

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1880

This Lease Contract ("**Lease**") is between the Idaho Water Resource Board ("**Board**"), and

LESSOR: J R SIMPLOT CO
1099 W FRONT ST PO BOX 27
BOISE, ID 83707-0027

RECEIVED

NOV 19 2025

DEPARTMENT OF
WATER RESOURCES

RECITALS

1. The Board is authorized under chapter 17, title 42, Idaho Code to operate a water supply bank and to contract with lessors to act as an intermediary in facilitating the rental of water.
2. The Lessor has filed a completed application to lease water rights described below into the Water Supply Bank on forms supplied by the Idaho Department of Water Resources and received by the Department on January 22, 2024.
3. The Director of the Idaho Department of Water Resources has reviewed the application for compliance with the Water Supply Bank rules and has approved the Lease subject to conditions listed below.

NOW, THEREFORE, in consideration of the mutual covenants and contracts herein contained, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. **WATER RIGHTS:** The Lessor shall lease and the Board shall accept into the Bank the Applicant's water rights described as follows:

Summary of Water Rights or Portions Leased to the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)
2-2175A	2/15/1962	SNAKE RIVER, tributary to COLUMBIA RIVER	1.17	Not Stated	84.7
Lease Totals			1.17	Not Stated	84.7

Summary of Water Rights Elements Rentable From the Bank

Water Right	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (Limited) (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
2-2175A	0.58	381.1	84.7	0.07	4.5
Totals	0.58	381.1	84.7	0.07	4.5

** The water right elements rentable have been reduced from the water right elements leased to account for enlargement concerns*

2. **COMPENSATION:** The Lessor shall accept and the Board shall pay compensation determined by the amount of water rented under the following rental rate during such times as the water is rented from the Bank over the term of this Lease.

Minimum Payment Acceptable: Current Rental Rate

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1880

3. **TERM OF LEASE:** The term of this lease shall be January 1, 2024 to December 31, 2028. This Lease shall bind the parties and take effect when both parties have signed it.
4. **WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE:** The Lessor shall abide by all terms and conditions contained in the Water Supply Bank Conditions of Acceptance, attached hereto as "Attachment A" and incorporated herein by this reference.
5. **CHANGE OF WATER RIGHT:** This lease specifies water right elements including but not limited to: diversion rates; diversion volumes; number of acres authorized to be irrigated; places of use; points of diversion; beneficial uses; and seasons of use. During the term of this lease, if a water right is administratively changed due to a water right split and renumbering, this lease may be reduced by an equal amount to reflect the water right elements as legally defined under the water right. If a lease contract cannot be reduced sufficient to reflect the legal definition of a water right as amended through a water right split and/or water right transfer, the Board may release the water right from the Water Supply Bank.
6. **ASSIGNMENT OF CONTRACT:** This lease is between the Board and the Lessor, who is the recognized owner or designated representative of the recognized owners of water rights described herein. Should ownership of any part of a water right herein described change during the term of this lease, either through a water right split, a water right transfer, sale of property to which the water right is appurtenant, or through any other recognized water right reassignment, the lease benefits and obligations to the conditions of acceptance for any such water rights will be assigned to the new owners.
7. **DUPLICATE ORIGINAL:** This Lease is executed in duplicate. Each of the documents with an original signature of each party shall be an original.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1880

IN WITNESS WHEREOF, the parties have executed this Contract on the date following their respective signatures.

LESSOR: J R SIMPLOT CO
1099 W FRONT ST PO BOX 27
BOISE, ID 83707-0027

By 
Title Sr. V.P., Secretary & General Counsel
Date November 17, 2025

IDAHO WATER RESOURCE BOARD
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

By  Date 11/24/25
Brian Patton, Executive Manager
Idaho Water Resource Board

Lease approved by IDWR  Date 11/24/25

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1880

ATTACHMENT A WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

The water rights or portions thereof leased to the bank are described as follows:

Source and Location of Point(s) of Diversion for Water Right No(s): 2-2175A

SNAKE RIVER L7SWSWNE Sec. 36 Twp 01N Rge 03W CANYON County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
2-2175A	IRRIGATION	04/01	to	10/31	0.58 cfs	381.1 AF
Totals:					0.58 cfs	381.1 AF

PLACES OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	02W	20					2.6	3.1	4.1	1.1									10.9
01N	02W	29							4.0										4.0
01N	02W	30	3.0	3.7	3.9	3.2	3.1	4.4 L1	3.0 L2	2.0									26.3
01N	03W	24	5.2	2.3	3.5	3.3									5.2			5.5	25.0
01N	03W	25	8.7			9.8													18.5

Total Acres: 84.7

ADDITIONAL CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the Department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, or the lease term expires. A right may be released from the bank upon request, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
5. While a water right is in the bank, forfeiture provisions are stayed pursuant to Idaho Code § 42-223(5).
6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1880

7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
8. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other Department application process.
9. In accordance with Idaho Code § 42-248 and § 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
 - a. Rental payments will go to the lessor(s) of record at the beginning of the rental season, even if the Department processes a Notice of Change in Water Right Ownership during the rental season.
 - b. New lessor(s) of record will receive payment for any subsequent rental seasons.
11. The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.
12. The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
13. The unleased portion of right 2-2175A shall not exceed a total diversion rate of 9.23 cfs and the irrigation of 668.3 acres.
14. The unleased portions of right 2-2175A, when combined with right 2-10462, shall not exceed a total diversion rate of 0.02 cfs per acre.
15. The following rights are also diverted through point of diversion described above: 02-104, 02-2175A, 02-2175D, 02-2175E, 02-2197A, 02-10054, and 02-10055.

STATE OF IDAHO
WATER RESOURCE BOARD

Print Form

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NOV 27 2024

DEPARTMENT OF
WATER RESOURCES

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK

Applicant / Designated Lessor

J.R. Simplot Company

(Select one owner – see item 1A on the application)

Water Right No.

2-2175A

(One water right per application)

Is this application being submitted with a rental application as a lease/rental package? Yes ☐ No ☒

If yes, include renter and rental fee payment information as attachment 5B.

This application must be prepared in accordance with the minimum requirement checklist below. Use this checklist to ensure all necessary documentation has been provided. This checklist is part of the lease application and must be included with the lease application. Applications that do not meet the minimum requirements will not be processed and may be returned or denied.

MINIMUM REQUIREMENT CHECKLIST

Check All Items as Either Attached (Yes) or Not Applicable (N/A)

Yes



Completed *Application to Sell or Lease a Water Right to the Water Supply Bank*, printed **single sided**, per requirement of the Water Supply Bank.



Application filing fee of \$250.00 per water right. If you are submitting more than one lease application and the water rights have an overlapping, common place of use, or a common diversion rate or volume, the total fee for all water rights is \$500.00. For places of use, multiple water rights must be used to irrigate the same lands in order to qualify for the joint filing fee. Individual filing fees are required for water rights that share a common permissible place of use but which cover separate acres within the permissible place of use.

N/A Yes Attachments



1A

Signatures and contact information for **all owners** of the water right to be leased or sold on this application.



1B

An Internal Revenue Service (IRS) Form W-9 for the Applicant / Designated Lessor.



1C

Notice of Change in Water Right Ownership form (accessible from www.idwr.idaho.gov).



1D

Contact information for an authorized representative and documentary proof they are authorized to represent the Applicant on this application. If the Applicant is a business, partnership, municipality, organization or association, include documents identifying officers authorized to sign or act on behalf of the entity.



2

Description of a water right portion offered to the Water Supply Bank.



3

A map that clearly outlines the specific location where irrigated acres will be dried up, or where a beneficial use of water will be suspended. You have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov.



4A

Written consent from irrigation district or water delivery company.



4G

Evidence demonstrating the water right has not been forfeited pursuant to [Section 42-222\(2\), Idaho Code](#).



5B

Rental rate and owner payment agreement between lessor and renter for lease/rental packages.

Department Use Only

Fee Amount \$

Received By:

Date Received: 01/22/2024

Receipt # C117679

W-9 received? Yes ☐ No ☐ (Route W-9 to Fiscal)

Name on W-9:

2014

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

1. CONTACT INFORMATION

- A. The applicant or designated lessor must be listed as a current owner of the water right offered for sale or lease to the Water Supply Bank. If there are multiple current owners, choose one owner as the Designated Lessor. Complete and attach the Designated Lessor - Attachment 1A of this application package with the signatures of all current owners.

Applicant / Designated Lessor J.R. Simplot Company
Mailing Address P.O. Box 27, Boise, ID 83707
Street City State Zip Code
Email Address remington.buyer@simplot.com Phone Number (208) 780-0959

☒ The Applicant is the sole owner of the water right being sold or leased to the Water Supply Bank.

OR

☐ The Designated Lessor is representing additional water right holders who have completed Attachment 1A.

- B. Has the Designated Lessor / Applicant submitted an [IRS Form W-9](#) to this Department within 6 months? Yes ☒ No ☐
If no, complete the form and attach to this application (Attachment 1B).
- C. Are all applicants on this form listed in IDWR's records as the current owners of the water right? Yes ☒ No ☐
If no, attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee (Attachment 1C).
- D. Is this application being completed by an authorized representative of the Water Right Holder? Yes ☒ No ☐
If yes, representatives (includes employees of Water Right Holder companies) must complete this section and submit documentary proof of their authority to represent the Water Right Holder (Attachment 1D).

Name of Representative James. B. Alderman Organization _____
Professional Title Vice President & Secretary Email Address remington.buyer@simplot.com
Mailing Address P.O. Box 27, Boise, ID 83707 Phone Number (208) 780-0959

☐ Send all correspondence for this application to the representative and not to the Designated Lessor / Applicant.

OR

☒ Send original correspondence to the Designated Lessor / Applicant and copies to the representative.

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

☐ The full water right is being offered to the Bank and none will still be used.

OR

☒ A portion of the water right is being offered to the Bank and a portion will still be used.

If a portion of the water right is being offered, complete Attachment 2.

3. MAP

[Attach a map](#). The map must locate the point of diversion from the source of water and the location of the lands to be idled or the place where the water will no longer be used. The map must also show townships, ranges, sections, and government lots. For irrigation purposes, mark the number of acres for lease per 40-acre tract (1/4-1/4). If the water right proposed for lease is located within a permissible place of use (PPU) and portions of the PPU will continue to receive water from non-leased water rights, clearly outline on a map the acres within the PPU that will continue to be irrigated, as well as acres that will be idled during the lease term. Label the map **Attachment 3**.

