	YES	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>
35-12670	35-12670	2.010 cfs	1455.2 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
35-2603	35-2603	3.340 cfs	2418.1 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
35-4127	35-4127	4.680 cfs	3388.2 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
35-8669	35-8669	0.030 cfs	4.0 af	N/A	1.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		10.060 cfs	4412.0 af	N/A	N/A		N/A	N/A	N/A	N/A

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 4th day of April, 2023.

SUPPORT DATA _____

IN FILE # 35-2603 Regional Manager [Signature]

Transfer No. 87564

SCANNED
APR 05 2023

WATER RIGHT NO. 35-8669**As Modified by Transfer No. 87564**

In accordance with the approval of Transfer No. 87564, Water Right No. 35-8669 is now described as follows:

Right Holder: LAMB WESTON INC
2975 LAMB WESTON RD
PO BOX 489
AMERICAN FALLS, ID 83211

Priority Date: 4/21/1988

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.030 cfs	4.0 af
			0.030 cfs	4.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSE	Sec 35 Twp 07S Rge 30E	POWER County
GROUND WATER	NWSE	Sec 35 Twp 07S Rge 30E	POWER County
GROUND WATER	NWSE	Sec 35 Twp 07S Rge 30E	POWER County
GROUND WATER	SWSE	Sec 35 Twp 07S Rge 30E	POWER County
GROUND WATER	NENE	Sec 3 Twp 08S Rge 30E	POWER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	30E	35									0.5					0.5			1.0

POU Total Acres: 1.0

CONDITIONS OF APPROVAL

1. Use of water under this right may 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.
2. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. Prior to diversion and use of water under Transfer approval 87564, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
4. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

Transfer No. 87564

SCANNED
APR 05 2023

WATER RIGHT NO. 35-8669
As Modified by Transfer No. 87564

CONDITIONS OF APPROVAL

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

Transfer No. 87564

SCANNED

APR 05 2023

WATER RIGHT NO. 35-2603**As Modified by Transfer No. 87564**

In accordance with the approval of Transfer No. 87564, Water Right No. 35-2603 is now described as follows:

Right Holder: LAMB WESTON INC
2975 LAMB WESTON RD
PO BOX 489
AMERICAN FALLS, ID 83211

Priority Date: 7/7/1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
INDUSTRIAL	1/01	to 12/31	3.340 cfs	2418.1 af
			3.340 cfs	2418.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSE	Sec 35 Twp 07S Rge 30E	POWER County
GROUND WATER	NWSE	Sec 35 Twp 07S Rge 30E	POWER County
GROUND WATER	NWSE	Sec 35 Twp 07S Rge 30E	POWER County
GROUND WATER	SWSE	Sec 35 Twp 07S Rge 30E	POWER County
GROUND WATER	NENE	Sec 3 Twp 08S Rge 30E	POWER County

PLACE OF USE: INDUSTRIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	30E	35					X	X	X	X	X	X	X	X		X	X		
08S	30E	2					X	X											
08S	30E	3	X	X															

CONDITIONS OF APPROVAL

1. Rights 35-2603, 35-4127 and 35-12670 when combined shall not exceed a total annual maximum diversion volume of 4,408 af.
2. Industrial use includes a potato processing plant.
3. The place of industrial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in conjunction with the potato processing plant located in T07S, R30E, S35, NWSE and SWSE as authorized by these water rights. The industrial use of water under this right includes the treatment of waste water with fresh water.

Transfer No. 87564

SCANNED
APR 05 2023

WATER RIGHT NO. 35-2603
As Modified by Transfer No. 87564

CONDITIONS OF APPROVAL

4. 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
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.
6. Prior to diversion and use of water under Transfer approval 87564, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.

