

Jul 17, 2025

**BEFORE THE DIRECTOR  
OF THE IDAHO DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO**

DEPARTMENT OF  
WATER RESOURCES

**IN THE MATTER OF THE  
APPLICATION OF J. R. SIMPLOT  
COMPANY FOR APPROVAL OF A  
MITIGATION PLAN**

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**APPLICATION  
FOR APPROVAL OF  
MITIGATION PLAN**

Docket No. CM-MP-2025-002

COMES NOW J. R. SIMPLOT COMPANY, a Nevada corporation, and applies to the Director of the Idaho Department of Water Resources for approval of the following Mitigation Plan:

**1. Name, address and telephone of applicant:**

J. R. Simplot Company as the successor to the ownership interest of Michaud Creek Ranches in IDWR Water right Nos. 29-7089 and 29-2515.

Address for Applicant:  
P. O. Box 27  
Boise, Idaho 83707  
Phone: 208-336-2110

**2. Water rights to be mitigated:**

The mitigation plan is intended to apply to IDWR Water Right Nos. 29-7089 and 29-2515.

**3. Water rights to be used for mitigation:**

704 acre feet of water stored in Palisades Reservoir pursuant to US Department of Interior Bureau of Reclamation ("BOR") Contract No. 14-06-100-1838.

On February 12<sup>th</sup>, 1960, the applicant contracted with the BOR for the storage of up to 2,500 acre feet in the reservoir behind Palisades Dam. On June 23, 2025, the Applicant submitted a private lease agreement with the Twin Falls Canal Company executed June 23, 2025 and filed with Water District 1 through the Upper Snake River Reservoir System Rental Pool on the same day ("Water Bank Lease"). A copy of the fully executed Water Bank Lease is attached.

**4. Description of Mitigation Plan.**

- a. General Description. To mitigate any impacts on the Snake River that may result from the applicant diverting water during the 2025 irrigation season pursuant to IDWR Water Right Nos. 29-7089 and 29-2515, 704 acre feet of groundwater stored in Palisades Reservoir will be credited to the storage accounts of the Twin Falls Canal Company for use as needed. The applicant will the divert no more than 704 acre feet

during the 2025 irrigation season from the point of diversion authorized under IDWR Water Right Nos. 2-7089 and 29-2515.

- b. Accounting and Measurement. The applicant's point of diversion is metered and will be recorded and reported to the Water District 120 Watermaster to verify the volume diverted during the 2025 irrigation season.

**5. WHEREFORE, the Applicant prays that the Director of the Department of Water Resources of the State of Idaho take the following actions:**

- a. Find that this proposed plan will provide replacement water, at the time, place and amount required by the senior water rights, sufficient to mitigate the impacts of the Applicant's ground water withdrawal for use in irrigating its land.
- b. Find that this proposed mitigation plan is adequate to prevent injury to other water rights.
- c. Order that the Watermaster for Basin 120 permit the use of groundwater by the applicant to continue out of priority as long during the term of the Water Bank Lease.
- d. Order that IDWR Water Right Nos. 29-7089 and 29-2515 be regulated in accordance with this mitigation plan.

I hereby assert that no one will be injured by operation of this mitigation plan. The information contained in this application is true to the best of my knowledge.

J. R. Simplot Company



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James B. Alderman  
Senior Vice President and Secretary



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

June 23, 2025

Craig Chandler  
Watermaster, Water District 1  
900 N. Skyline Drive A  
Idaho Falls, ID 83402

**Re: Private Lease Agreement for 2025 Irrigation Season**

Sir,

Please find enclosed a completed Water District #1 Rental Pool - Private Lease Agreement between the J.R. Simplot Company and the Twin Falls Canal Company (TFCC). Through execution of this private lease, Simplot intends to deliver to TFCC 704 af of storage water, to fully mitigate for presently unmitigated ground water pumping under Michaud Creek Ranch water rights 29-2515 and 29-7089. Simplot will deliver this storage water to TFCC for \$0 and a payment of \$1,619.20 is provided to WD1 to cover administrative fees.

This private lease is proposed only for the 2025 irrigation season; Simplot intends to enroll water rights 29-2515 and 29-7089 in a formal mitigation plan for the 2026 irrigation season. Please contact me if you have any questions about this matter.