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

- A. Identify the owner of the water delivery system or well See Attachment A

If your water right is delivered through a canal, lateral or ditch operated by a canal company, irrigation district, or similar delivery entity, your lease request must include written consent from the company, district, or similar entity for your removal of water from its system pursuant to [Section 42-108, Idaho Code](#) and [IDAPA WSB Rule 37.02.03.25.02e](#). (Label Attachment 4A)

- B. Please provide a description of the current water diversion and delivery system, including source, pump, pipeline or diversion.
Snake River water is diverted via a pump station in Gov. Lot 7 (SWNE) of S36, T1N, R3W and lifted above the canyon rim, delivered to ponds from which irrigation pipelines are pressurized.

- C. Describe any other water sources, including municipal, irrigation company shares, or water rights with combined limits to the water right offered to the bank, which are used for the same purpose at the same place of use as the water right being offered to the Bank. Junior irrigation water right 2-10462 supplements the place of use for water rights 2-2175A & 2197A, however 2-10462 is not owned by Simplot and is not proposed for lease. Right 2-10462 will not irrigate the idled acres during the term of this lease.

- D. Are any of the water rights identified in Section 4C stacked with the water right proposed for lease? Yes ☐ No ☒

Stacked water rights are used together to achieve a common beneficial use, such as irrigation of the same lands, and usually have combined limits in the conditions of the water rights. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of \$500.

- E. Will the present place of use continue to receive water from any other source, including those listed in 4C? Yes ☐ No ☒

If yes, explain the relationship between the different water sources and how enlargement of the authorized use will not occur if this water right is leased. The acres proposed to be leased will not be irrigated with any water during the term of the lease.

- F. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes ☐ No ☒

If yes, describe the circumstances and attach evidence to demonstrate how the water right has not been lost through forfeiture (Label Attachment 4G). See [Section 42-223, Idaho Code](#) for exceptions to forfeiture, including lease into the Bank. Your application may be denied if forfeiture concerns are not addressed.

The irrigation portions of water rights 2-2175A & 2197A proposed for lease were last fully exercised in 2014. The portions were leased to the Water Supply Bank in 2015 and from 2019-2021. This is the sixth year in which the water right portions are not being exercised and in which no lease has yet transpired.

- G. Identify annual volumes and/or rates of water diverted (used) in the last 5 years to accomplish the beneficial use authorized by this water right. 9.23 cfs has been diverted for irrigation of lands under water right 2-2175A in recent years while 8.56 cfs has been diverted for irrigation of lands under water right 2-2197A in recent years.

- H. Is this water right involved in any other IDWR process, such as an application for transfer or a mitigation plan? ☐ ☒

If yes, describe.

Yes ☐ No ☒

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

5. SALE/LEASE CONTRACT

- A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale ☐ or lease ☒ ?

If lease, specify the first calendar year when the use of water will be suspended: 2024

All lease contracts are for a calendar year from January 1st to December 31st (year)

*Mark Desired Lease Duration (Calendar Years)					
☐ 1	☐ 2	☐ 3	☐ 4	☒ 5	Other Term Length (# of years): <i>*Prior IWRB approval required</i>

- B. Show the minimum payment acceptable to the seller/lessor. **If lease**, the minimum payment may be shown as the "current rental rate" as established by the IWRB, or a negotiated rental rate with submittal of an agreement between the lessor and the renter. *The owner payment is 90% of the rental fee. The administrative fee retained by the IWRB is 10% of either the current rental rate or the negotiated rental fee, whichever is higher. Include the method of determining the minimum payment if submitted as a companion lease rental package, and whether the owner payment will be paid directly to the lessor from the renter or if owner payment should be collected by the Department from the renter for payment to the lessor. (Label attachment 5B).*
- current rental rate.

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

The Designated Lessor / Applicant acknowledges the following:

1. Payment to the Designated Lessor / Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right, even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Lessor / Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture is stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any element of the water right.


Signature of Designated Lessor or Applicant

James B. Alderman
Printed Name

11-15-2024
Date

Signature of Co-Applicant

Printed Name

Date

Signature of Authorized Representative

Printed Name

Date

Mail to:
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Print Form

STATE OF IDAHO
WATER RESOURCE BOARD

Complete Attachment 2 if only a portion of the water right is offered to the Bank.
Only one water right per form.

ATTACHMENT 2

DESCRIPTION OF A WATER RIGHT PORTION OFFERED TO THE WATER SUPPLY BANK

1. <u>Water Right Number</u>	<u>Nature of Use</u>	<u>Leased Rate</u> (cfs)	<u>Leased Volume</u> (af)	<u>Leased Acres</u> (ac)
<u>2-2175A</u>	<u>Irrigation</u>	<u>1.17</u>		<u>84.7</u>
				<u>84.7</u>
	Total Amounts:			

2. Source of water Snake River tributary to Columbia River

3. **Point(s) of diversion.** Locate the point of diversion within each 40-acre tract and/or the U.S. Government Lot of the Public Land Survey System. Spring sources should be described to the nearest 10-acre tract. Identify the county where the point of diversion is located.

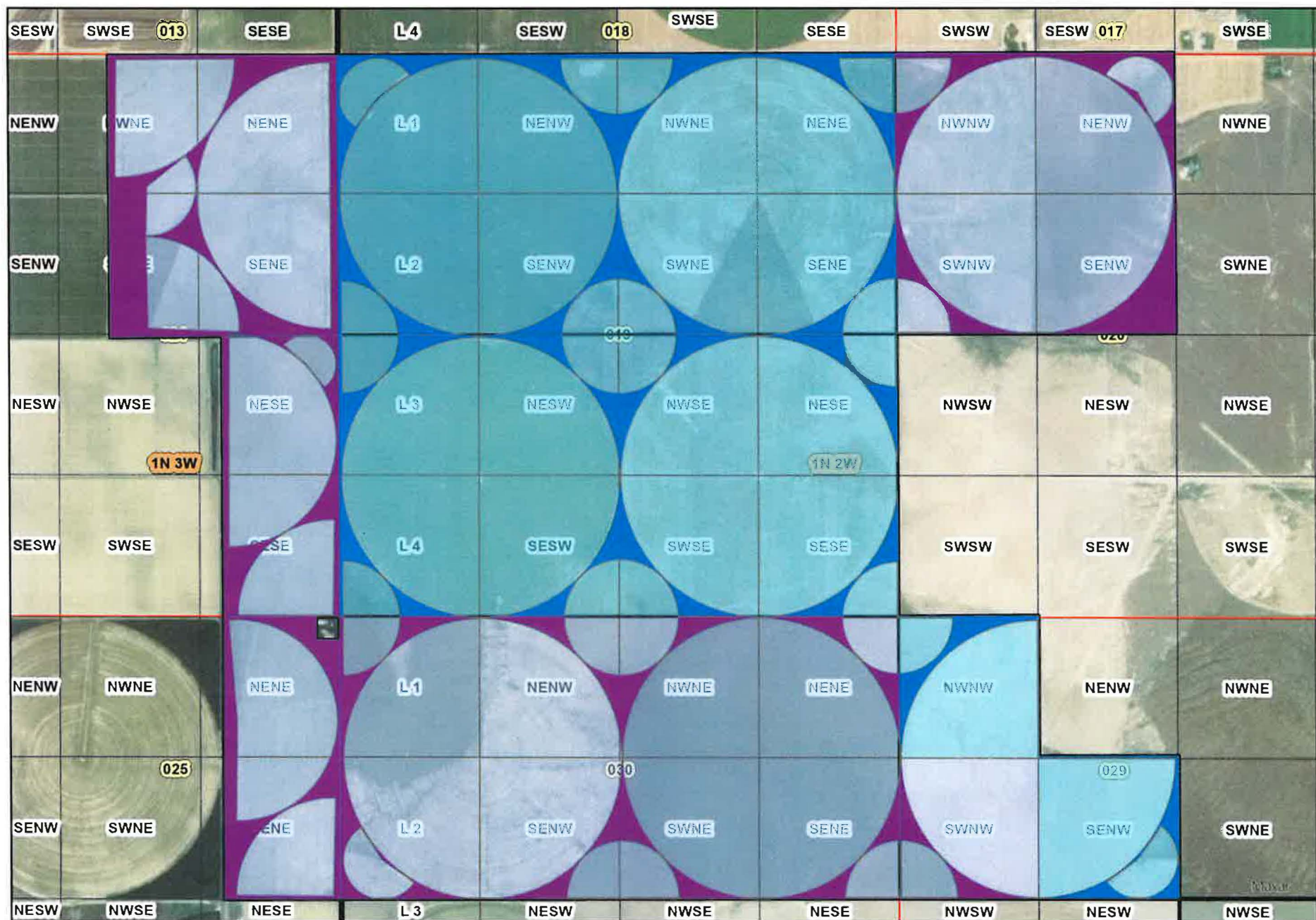
TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
01N	03W	36	7	SW	SW	NE	Canyon	Snake River	

4. Place of Use to be idled. Mark the idled place of use within each 40-acre tract in the appropriate box using the number of acres for irrigation, or the symbol listed below for other uses.

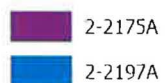
D - domestic, S - stockwater, M - municipal, C - commercial, I - industrial, X - other.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	02W	20					2.6	3.1	4.1	1.1									10.9
01N	02W	29							4.0										4.0
01N	02W	30	3.0	3.7	3.9	3.2	3.1	4.4	3.0	2.0									26.3
01N	03W	24	5.2	2.3	3.5	3.3								5.2			5.5		25.0
01N	03W	25	8.7			9.8													18.5

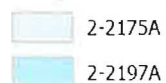
Kondo Farm



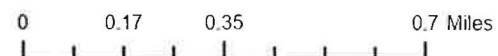
Lease Acres



Irrigated Acres



Simplot Land



Attachments to Water Supply Bank Applications for Water Rights 2-2175A & 2197A

Question 4.A – Identify the owner of the water delivery system, or well

J.R. Simplot Company (Simplot) water rights 2-2175A & 2197A are sourced from a Snake River pump station located on lands owned by TFI Limited Partnership (TFI). The pump station is owned and operated by the Basin Land Irrigation Company (BLIC), a tenancy in common, of which Simplot is a common tenant. BLIC has an agreement in place with TFI to operate and maintain the pump station.

