WHEREAS, the Idaho Water Resource Board ("Board") is a constitutional agency of the State of Idaho and empowered by Idaho Code §42-1734 to acquire, purchase, lease or exchange land, rights, water rights, easements, franchises and other property deemed necessary or proper for construction, operation and maintenance of water projects, and

WHEREAS, the Mountain Home Air Force Base ("Base"), as well as surrounding agricultural wells and municipal wells, draw their supply from the Mountain Home Aquifer; and

WHEREAS, the Idaho Department of Water Resources ("IDWR") estimates that the rate of withdrawal from the Mountain Home Aquifer exceeds the rate of natural recharge to the aquifer and, due to declining ground water levels, IDWR established the Cinder Cone Butte Critical Ground Water Area in 1981 and the Mountain Home Ground Water Management Area in 1982; and

WHEREAS, the State of Idaho recognizes the economic value of the Base to the local and state economy and supports the United States Military in achieving its national security functions and has been coordinating with the Military to develop a long-term sustainable water supply to support the Base and its mission; and

WHEREAS, House Bill 479 passed and approved by the 2014 Idaho legislature allocated $4 million in one-time funds for acquisition of senior priority Snake River water rights to supply the Base; and

WHEREAS, on July 25, 2014, a Water Right Purchase and Sale Agreement ("Agreement") was executed between J.R. Simplot Company ("Simplot") and the Board through which the Board purchased senior Snake River water rights 02-10300A, 02-10330B, and a portion of 02-10472 ("Water Rights") for the purpose of obtaining a water supply for the Base; and

WHEREAS, the portion of water right 02-10472 sold to the Board was subsequently renumbered to 02-10506; and

WHEREAS, the Agreement granted Simplot an option to re-acquire the Water Rights from the Board ("Option") if the Board failed to divert the water under the Water Rights for the benefit of the Base and put the Water Rights to beneficial use on the land owned by the United States of America and reserved for the Base on or before January 1, 2021 ("Beneficial Use Deadline"); and

WHEREAS, the Option may be exercised by Simplot up to and including February 1, 2021 ("Option Period"), subject to extension; and

WHEREAS, the Agreement authorized the Board to extend the Beneficial Use Deadline to February
1, 2026 by providing Simplot with written notice of extension on or before January 1, 2021. After receipt
of the Board’s notice to extend the Beneficial Use Deadline, the Option Period shall be automatically
extended until February 1, 2026; and

NOW THEREFORE BE IT RESOLVED that the IWRB authorizes its chairman to issue written notice
to Simplot to extend the Beneficial Use Deadline to February 1, 2026.

DATED this 17th day of September, 2020.

ROGER W. CHASE, Chairman
Idaho Water Resource Board

ATTEST
VINCE ALBERDI, Secretary