WATER RIGHT NO. 35-4127**As Modified by Transfer No. 87564**

In accordance with the approval of Transfer No. 87564, Water Right No. 35-4127 is now described as follows:

Right Holder: LAMB WESTON INC
2975 LAMB WESTON RD
PO BOX 489
AMERICAN FALLS, ID 83211

Priority Date: 8/14/1961

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
FIRE PROTECTION	1/01	to 12/31	4.680 cfs	
INDUSTRIAL	1/01	to 12/31	4.680 cfs	3388.2 af
			4.680 cfs	3388.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSE	Sec 35 Twp 07S Rge 30E	POWER County
GROUND WATER	NWSE	Sec 35 Twp 07S Rge 30E	POWER County
GROUND WATER	NWSE	Sec 35 Twp 07S Rge 30E	POWER County
GROUND WATER	SWSE	Sec 35 Twp 07S Rge 30E	POWER County
GROUND WATER	NENE	Sec 3 Twp 08S Rge 30E	POWER County

PLACE OF USE: FIRE PROTECTION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	30E	35														X	X		

PLACE OF USE: INDUSTRIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	30E	35					X	X	X	X	X	X	X	X		X	X		
08S	30E	2					X	X											
08S	30E	3	X	X															

CONDITIONS OF APPROVAL

1. Rights 35-2603, 35-4127 and 35-12670 when combined shall not exceed a total annual maximum diversion volume of 4,408 af.
2. Industrial use includes a potato processing plant.

Transfer No. 87564

SCANNED

APR 05 2023

WATER RIGHT NO. 35-4127
As Modified by Transfer No. 87564

CONDITIONS OF APPROVAL

3. The place of industrial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in conjunction with the potato processing plant located in T07S, R30E, S35, NWSE and SWSE as authorized by these water rights. The industrial use of water under this right includes the treatment of waste water with fresh water.
4. 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
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.
6. Prior to diversion and use of water under Transfer approval 87564, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
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. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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. 35-12670**As Modified by Transfer No. 87564**

In accordance with the approval of Transfer No. 87564, Water Right No. 35-12670 is now described as follows:

Right Holder: LAMB WESTON INC
2975 LAMB WESTON RD
PO BOX 489
AMERICAN FALLS, ID 83211

Priority Date: 8/24/1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
INDUSTRIAL	1/01	to 12/31	2.010 cfs	1455.2 af
			2.010 cfs	1455.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSE	Sec 35 Twp 07S Rge 30E	POWER County
GROUND WATER	NWSE	Sec 35 Twp 07S Rge 30E	POWER County
GROUND WATER	NWSE	Sec 35 Twp 07S Rge 30E	POWER County
GROUND WATER	SWSE	Sec 35 Twp 07S Rge 30E	POWER County
GROUND WATER	NENE	Sec 3 Twp 08S Rge 30E	POWER County

PLACE OF USE: INDUSTRIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	30E	35					X	X	X	X	X	X	X	X		X	X		
08S	30E	2					X	X											
08S	30E	3	X	X															

CONDITIONS OF APPROVAL

1. Rights 35-2603, 35-4127 and 35-12670 when combined shall not exceed a total annual maximum diversion volume of 4,408 af.
2. Industrial use includes a potato processing plant.
3. The place of industrial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in conjunction with the potato processing plant located in T07S, R30E, S35, NWSE and SWSE as authorized by these water rights. The industrial use of water under this right includes the treatment of waste water with fresh water.

Transfer No. 87564

SCANNED
APR 05 2023

WATER RIGHT NO. 35-12670
As Modified by Transfer No. 87564

CONDITIONS OF APPROVAL

4. 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
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.
6. Prior to diversion and use of water under Transfer approval 87564, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.

Attachment to Transfer Approval 87564

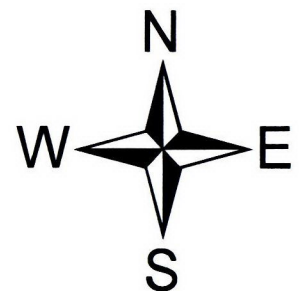
This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- WR POD
- Township/Range
- Sections
- QQ

0 500 1,000 2,000 Feet



SCANNED
Date: 4/4/2023
APR 05 2023