Supplemental Information – Irrigated & Non-Irrigated Acre Summary

The tables below describe:

1. water right decreed acres for water rights 2-2175A & 2197A,
2. water right acres presently under active irrigation
3. water right acres presently not under active irrigation, and proposed for lease,
4. water right acres previously leased to the water supply bank, and
5. differences between past and present water supply bank lease acres

Water Rights 2-2175A & 2197A - Decreed Irrigable Water Right Acres																					
Twp	Rge	Sec	NE				NW				SW				SE				Sub Total	Total	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
01N	02W	19	39.0	39.0	39.0	40.0	39.0	39.0	40.0	40.0	40.0	39.0	39.0	40.0	40.0	39.0	39.0	40.0	40.0	632.0	1,461.0
01N	02W	20					38.0	39.0	40.0	32.0										149.0	
01N	02W	29						37.0	40.0	39.0										116.0	
01N	02W	30	40.0	40.0	40.0	40.0	40.0	40.0	39.0	39.0										318.0	
01N	03W	24	38.0	23.0	16.0	37.0									34.0			31.0		179.0	
01N	03W	25	33.0			34.0														67.0	

Water Rights 2-2175A & 2197A - Acres Presently Under Irrigation																				
Twp	Rge	Sec	NE				NW				SW				SE				Sub Total	Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
01N	02W	19	35.8	35.6	36.9	36.9	35.3	35.3	36.4	36.9	36.5	35.6	36.3	37.2	35.8	36.2	36.6	36.8	580.1	1,319.7
01N	02W	20					35.4	35.9	35.9	30.9									138.1	
01N	02W	29						35.2	36.0	36.1									107.3	
01N	02W	30	37.0	36.3	36.1	36.8	36.9	35.6	36.0	37.0									291.7	
01N	03W	24	32.8	20.7	12.5	33.7									28.8			25.5	154.0	
01N	03W	25	24.3			24.2													48.5	

Water Rights 2-2175A & 2197A - Acres Presently Not Under Active Irrigation, Proposed for Lease																				
Twp	Rge	Sec	NE				NW				SW				SE				Sub Total	Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
01N	02W	19	3.2	3.4	2.1	3.1	3.7	3.7	3.6	3.1	3.5	3.4	3.7	2.8	3.2	2.8	3.4	3.2	51.9	141.3
01N	02W	20					2.6	3.1	4.1	1.1									10.9	
01N	02W	29						1.8	4.0	2.9									8.7	
01N	02W	30	3.0	3.7	3.9	3.2	3.1	4.4	3.0	2.0									26.3	
01N	03W	24	5.2	2.3	3.5	3.3									5.2			5.5	25.0	
01N	03W	25	8.7			9.8													18.5	

Water Rights 2-2175A & 2197A - Acres Previously Leased to the Water Supply Bank																				
Twp	Rge	Sec	NE				NW				SW				SE				Sub Total	Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
01N	02W	19	3.0	3.2	2.3	3.1	3.3	3.4	3.9	3.2	3.3	3.4	4.1	2.9	3.0	2.7	3.6	3.1	51.5	138.4
01N	02W	20					2.4	3.0	4.3	1.1									10.8	
01N	02W	29						1.8	4.0	2.7									8.5	
01N	02W	30	3.0	3.8	4.0	3.2	3.0	4.5	3.4	2.0									26.9	
01N	03W	24	4.7	2.3	1.8	3.5								5.3			5.7		23.3	
01N	03W	25	7.4			10.0													17.4	

RECEIVED

STATE OF IDAHO
WATER RESOURCE BOARDJAN 22 2024 APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANKDEPARTMENT OF
WATER RESOURCES

Designated Applicant J. R. Simplot Company

(Select one owner – see item 1A on the application)

Water Right No. 2-2175A

(One water right per application)

Is this application being submitted with a rental application as a lease/rental package?

Yes ☒ No ☐

This application must be prepared in accordance with the minimum requirement checklist below. Use this checklist to ensure all necessary documentation has been provided. This checklist is part of the lease application and must be included with the lease application. Applications that do not meet the minimum requirements will not be processed and may be returned or denied.

MINIMUM REQUIREMENT CHECKLIST

All items must be checked as either *Attached (Yes)* or *Not Applicable (N/A)*

Yes

- ☒ Completed *Application to Sell or Lease a Water Right to the Water Supply Bank*.
- ☒ Application filing fee of \$250.00 per water right. If you are submitting more than one lease application and the water rights have an overlapping, common place of use, or a common diversion rate or volume, the total fee for all water rights is \$500.00. For places of use, multiple water rights must be used to irrigate the same lands in order to qualify for the joint filing fee. Individual filing fees are required for water rights that share a common permissible place of use but which cover separate acres within the permissible place of use.
- ☒ Confirmation this form has been printed **single sided**, per requirement of the Water Supply Bank.

Attachment N/A Yes

- 1A ☐ ☒ Signatures and contact information for *all owners* of the water right to be leased or sold on this application.
- 1B ☒ ☐ An Internal Revenue Service (IRS) Form W-9 for the Designated Applicant.
- 1C ☒ ☐ *Notice of Change in Water Right Ownership* form (accessible from www.idwr.idaho.gov).
- 1D ☒ ☐ Contact information for an authorized representative and documentary proof they are authorized to represent the Designated Applicant on this application. If the Designated Applicant is a business, partnership, municipality, organization or association, include documents identifying officers authorized to sign or act on behalf of the entity.
- 2 ☐ ☒ Description of a water right portion offered to the Water Supply Bank.
- 3 ☐ ☒ A map that clearly outlines the specific location where irrigated acres will be dried up, or where a beneficial use of water will be suspended. You have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov.
- 4A ☒ ☐ Written consent from irrigation district or water delivery company.
- 4G ☒ ☐ Evidence demonstrating the water right has not been forfeited pursuant to Section 42-222(2), Idaho Code.

Department Use Only

Fee Amount \$ 250.00	Received By: km	Date Received: 1.22.24	Receipt # C117679
W-9 received? Yes ☐ No ☒ (Route W-9 to Fiscal)		Name on W-9:	

Superseded 2914

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

1. CONTACT INFORMATION

- A. This application must be completed by a Designated Applicant who is a current owner of the water right being sold or leased to the Water Supply Bank. If there are additional current owners, those individuals must authorize the Designated Applicant to represent them on this application by completing and signing Attachment 1A of this application package.

Designated Applicant J. R. Simplot Company

Mailing Address P. O. Box 27, Boise, Idaho 83707

Street City State Zip Code

Email Address vic.conrad@simplot.com

Phone Number 208-780-7359

☒ The Designated Applicant is the sole owner of the water right being sold or leased to the Water Supply Bank.

OR

☐ The Designated Applicant is representing additional water right holders who have completed Attachment 1A.

- B. Has the Designated Applicant submitted an IRS Form W-9 to this Department within the last 2 years? Yes ☒ No ☐
If no, complete the form and attach to this application (Attachment 1B).

- C. Are all applicants on this form listed in IDWR's records as the current owners of the water right? Yes ☒ No ☐
If no, attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee (Attachment 1C).

- D. Is this application being completed by an authorized representative of the Designated Applicant? Yes ☐ No ☒
If yes, representatives (includes employees of Designated Applicant companies) must complete this section and submit documentary proof of their authority to represent the Designated Applicant (Attachment 1D).

Name of Representative _____ Organization _____

Professional Title _____ Email Address _____

Mailing Address _____ Phone Number _____

☐ Send all correspondence for this application to the representative and not to the Designated Applicant.

OR

☒ Send original correspondence to the Designated Applicant and copies to the representative.

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

☐ The full water right is being offered to the Bank.

OR

☒ A part of the water right is being offered to the Bank.

If a portion of the water right is being offered, complete Attachment 2.

3. MAP

Attach a map of the point(s) of diversion and place(s) of use proposed to be idled by this lease application. Make sure the idled place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to idle. If the water right proposed for lease is located within a permissible place of use (PPU) and portions of the PPU will continue to receive water from non-leased water rights, clearly outline on a map the acres within the PPU that will continue to be irrigated, as well as acres that will be idled during the lease term. Label the map **Attachment 3**.

Superceded

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

- A. Is the diversion works or system owned or managed by an irrigation district or water delivery company? Yes ☐ No ☒
If yes, provide written consent from the company, corporation or irrigation district authorizing the proposed sale or lease (Attachment 4A).

If your water right is delivered through a canal, lateral or ditch operated by a canal company, irrigation district, or similar delivery entity, your lease request must include written consent from the company, district, or similar entity for your removal of water from its system pursuant to [Section 42-108, Idaho Code](#) and [IDAPA WSB Rule 37.02.03.25.02e](#).

- B. Please provide a description of the current water diversion and delivery system.
Snake River Pump Station, Penstock, Pipelines

- C. Describe any other water rights used for the same purpose at the same place of use as the water right being offered to the Bank. An application to lease certain portions of IDWR Water Right No. 2-10462 will be submitted for lease to the Water Supply Bank

- D. Are any of the water rights identified in Section 4C stacked with the water right proposed for lease? Yes ☐ No ☒
Stacked water rights are used together to achieve a common beneficial use, such as irrigation of the same lands. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of \$500.

- E. Will the present place of use continue to receive water from any other source? Yes ☐ No ☒
If yes, explain the relationship between the different water sources and how enlargement of the authorized use will not occur if this water right is leased.

- F. Identify annual volumes and/or rates of water diverted in the last 5 years to accomplish the beneficial use authorized by this water right. Water was leased earlier to the Water Supply Bank

- G. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes ☐ No ☒
If yes, describe the circumstances and attach evidence to demonstrate how the water right has not been lost through forfeiture (Attachment 4G). See [Section 42-223, Idaho Code](#) for exceptions to forfeiture. Your application may be denied if forfeiture concerns are not addressed.

- H. Is this water right involved in any other IDWR process, such as an application for transfer or a mitigation plan?
If yes, describe.

Yes ☐ No ☒

Superceded

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

5. SALE/LEASE AGREEMENT

A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale ☐ or lease ☒.

If lease, specify the years when the use of water will be suspended: 2024 to 2029 (maximum lease period 5 calendar years).
(Year) (Year)

B. Show the minimum payment acceptable to the seller/lessor. The minimum payment may be shown as the "current rental rate" as established by the IWRB. Include the method of determining the minimum payment if other than the current rental rate.
current rental rate

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

The Designated Applicant acknowledges the following:

1. Payment to the Designated Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right, even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture is stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any element of the water right.


Signature of Designated Applicant

James B. Alderman, Secretary

Printed Name

January 17, 2024
Date

Signature of Authorized Representative

Printed Name

Date

Mail to:
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Superseded



0005562922

**STATE OF IDAHO***Office of the secretary of state, Phil McGrane***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0005562922

Date Filed: 1/16/2024 10:55:58 AM

Entity Name and Mailing Address:

Entity Name:

J. R. SIMPLOT COMPANY

Foreign Name (name in home jurisdiction):

J. R. SIMPLOT COMPANY

The file number of this entity on the records of the Idaho

0000098318

Secretary of State is:

Address

PO BOX 27

BOISE, ID 83707-0027

Entity Details:

Entity Status

Active-Good Standing

This entity is organized under the laws of:

NEVADA

If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:

C28407

The registered agent on record is:

Registered Agent

CORPORATION SERVICE COMPANY

Commercial Registered Agent

Physical Address

1305 12TH AVE RD

NAMPA, ID 83686

Mailing Address

1305 12TH AVE RD

NAMPA, ID 83686

Agent or Address Change



Select if you are appointing a new agent.

Corporate Officers and Directors:

Name	Title	Business Address
Garrett C. Lofto	President	1099 W. FRONT STREET BOISE, ID 83702
James B. Alderman	Secretary	1099 W. FRONT STREET BOISE, ID 83702
Douglas M. Stone	Vice President	1099 W. FRONT STREET BOISE, ID 83702
Garrett C. Lofto	Director	1099 W. FRONT STREET BOISE, ID 83702
Scott R. Simplot	Director	1099 W. FRONT STREET BOISE, ID 83702
Gay C. Simplot	Director	1099 W. FRONT STREET BOISE, ID 83702
John Edward Simplot	Director	1099 W. FRONT STREET BOISE, ID 83702
John Don Simplot	Director	1099 W. FRONT STREET BOISE, ID 83702

Superceded

Attach ID

B0874-1110 01/16/2024 10:56 AM Received by Office of the Idaho Secretary of State

**STATE OF IDAHO
WATER RESOURCE BOARD**

Complete Attachment 2 if only a portion of the water right is offered to the Bank.

ATTACHMENT 2

DESCRIPTION OF A WATER RIGHT PORTION OFFERED TO THE WATER SUPPLY BANK

1. <u>Water Right Number</u>	Nature of Use	Leased Rate (cfs)	Leased Volume (af)	Leased Acres (ac)
<u>2-2175A</u>	<u>Irrigation</u>	<u>1.15</u>		<u>82.44</u>
	Total Amounts:			

2. Source of water Snake River tributary to Columbia River

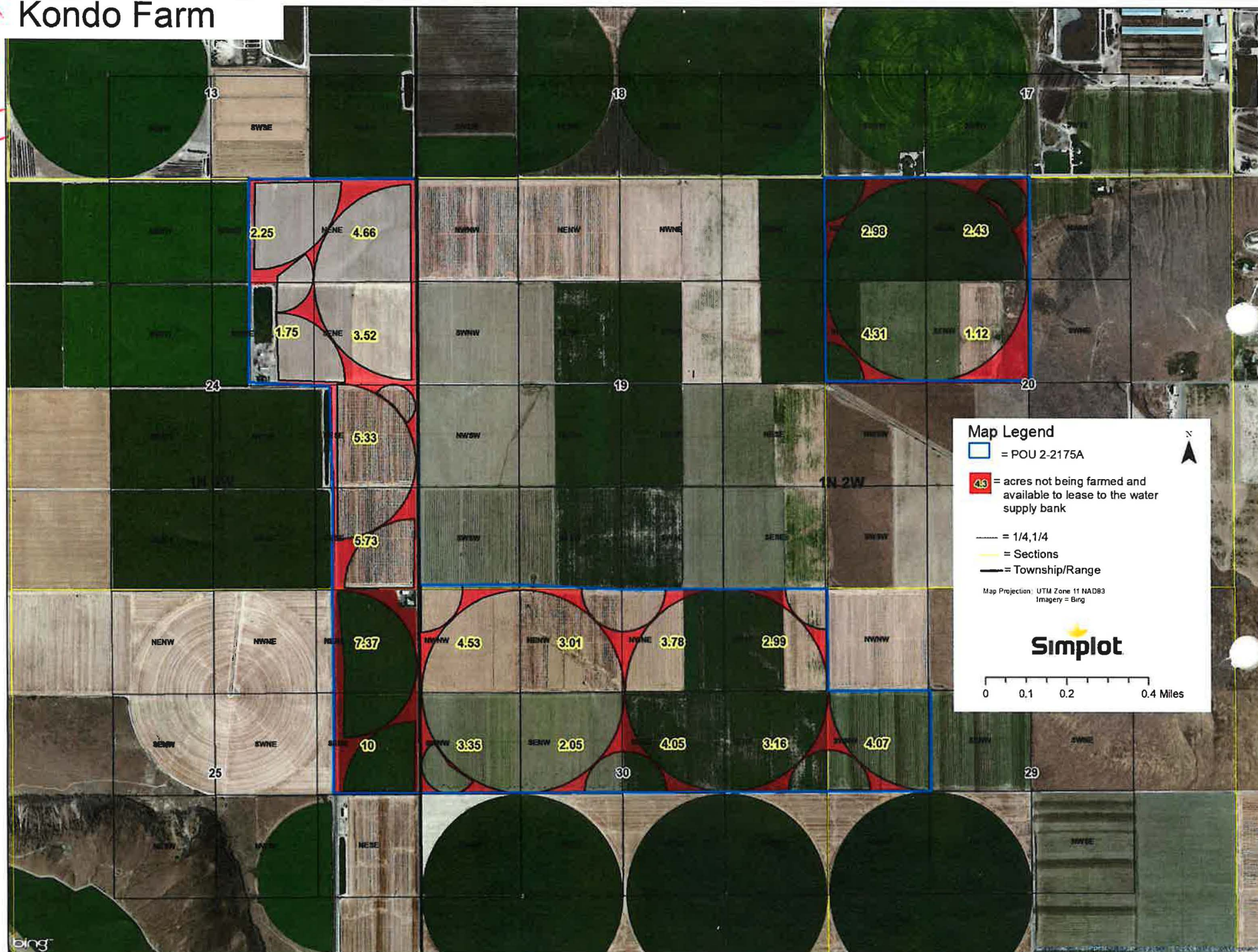
3. Point(s) of diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
1N	3W	36	7	SW	SW	NE	Canyon

Superseded

Kondo Farm

Superceded



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1878

This Lease Contract ("**Lease**") is between the Idaho Water Resource Board ("**Board**"), and

LESSOR: J R SIMPLOT CO
1099 W FRONT ST PO BOX 27
BOISE, ID 83707-0027

RECEIVED
NOV 19 2025
DEPARTMENT OF
WATER RESOURCES

RECITALS

1. The Board is authorized under chapter 17, title 42, Idaho Code to operate a water supply bank and to contract with lessors to act as an intermediary in facilitating the rental of water.
2. The Lessor has filed a completed application to lease water rights described below into the Water Supply Bank on forms supplied by the Idaho Department of Water Resources and received by the Department on January 22, 2024.
3. The Director of the Idaho Department of Water Resources has reviewed the application for compliance with the Water Supply Bank rules and has approved the Lease subject to conditions listed below.

NOW, THEREFORE, in consideration of the mutual covenants and contracts herein contained, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. **WATER RIGHTS:** The Lessor shall lease and the Board shall accept into the Bank the Applicant's water rights described as follows:

Summary of Water Rights or Portions Leased to the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)
2-2197A	12/13/1962	SNAKE RIVER, tributary to COLUMBIA RIVER	0.74	Not Stated	56.6
Lease Totals			0.74	Not Stated	56.6

Summary of Water Rights Elements Rentable From the Bank

Water Right	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (Limited) (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
2-2197A	0.34	254.7	56.6	0.006	4.5
Totals	0.34	254.7	56.6	0.006	4.5

** The water right elements rentable have been reduced from the water right elements leased to account for enlargement concerns*

2. **COMPENSATION:** The Lessor shall accept and the Board shall pay compensation determined by the amount of water rented under the following rental rate during such times as the water is rented from the Bank over the term of this Lease.

Minimum Payment Acceptable: Current Rental Rate

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1878

3. **TERM OF LEASE:** The term of this lease shall be January 1, 2024 to December 31, 2028. This Lease shall bind the parties and take effect when both parties have signed it.
4. **WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE:** The Lessor shall abide by all terms and conditions contained in the Water Supply Bank Conditions of Acceptance, attached hereto as "Attachment A" and incorporated herein by this reference.
5. **CHANGE OF WATER RIGHT:** This lease specifies water right elements including but not limited to: diversion rates; diversion volumes; number of acres authorized to be irrigated; places of use; points of diversion; beneficial uses; and seasons of use. During the term of this lease, if a water right is administratively changed due to a water right split and renumbering, this lease may be reduced by an equal amount to reflect the water right elements as legally defined under the water right. If a lease contract cannot be reduced sufficient to reflect the legal definition of a water right as amended through a water right split and/or water right transfer, the Board may release the water right from the Water Supply Bank.
6. **ASSIGNMENT OF CONTRACT:** This lease is between the Board and the Lessor, who is the recognized owner or designated representative of the recognized owners of water rights described herein. Should ownership of any part of a water right herein described change during the term of this lease, either through a water right split, a water right transfer, sale of property to which the water right is appurtenant, or through any other recognized water right reassignment, the lease benefits and obligations to the conditions of acceptance for any such water rights will be assigned to the new owners.
7. **DUPLICATE ORIGINAL:** This Lease is executed in duplicate. Each of the documents with an original signature of each party shall be an original.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1878

IN WITNESS WHEREOF, the parties have executed this Contract on the date following their respective signatures.

LESSOR: J R SIMPLOT CO
1099 W FRONT ST PO BOX 27
BOISE, ID 83707-0027

By [Signature]
Title Sr. V.P., Secretary & General Counsel
Date November 17th, 2025

IDAHO WATER RESOURCE BOARD
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

By [Signature]
Brian Patton, Executive Manager
Idaho Water Resource Board

Date 11/24/25

Lease approved by IDWR [Signature]

Date 11/24/25

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1878

ATTACHMENT A WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

The water rights or portions thereof leased to the bank are described as follows:

Source and Location of Point(s) of Diversion for Water Right No(s): 2-2197A

SNAKE RIVER L Sec. 36 Twp 01N Rge 03W CANYON County
7SWSWNE

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
2-2197A	IRRIGATION	04/01	to	10/31	0.34 cfs	254.7 AF
Totals:					0.34 cfs	254.7 AF

PLACES OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	02W	19	3.2	3.4	2.1	3.1	3.7	3.7 L1	3.6 L2	3.1	3.5	3.4 L3	3.7 L4	2.8	3.2	2.8	3.4	3.2	51.9
01N	02W	29						1.8		2.9									4.7

Total Acres: 56.6

ADDITIONAL CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the Department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, or the lease term expires. A right may be released from the bank upon request, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
5. While a water right is in the bank, forfeiture provisions are stayed pursuant to Idaho Code § 42-223(5).
6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1878

8. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other Department application process.
9. In accordance with Idaho Code § 42-248 and § 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
 - a. Rental payments will go to the lessor(s) of record at the beginning of the rental season, even if the Department processes a Notice of Change in Water Right Ownership during the rental season.
 - b. New lessor(s) of record will receive payment for any subsequent rental seasons.
11. The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.
12. The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
13. The unleased portion of right 2-2197A shall not exceed a total diversion rate of 8.56 cfs and the irrigation of 651.4 acres.
14. The unleased portions of right 2-2197A, when combined with right 2-10462, shall not exceed a total diversion rate of 0.02 cfs per acre.
15. The following rights are also diverted through point of diversion described above: 02-104, 02-2175A, 02-2175D, 02-2175E, 02-2197A, 02-10054, and 02-10055.

NOV 27 2024

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
WATER RESOURCE BOARD

Print Form

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANKApplicant / Designated Lessor J.R. Simplot Company
(Select one owner – see item 1A on the application)Water Right No. 2-2197A
(One water right per application)Is this application being submitted with a rental application as a lease/rental package? Yes ☐ No ☒

If yes, include renter and rental fee payment information as attachment 5B.

This application must be prepared in accordance with the minimum requirement checklist below. Use this checklist to ensure all necessary documentation has been provided. This checklist is part of the lease application and must be included with the lease application. Applications that do not meet the minimum requirements will not be processed and may be returned or denied.

MINIMUM REQUIREMENT CHECKLIST
Check All Items as Either Attached (Yes) or Not Applicable (N/A)

Yes

Completed *Application to Sell or Lease a Water Right to the Water Supply Bank*, printed **single sided**, per requirement of the Water Supply Bank.

Application filing fee of \$250.00 per water right. If you are submitting more than one lease application and the water rights have an overlapping, common place of use, or a common diversion rate or volume, the total fee for all water rights is \$500.00. For places of use, multiple water rights must be used to irrigate the same lands in order to qualify for the joint filing fee. Individual filing fees are required for water rights that share a common permissible place of use but which cover separate acres within the permissible place of use.

N/A Yes Attachments



1A

Signatures and contact information for **all owners** of the water right to be leased or sold on this application.

1B

An [Internal Revenue Service \(IRS\) Form W-9](#) for the Applicant / Designated Lessor.

1C

Notice of Change in Water Right Ownership form (accessible from www.idwr.idaho.gov).

1D

Contact information for an authorized representative and documentary proof they are authorized to represent the Applicant on this application. If the Applicant is a business, partnership, municipality, organization or association, include documents identifying officers authorized to sign or act on behalf of the entity.



2

Description of a water right portion offered to the Water Supply Bank.



3

A map that clearly outlines the specific location where irrigated acres will be dried up, or where a beneficial use of water will be suspended. You have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov.



4A

Written consent from irrigation district or water delivery company.



4G

Evidence demonstrating the water right has not been forfeited pursuant to [Section 42-222\(2\), Idaho Code](#).

5B

Rental rate and owner payment agreement between lessor and renter for lease/rental packages.

Department Use Only

Fee Amount \$

Received By:

Date Received: 01/02/2024

Receipt #

C117679W-9 received? Yes ☐ No ☐ (Route W-9 to Fiscal)

Name on W-9:

2997

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

1. CONTACT INFORMATION

- A. The applicant or designated lessor must be listed as a current owner of the water right offered for sale or lease to the Water Supply Bank. If there are multiple current owners, choose one owner as the Designated Lessor. Complete and attach the Designated Lessor - Attachment 1A of this application package with the signatures of all current owners.

Applicant / Designated Lessor J.R. Simplot Company
Mailing Address P.O. Box 27, Boise, ID 83707
Street City State Zip Code
Email Address remington.buyer@simplot.com Phone Number (208) 780-0959

☒ The Applicant is the sole owner of the water right being sold or leased to the Water Supply Bank.

OR

☐ The Designated Lessor is representing additional water right holders who have completed Attachment 1A.

- B. Has the Designated Lessor / Applicant submitted an [IRS Form W-9](#) to this Department within 6 months? Yes ☒ No ☐
If no, complete the form and attach to this application (Attachment 1B).
- C. Are all applicants on this form listed in IDWR's records as the current owners of the water right? Yes ☒ No ☐
If no, attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee (Attachment 1C).
- D. Is this application being completed by an authorized representative of the Water Right Holder? Yes ☒ No ☐
If yes, representatives (includes employees of Water Right Holder companies) must complete this section and submit documentary proof of their authority to represent the Water Right Holder (Attachment 1D).

Name of Representative James. B. Alderman Organization _____
Professional Title Vice President & Secretary Email Address remington.buyer@simplot.com
Mailing Address P.O. Box 27, Boise, ID 83707 Phone Number (208) 780-0959

☐ Send all correspondence for this application to the representative and not to the Designated Lessor / Applicant.

OR

☒ Send original correspondence to the Designated Lessor / Applicant and copies to the representative.

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

☐ The full water right is being offered to the Bank and none will still be used.

OR

☒ A portion of the water right is being offered to the Bank and a portion will still be used.

If a portion of the water right is being offered, **complete Attachment 2.**

3. MAP

Attach a map. The map must locate the point of diversion from the source of water and the location of the lands to be idled or the place where the water will no longer be used. The map must also show townships, ranges, sections, and government lots. **For irrigation purposes**, mark the number of acres for lease **per** 40-acre tract (1/4-1/4). If the water right proposed for lease is located within a permissible place of use (PPU) and portions of the PPU will continue to receive water from non-leased water rights, clearly outline on a map the acres within the PPU that will continue to be irrigated, as well as acres that will be idled during the lease term. Label the map **Attachment 3.**

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

- A. Identify the owner of the water delivery system or well See Attachment A
If your water right is delivered through a canal, lateral or ditch operated by a canal company, irrigation district, or similar delivery entity, your lease request must include written consent from the company, district, or similar entity for your removal of water from its system pursuant to [Section 42-108, Idaho Code](#) and [IDAPA WSB Rule 37.02.03.25.02e](#), (Label Attachment 4A)
- B. Please provide a description of the current water diversion and delivery system, including source, pump, pipeline or diversion.
Snake River water is diverted via a pump station in Gov. Lot 7 (SWNE) of S36, T1N, R3W and lifted above the canyon rim, delivered to ponds from which irrigation pipelines are pressurized.
- C. Describe any other water sources, including municipal, irrigation company shares, or water rights with combined limits to the water right offered to the bank, which are used for the same purpose at the same place of use as the water right being offered to the Bank. Junior irrigation water right 2-10462 supplements the place of use for water rights 2-2175A & 2197A, however 2-10462 is not owned by Simplot and is not proposed for lease. Right 2-10462 will not irrigate the idled acres during the term of this lease.
- D. Are any of the water rights identified in Section 4C stacked with the water right proposed for lease? Yes ☐ No ☒
Stacked water rights are used together to achieve a common beneficial use, such as irrigation of the same lands, and usually have combined limits in the conditions of the water rights. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of \$500.
- E. Will the present place of use continue to receive water from any other source, including those listed in 4C? Yes ☐ No ☒
If yes, explain the relationship between the different water sources and how enlargement of the authorized use will not occur if this water right is leased. The acres proposed to be leased will not be irrigated with any water during the term of the lease.
- F. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes ☐ No ☒
If yes, describe the circumstances and attach evidence to demonstrate how the water right has not been lost through forfeiture (Label Attachment 4G). See [Section 42-223, Idaho Code](#) for exceptions to forfeiture, including lease into the Bank. Your application may be denied if forfeiture concerns are not addressed.
The irrigation portions of water rights 2-2175A & 2197A proposed for lease were last fully exercised in 2014. The portions were leased to the Water Supply Bank in 2015 and from 2019-2021. This is the sixth year in which the water right portions are not being exercised and in which no lease has yet transpired.
- G. Identify annual volumes and/or rates of water diverted (used) in the last 5 years to accomplish the beneficial use authorized by this water right. 9.23 cfs has been diverted for irrigation of lands under water right 2-2175A in recent years while 8.56 cfs has been diverted for irrigation of lands under water right 2-2197A in recent years.
- H. Is this water right involved in any other IDWR process, such as an application for transfer or a mitigation plan? ☐ ☒
If yes, describe. Yes No

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

5. SALE/LEASE CONTRACT

- A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale ☐ or lease ☒ ?

If lease, specify the first calendar year when the use of water will be suspended: 2024

All lease contracts are for a calendar year from January 1st to December 31st (year)

*Mark Desired Lease Duration (Calendar Years)					
☐ 1	☐ 2	☐ 3	☐ 4	☒ 5	Other Term Length (# of years): <i>*Prior IWRB approval required</i>

- B. Show the minimum payment acceptable to the seller/lessor. **If lease**, the minimum payment may be shown as the "current rental rate" as established by the IWRB, or a negotiated rental rate with submittal of an agreement between the lessor and the renter. *The owner payment is 90% of the rental fee. The administrative fee retained by the IWRB is 10% of either the current rental rate or the negotiated rental fee, whichever is higher. Include the method of determining the minimum payment if submitted as a companion lease rental package, and whether the owner payment will be paid directly to the lessor from the renter or if owner payment should be collected by the Department from the renter for payment to the lessor. (Label attachment 5B).*
- current rental rate.

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

The Designated Lessor / Applicant acknowledges the following:

1. Payment to the Designated Lessor / Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right, even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Lessor / Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture is stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any element of the water right.



Signature of Designated Lessor or Applicant

James B. Alderman

Printed Name

11-15-2024

Date

Signature of Co-Applicant

Printed Name

Date

Signature of Authorized Representative

Printed Name

Date

Mail to:
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Print Form

STATE OF IDAHO
WATER RESOURCE BOARD

Complete Attachment 2 if only a portion of the water right is offered to the Bank.
Only one water right per form.

ATTACHMENT 2

DESCRIPTION OF A WATER RIGHT PORTION OFFERED TO THE WATER SUPPLY BANK

1. <u>Water Right Number</u>	<u>Nature of Use</u>	<u>Leased Rate</u> (cfs)	<u>Leased Volume</u> (af)	<u>Leased Acres</u> (ac)
<u>2-2197A</u>	<u>Irrigation</u>	<u>0.743</u>		<u>56.6</u>
				<u>56.6</u>
	Total Amounts:			

2. Source of water Snake River tributary to Columbia River

3. **Point(s) of diversion.** Locate the point of diversion within each 40-acre tract and/or the U.S. Government Lot of the Public Land Survey System. Spring sources should be described to the nearest 10-acre tract. Identify the county where the point of diversion is located.

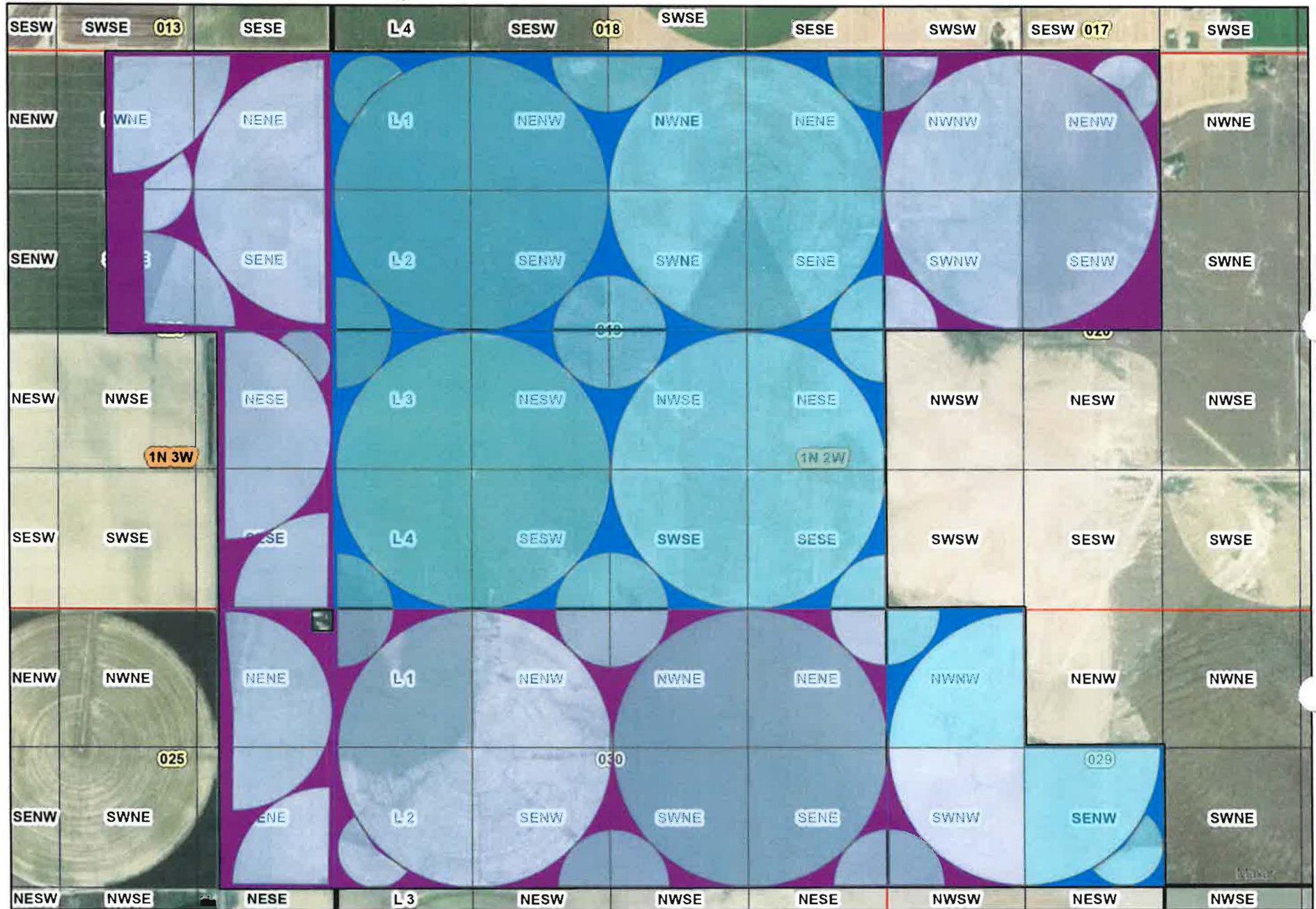
TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
01N	03W	36	7	SW	SW	NE	Canyon	Snake River	

4. Place of Use to be idled. Mark the idled place of use within each 40-acre tract in the appropriate box using the number of acres for irrigation, or the symbol listed below for other uses.

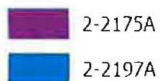
D - domestic, S - stockwater, M - municipal, C - commercial, I - industrial, X - other.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	02W	19	3.2	3.4	2.1	3.1	3.7	3.7	3.6	3.1	3.5	3.4	3.7	2.8	3.2	2.8	3.4	3.2	51.9
01N	02W	29						1.8		2.9									4.7

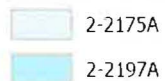
Kondo Farm



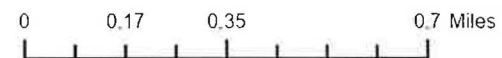
Lease Acres



Irrigated Acres



Simplot Land



N



Attachments to Water Supply Bank Applications for Water Rights 2-2175A & 2197A

Question 4.A – Identify the owner of the water delivery system, or well

J.R. Simplot Company (Simplot) water rights 2-2175A & 2197A are sourced from a Snake River pump station located on lands owned by TFI Limited Partnership (TFI). The pump station is owned and operated by the Basin Land Irrigation Company (BLIC), a tenancy in common, of which Simplot is a common tenant. BLIC has an agreement in place with TFI to operate and maintain the pump station.

Supplemental Information – Irrigated & Non-Irrigated Acre Summary

The tables below describe:

1. water right decreed acres for water rights 2-2175A & 2197A,
2. water right acres presently under active irrigation
3. water right acres presently not under active irrigation, and proposed for lease,
4. water right acres previously leased to the water supply bank, and
5. differences between past and present water supply bank lease acres

Water Rights 2-2175A & 2197A - Decreed Irrigable Water Right Acres																					
Twp	Rge	Sec	NE				NW				SW				SE				Sub Total	Total	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
01N	02W	19	39.0	39.0	39.0	40.0	39.0	39.0	40.0	40.0	40.0	39.0	39.0	40.0	40.0	39.0	39.0	40.0	40.0	632.0	1,461.0
01N	02W	20					38.0	39.0	40.0	32.0										149.0	
01N	02W	29						37.0	40.0	39.0										116.0	
01N	02W	30	40.0	40.0	40.0	40.0	40.0	40.0	39.0	39.0										318.0	
01N	03W	24	38.0	23.0	16.0	37.0										34.0			31.0	179.0	
01N	03W	25	33.0			34.0														67.0	

Water Rights 2-2175A & 2197A - Acres Presently Under Irrigation																				
Twp	Rge	Sec	NE				NW				SW				SE				Sub Total	Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
01N	02W	19	35.8	35.6	36.9	36.9	35.3	35.3	36.4	36.9	36.5	35.6	36.3	37.2	35.8	36.2	36.6	36.8	580.1	1,319.7
01N	02W	20					35.4	35.9	35.9	30.9									138.1	
01N	02W	29						35.2	36.0	36.1									107.3	
01N	02W	30	37.0	36.3	36.1	36.8	36.9	35.6	36.0	37.0									291.7	
01N	03W	24	32.8	20.7	12.5	33.7									28.8			25.5	154.0	
01N	03W	25	24.3			24.2													48.5	

Water Rights 2-2175A & 2197A - Acres Presently Not Under Active Irrigation, Proposed for Lease																				
Twp	Rge	Sec	NE				NW				SW				SE				Sub Total	Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
01N	02W	19	3.2	3.4	2.1	3.1	3.7	3.7	3.6	3.1	3.5	3.4	3.7	2.8	3.2	2.8	3.4	3.2	51.9	141.3
01N	02W	20					2.6	3.1	4.1	1.1									10.9	
01N	02W	29						1.8	4.0	2.9									8.7	
01N	02W	30	3.0	3.7	3.9	3.2	3.1	4.4	3.0	2.0									26.3	
01N	03W	24	5.2	2.3	3.5	3.3									5.2			5.5	25.0	
01N	03W	25	8.7			9.8													18.5	

Water Rights 2-2175A & 2197A - Acres Previously Leased to the Water Supply Bank																				
Twp	Rge	Sec	NE				NW				SW				SE				Sub Total	Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
01N	02W	19	3.0	3.2	2.3	3.1	3.3	3.4	3.9	3.2	3.3	3.4	4.1	2.9	3.0	2.7	3.6	3.1	51.5	138.4
01N	02W	20					2.4	3.0	4.3	1.1									10.8	
01N	02W	29						1.8	4.0	2.7									8.5	
01N	02W	30	3.0	3.8	4.0	3.2	3.0	4.5	3.4	2.0									26.9	
01N	03W	24	4.7	2.3	1.8	3.5								5.3			5.7		23.3	
01N	03W	25	7.4			10.0													17.4	

STATE OF IDAHO
WATER RESOURCE BOARD

**APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK**

RECEIVED

JAN 22 2024

DEPARTMENT OF
WATER RESOURCESDesignated Applicant J. R. Simplot Company

(Select one owner – see item 1A on the application)

Water Right No. 2-2197A

(One water right per application)

Is this application being submitted with a rental application as a lease/rental package?

Yes ☐ No ☒

This application must be prepared in accordance with the minimum requirement checklist below. Use this checklist to ensure all necessary documentation has been provided. This checklist is part of the lease application and must be included with the lease application. **Applications that do not meet the minimum requirements will not be processed and may be returned or denied.**

MINIMUM REQUIREMENT CHECKLIST

All items must be checked as either *Attached (Yes)* or *Not Applicable (N/A)*

Yes

- ☒ Completed *Application to Sell or Lease a Water Right to the Water Supply Bank*.
- ☒ Application filing fee of \$250.00 per water right. If you are submitting more than one lease application and the water rights have an overlapping, common place of use, or a common diversion rate or volume, the total fee for all water rights is \$500.00. For places of use, multiple water rights must be used to irrigate the same lands in order to qualify for the joint filing fee. Individual filing fees are required for water rights that share a common permissible place of use but which cover separate acres within the permissible place of use.
- ☒ Confirmation this form has been printed **single sided**, per requirement of the Water Supply Bank.

Attachment N/A Yes

- 1A ☐ ☒ Signatures and contact information for **all owners** of the water right to be leased or sold on this application.
- 1B ☒ ☐ An Internal Revenue Service (IRS) Form W-9 for the Designated Applicant.
- 1C ☒ ☐ *Notice of Change in Water Right Ownership* form (accessible from www.idwr.idaho.gov).
- 1D ☒ ☐ Contact information for an authorized representative and documentary proof they are authorized to represent the Designated Applicant on this application. If the Designated Applicant is a business, partnership, municipality, organization or association, include documents identifying officers authorized to sign or act on behalf of the entity.
- 2 ☐ ☒ Description of a water right portion offered to the Water Supply Bank.
- 3 ☐ ☒ A map that clearly outlines the specific location where irrigated acres will be dried up, or where a beneficial use of water will be suspended. You have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov.
- 4A ☒ ☐ Written consent from irrigation district or water delivery company.
- 4G ☒ ☐ Evidence demonstrating the water right has not been forfeited pursuant to Section 42-222(2), Idaho Code.

Department Use Only

Fee Amount \$ <u>250.00</u>	Received By: <u>KM</u>	Date Received: <u>1.22.24</u>	Receipt # <u>C117679</u>
W-9 received? Yes ☐ No ☐ (Route W-9 to Fiscal)		Name on W-9:	

~~2114 2923~~ 2997

Superseded

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

RECEIVED

JAN 22 2024

DEPARTMENT OF
WATER RESOURCES

1. CONTACT INFORMATION

- A. This application must be completed by a Designated Applicant who is a current owner of the water right being sold or leased to the Water Supply Bank. If there are additional current owners, those individuals must authorize the Designated Applicant to represent them on this application by completing and signing Attachment 1A of this application package.

Designated Applicant J. R. Simplot Company

Mailing Address P. O. Box 27, Boise, Idaho 83707

Street City State Zip Code

Email Address vic.conrad@simplot.com

Phone Number 208-780-7359

- ☒ The Designated Applicant is the sole owner of the water right being sold or leased to the Water Supply Bank.

OR

- ☐ The Designated Applicant is representing additional water right holders who have completed Attachment 1A.

- B. Has the Designated Applicant submitted an IRS Form W-9 to this Department within the last 2 years? Yes ☒ No ☐
If no, complete the form and attach to this application (Attachment 1B).

- C. Are all applicants on this form listed in IDWR's records as the current owners of the water right? Yes ☒ No ☐
If no, attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee (Attachment 1C).

- D. Is this application being completed by an authorized representative of the Designated Applicant? Yes ☐ No ☒
If yes, representatives (includes employees of Designated Applicant companies) must complete this section and submit documentary proof of their authority to represent the Designated Applicant (Attachment 1D).

Name of Representative _____ Organization _____

Professional Title _____ Email Address _____

Mailing Address _____ Phone Number _____

- ☐ Send all correspondence for this application to the representative and not to the Designated Applicant.

OR

- ☒ Send original correspondence to the Designated Applicant and copies to the representative.

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

- ☐ The full water right is being offered to the Bank.

OR

- ☒ A part of the water right is being offered to the Bank.

If a portion of the water right is being offered, complete Attachment 2.

3. MAP

Attach a map of the point(s) of diversion and place(s) of use proposed to be idled by this lease application. Make sure the idled place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to idle. If the water right proposed for lease is located within a permissible place of use (PPU) and portions of the PPU will continue to receive water from non-leased water rights, clearly outline on a map the acres within the PPU that will continue to be irrigated, as well as acres that will be idled during the lease term. Label the map **Attachment 3**.

Superseded

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

- A. Is the diversion works or system owned or managed by an irrigation district or water delivery company? Yes ☐ No ☒
If yes, provide written consent from the company, corporation or irrigation district authorizing the proposed sale or lease (Attachment 4A).

If your water right is delivered through a canal, lateral or ditch operated by a canal company, irrigation district, or similar delivery entity, your lease request must include written consent from the company, district, or similar entity for your removal of water from its system pursuant to Section 42-108, Idaho Code and IDAPA WSB Rule 37.02.03.25.02e.

- B. Please provide a description of the current water diversion and delivery system.
Snake River Pump Station, Penstock, Pipelines

- C. Describe any other water rights used for the same purpose at the same place of use as the water right being offered to the Bank. An application to lease certain portions of IDWR Water Right No. 2-10462 will be submitted for lease to the Water Supply Bank

- D. Are any of the water rights identified in Section 4C stacked with the water right proposed for lease? Yes ☐ No ☒
Stacked water rights are used together to achieve a common beneficial use, such as irrigation of the same lands. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of \$500.

- E. Will the present place of use continue to receive water from any other source? Yes ☐ No ☒
If yes, explain the relationship between the different water sources and how enlargement of the authorized use will not occur if this water right is leased.

- F. Identify annual volumes and/or rates of water diverted in the last 5 years to accomplish the beneficial use authorized by this water right. Water was leased earlier to the Water Supply Bank

- G. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes ☐ No ☒
If yes, describe the circumstances and attach evidence to demonstrate how the water right has not been lost through forfeiture (Attachment 4G). See Section 42-223, Idaho Code for exceptions to forfeiture. Your application may be denied if forfeiture concerns are not addressed.

- H. Is this water right involved in any other IDWR process, such as an application for transfer or a mitigation plan? If yes, describe. Yes ☐ No ☒

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

5. SALE/LEASE AGREEMENT

- A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale ☐ or lease ☒?

If lease, specify the years when the use of water will be suspended: 2024 to 2029 (maximum lease period 5 calendar years).
(Year) (Year)

- B. Show the minimum payment acceptable to the seller/lessor. The minimum payment may be shown as the "current rental rate" as established by the IWRB. Include the method of determining the minimum payment if other than the current rental rate.
current rental rate

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

The Designated Applicant acknowledges the following:

1. Payment to the Designated Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right, even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture is stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any element of the water right.


Signature of Designated Applicant

James B. Alderman, Secretary

Printed Name

January 17, 2024
Date

Signature of Authorized Representative

Printed Name

Date

Mail to:
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

**STATE OF IDAHO
WATER RESOURCE BOARD**

Complete Attachment 2 if only a portion of the water right is offered to the Bank.

ATTACHMENT 2

DESCRIPTION OF A WATER RIGHT PORTION OFFERED TO THE WATER SUPPLY BANK

1. <u>Water Right Number</u>	Nature of Use	Leased Rate (cfs)	Leased Volume (af)	Leased Acres (ac)
<u>2-2197A</u>	<u>Irrigation</u>	<u>0.73</u>		<u>56</u>
Total Amounts:				

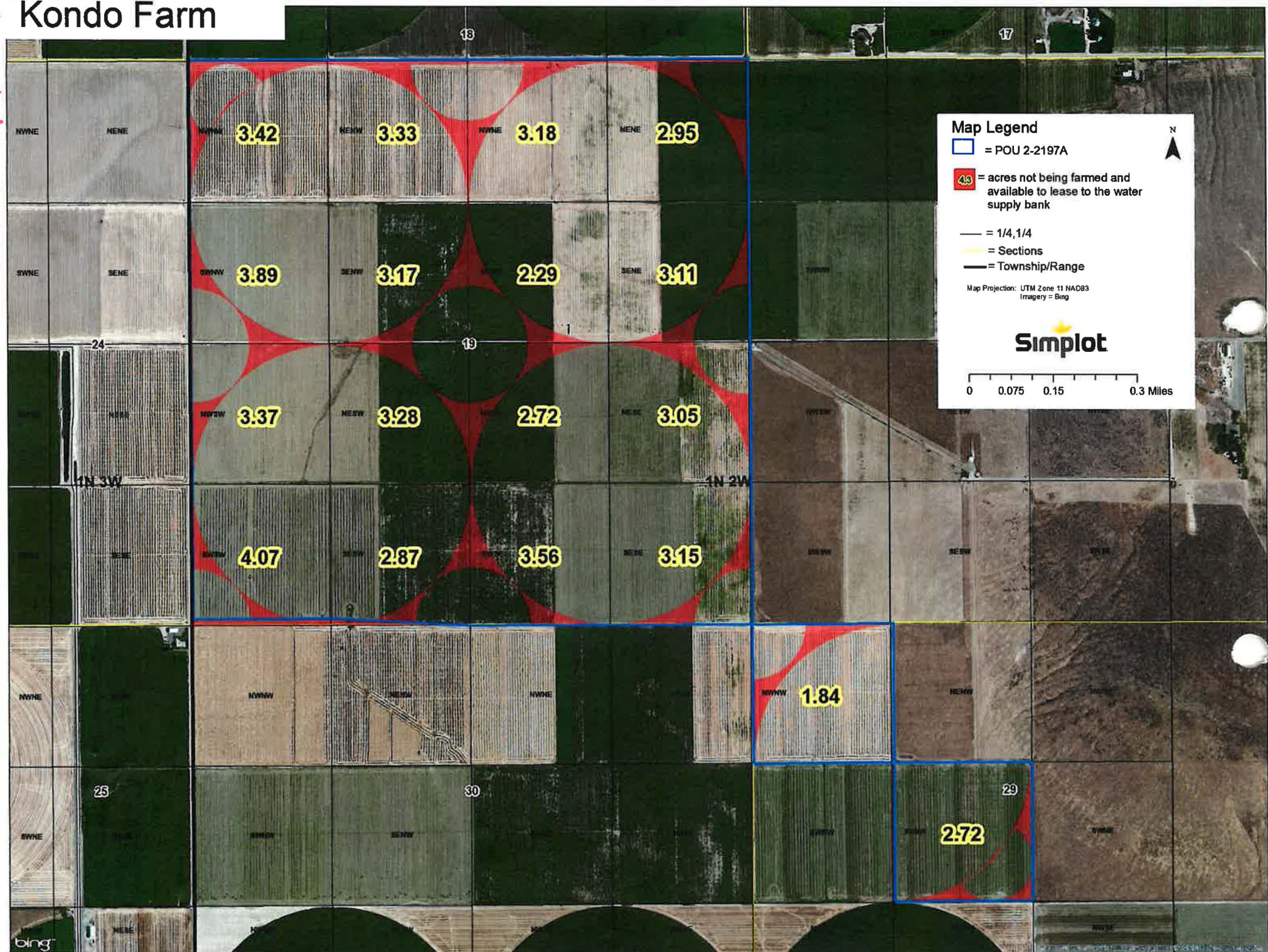
2. Source of water Snake River tributary to Columbia River

3. Point(s) of diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
1N	3W	36	7	SW	SW	NE	Canyon

Superseded

Superidea





0005577818

**STATE OF IDAHO***Office of the secretary of state, Phil McGrane***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

For Office Use Only

-FILED-

File #: 0005577818

Date Filed: 2/1/2024 2:07:17 PM

B0878-0746 02/01/2024 2:07 PM Received by Office of the Idaho Secretary of State

Entity Name and Mailing Address:

Entity Name: J.R. SIMPLOT COMPANY FOUNDATION, INC.
The file number of this entity on the records of the Idaho Secretary of State is: 0000407007
Address: PO BOX 27
BOISE, ID 83707-0027

Entity Details:

Entity Status: Active-Good Standing
This entity is organized under the laws of: IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: C133201

The registered agent on record is:

Registered Agent: JAMES B ALDERMAN
Registered Agent
Physical Address
1099 W FRONT ST
BOISE, ID 83702
Mailing Address

Corporate Officers and Directors:

Name	Title	Business Address
Gay C. Simplot	Director	1099 W. FRONT STREET BOISE, ID 83702
Scott R. Simplot	Director	1099 W. FRONT STREET BOISE, ID 83702
John E. Simplot	Director	1099 W. FRONT STREET BOISE, ID 83702
John D. Simplot	Director	1099 W. FRONT STREET BOISE, ID 83702
Gay C. Simplot	President	1099 W. FRONT STREET BOISE, ID 83702
James B. Alderman	Secretary	1099 W. FRONT STREET BOISE, ID 83702
Brent Moylan	Treasurer	1099 W. FRONT STREET BOISE, ID 83702

The annual report must be signed by an authorized signer of the entity.

Job Title: Secretary

James B. Alderman

Sign Here

02/01/2024

Date

Superseded



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

November 25, 2025

J R SIMPLOT CO
1099 W FRONT ST
PO BOX 27
BOISE, ID 83707-0027

**RE: WATER SUPPLY BANK LEASE CONTRACTS 1878 AND 1880
FOR WATER RIGHT(S) 2-2197A, & 2-2175A**

Dear Lessor:

Water rights **2-2197A and 2-2175A** are leased into the Water Supply Bank (Bank) as of January **2024** in accordance with the enclosed executed lease contract. **Your water rights, as described on the lease contract, are considered leased into the Bank and should remain unused until they are formally released from the Bank.** More information and further restrictions placed on your water rights while leased can be found in conditions of acceptance of the lease contract. Read the conditions of acceptance carefully.

The right(s) will automatically be released from the Bank on **December 31, 2028**, unless the rights are released earlier by the Water Resource Board (Board). To release the water rights from the Bank prior to the release date, submit a written request on the *Request to Release a Water Right from the Bank* form. This form is available on our public website at www.idwr.idaho.gov. **Please note your water rights may not be available for immediate release if they are rented.**

If you have questions regarding this matter, please contact this office at bank@idwr.idaho.gov or 208-287-4800.

Sincerely,

Kris Margheim

Kris Margheim
Technical Records Specialist

Enclosure: Executed Lease Contract

c: IDWR- Western Region Office



J.R. Simplot Company
P.O. Box 27, Boise, Idaho
83707 0027

1099 West Front Street
Boise, Idaho 83702

Remington.Buyer@simplot.com
208 780 0959 Business
208 389 7333 Fax

November 17, 2025

Aaron Olson
Water Resource Agent, Principal
Idaho Department of Water Resources
322 East Front Street
Boise ID 83702

RECEIVED

NOV 19 2025

**DEPARTMENT OF
WATER RESOURCES**

Re: Water Supply Bank Lease Applications 1878 & 1880

Mr. Olson,

Attached are signed copies of Water Supply Bank Lease Contracts 1878 & 1880 for water rights 2-2197A and 2175A.

Please return a copy of the contracts to me once they have been signed and executed by IDWR staff.

Regards,

Remington Buyer
Land, Water and Asset Recovery





IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

11/14/2025

ATTN REMINGTON BUYER
J R SIMPLOT CO
1099 W FRONT ST PO BOX 27
BOISE, ID 83707-0027

**RE: APPLICATION TO LEASE WATER RIGHT 2-2175A TO THE WATER SUPPLY BANK
CONTRACT 1880**

******TIME SENSITIVE RESPONSE REQUIRED*****

Dear Applicant:

The Department of Water Resources has completed its review of your application to lease the above-mentioned water right to the Water Supply Bank. **I have enclosed two original Water Supply Bank Lease Contracts for your review and signature. Please sign and return ALL Lease Contracts within 14 days.** Upon signature and return of the contracts, the Department will also sign the original contracts and return an executed copy to you. The Lease Contract is not considered final until you and the Department have both signed.

The right will automatically be released from the Bank on **December 31, 2028**, unless the right is released earlier by the Board, or upon your request. To release the right from the Bank prior to the release date, submit a written request on the Request to Release a Water Right from the Bank form. To propose a new lease period, submit a new Application to Sell or Lease a Water Right to the Water Supply Bank form along with applicable fees to the Department. These forms are available from any IDWR office or from our public website at <http://www.idwr.idaho.gov>. Please note your right may not be available for immediate release if it has been rented.

Please review the conditions of acceptance listed on the Lease Contract, including #3 which says:
"While a right is in the bank, **the lessor may not use the right** without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B."

If you have questions regarding this matter, please contact this office at bank@idwr.idaho.gov or 208-287-4800.

Sincerely,

for
Water Supply Bank

Enclosures: Proposed Lease Contracts

From: [Murdock, Clayton](#)
To: [Erting, Jes](#); [Whitney, Rob](#); [Miller, Nick](#)
Cc: [Bank](#)
Subject: Lease applications for J.R. Simplot Company
Date: Monday, July 15, 2024 3:09:00 PM
Attachments: [J.R. Simplot Lease Checklist - 2997.xls](#)
[Layout-2997.pdf](#)
[JRSimplot Checklist 2914.xls](#)
[Lease - Template 2022.pdf](#)

Good Afternoon, Nick, Jes, and Rob

I am reaching out to you regarding two proposed leases submitted by J.R. Simplot company within Water District 2. Please review the attached lease checklists and maps for the offered portions of water rights 2-2175A and 2-2197A, both for five-year lease terms beginning in 2024.

Please reach out to me with any questions or concerns regarding these applications within 10 days.



IDAHO DEPARTMENT OF
WATER RESOURCES

Clayton D. Murdock | Water Supply Bank Specialist

322 E Front St, PO Box 83720, Boise ID 83720

(208) 287-4963 | www.idwr.idaho.gov



RECEIVED
NOV 27 2024
DEPARTMENT OF
WATER RESOURCES

J.R. Simplot Company
P.O. Box 27, Boise, Idaho
83707 0027

1099 West Front Street
Boise, Idaho 83702

Remington.Buyer@simplot.com
208 780 0959 Business
208 389 7333 Fax

November 15, 2024

Mary Condon
Water Supply Bank Coordinator
Idaho Department of Water Resources
322 East Front Street
Boise ID 83702

Re: Water Supply Bank Lease Applications for Water Rights 2-2175A & 2197A

Ms. Condon,

Attached are two Water Supply Bank Lease Applications for J.R. Simplot Company (Simplot) irrigation water rights 2-2175A and 2-2197A. Similar to leases in 2015, and from 2019-2021, portions of these water rights are again proposed for lease, for a duration of five years, beginning in 2024. The water right portions proposed for lease were not actively used from 2016-2018, nor in 2022 and 2023. Accordingly, the Company is this year taking an action to place the presently unused portions of these rights back into the Water Supply Bank.

Please note, the exact location and sum total acres proposed for lease this year differ slightly from leased acreages from recent leases. A 2024 field survey for water rights 2-2175A and 2197A identified 668.3 acres and 651.4 acres under irrigation at the respective water right places of use. The difference between the irrigable and irrigated water right acreage—84.7 acres for 2-2175A and 56.6 acres for 2-2197A—are proposed for lease in 2024. This represents a total overall difference of 2.9 additional acres proposed for lease in 2024 over the 82.4 and 56.0 acres banked during recent years.

Further, the exact location of the acres proposed to be leased in 2024 differ slightly from the acres previously leased to the Water Supply Bank. Specifically, 2.9 acres that were leased in recent years are now under active irrigation and are no longer proposed for lease to the Bank. Additionally, 5.8 acres not previously leased to the Bank are now proposed for lease. The difference between the 2.9 acres previously and no longer proposed for lease, and the 5.9 additional acres now identified for lease, results in a calculated increase of 2.9 acres for the current lease. A tablatore identifying the exact location of the acres in question is provided as an attachment to these applications.

29142997
188607

I appreciate your review of these lease applications. Please contact me if you have any questions about this proposal.

Regards,

A handwritten signature in black ink, appearing to be the initials 'RB' followed by a horizontal line.

Remington Buyer
Land, Water and Asset Recovery





J.R. Simplot Company
P.O. Box 27, Boise, Idaho
83707 0027

1099 West Front Street
Boise, Idaho 83702

Vic.conrad@simplot.com
208 780 7359 Business
208 780 7333 Fax

January 19, 2024

Mary Condon
Water Supply Bank Coordinator
State of Idaho
Department of Water Resources
322 E. Front Street, Suite 648
P. O. Box 83720
Boise, Idaho 83720-0098

RECEIVED
JAN 22 2024
DEPARTMENT OF
WATER RESOURCES

Re: Water Supply Bank Lease Application; IDWR Water Right Nos. 2-2175A and 2-2197A.

Dear Mary:

Enclosed for filing are applications to lease portions of the above referenced water rights to the Water Supply Bank. Also enclosed is a check in the amount of \$500 to cover your filing fees for both applications.

Sincerely,

Vic Conrad
Land, Water & Asset Recovery

Enclosures

2914



From: [Murdock, Clayton](#)
To: [Erling, Jes](#); [Whitney, Rob](#); [Miller, Nick](#)
Cc: [Bank](#)
Subject: Lease applications for J.R. Simplot Company
Date: Monday, July 15, 2024 3:09:00 PM
Attachments: [J.R. Simplot Lease Checklist - 2997.xls](#)
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Please reach out to me with any questions or concerns regarding these applications within 10 days.



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WATER RESOURCES

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Governor Brad Little

Director Mathew Weaver

11/14/2025

ATTN REMINGTON BUYER
J R SIMPLOT CO
1099 W FRONT ST PO BOX 27
BOISE, ID 83707-0027

**RE: APPLICATION TO LEASE WATER RIGHT 2-2197A TO THE WATER SUPPLY BANK
CONTRACT 1878**

******TIME SENSITIVE RESPONSE REQUIRED******

Dear Applicant:

The Department of Water Resources has completed its review of your application to lease the above-mentioned water right to the Water Supply Bank. **I have enclosed two original Water Supply Bank Lease Contracts for your review and signature. Please sign and return ALL Lease Contracts within 14 days.** Upon signature and return of the contracts, the Department will also sign the original contracts and return an executed copy to you. The Lease Contract is not considered final until you and the Department have both signed.

The right will automatically be released from the Bank on **December 31, 2028**, unless the right is released earlier by the Board, or upon your request. To release the right from the Bank prior to the release date, submit a written request on the Request to Release a Water Right from the Bank form. To propose a new lease period, submit a new Application to Sell or Lease a Water Right to the Water Supply Bank form along with applicable fees to the Department. These forms are available from any IDWR office or from our public website at <http://www.idwr.idaho.gov>. Please note your right may not be available for immediate release if it has been rented.

Please review the conditions of acceptance listed on the Lease Contract, including #3 which says:
"While a right is in the bank, **the lessor may not use the right** without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B."

If you have questions regarding this matter, please contact this office at bank@idwr.idaho.gov or 208-287-4800.

Sincerely,

for
Water Supply Bank

Enclosures: Proposed Lease Contracts