Regards,

Remington Buyer  
Water Rights Specialist

CC: Blake Jordan, Watermaster – Water District 120



## WATER DISTRICT #1 RENTAL POOL - PRIVATE LEASE AGREEMENT

J.R. Simplot Company (Simplot Fertilizer) \_\_\_\_\_ (lessor) agrees to lease 704 acre-feet of storage to Twin Falls Canal Company \_\_\_\_\_ (lessee) for the 2025 irrigation season at a price of \$ 0 according to the rules and regulations contained in the Water District #1 Rental Pool Procedures.

### Description of Lease:

Name of River or Stream from which lease is diverted: Snake River

Canal or Pump Name and location: \_\_\_\_\_

Place of Use description: For use within the Twin Falls Canal Company service area

Water Right Appurtenant to Lands: \_\_\_\_\_

An Idaho Water Resources Board surcharge (10% of the purchase price) plus a **\$2.30** per acre-foot administrative fee must be received by Water District #1 prior to the approval of the storage lease).

If the reservoir storage system fails to fill in the season following the year leased, the lessor's storage allocation shall be reduced by the amount leased to offset any impacts to other spaceholders' storage accruals according to the approved Water District #1 Rental Pool Procedures pursuant to Idaho Code Section 42-1765. The lessor understands the net effect of this rule is to make an amount of the lessor's space (equal to the amount leased) last-to-fill in the reservoir system for the irrigation season following the lease.

☐ If the lease is for irrigation purposes, the Applicant, by checking this box, certifies that the use of this leased storage water complies with the moratorium on new consumptive uses as outlined in Rental Pool Procedure 3.4. Failure to meet the conditions contained in Rental Pool Procedure 3.4 may be grounds for denying the application.

If the leased storage is diverted by a diversion outside the area regulated by Water District #1, the applicant, by signing this agreement agrees to report to the Watermaster of the water district containing the diversion, the daily amounts of leased storage diverted during the year. The Watermaster of that district, according to Rental Pool Procedure 4.3.107, must then report to the Water District #1 Watermaster the daily rental diverted by November 30<sup>th</sup>. Failure to report the daily rental diversion may result in the rental not being delivered in Water District #1's final rental delivery records.

3

6/19/25

Sr. VP & Legal Counsel, J.R. Simplot Company

**Lessor Signature**

Date \_\_\_\_\_

Title, Canal Company

  
Lessee Signature

6/23/25

Date \_\_\_\_\_

Twin Falls Canal Co

Canal Company or Diversion Name

[illegible]

Date Lease Accepted by WD1 Watermaster: \_\_\_\_\_

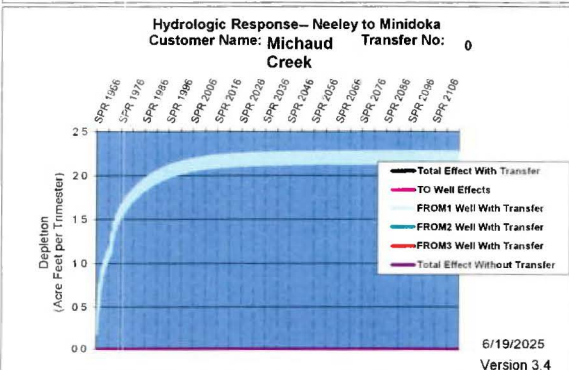
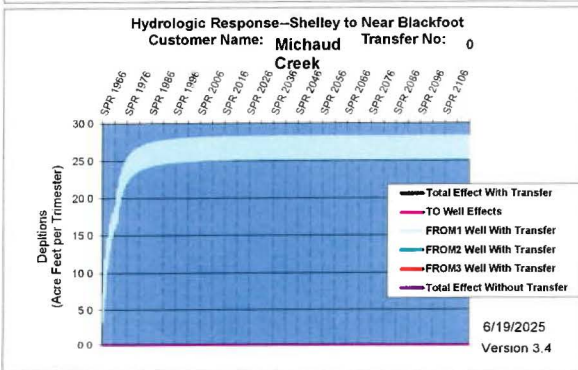
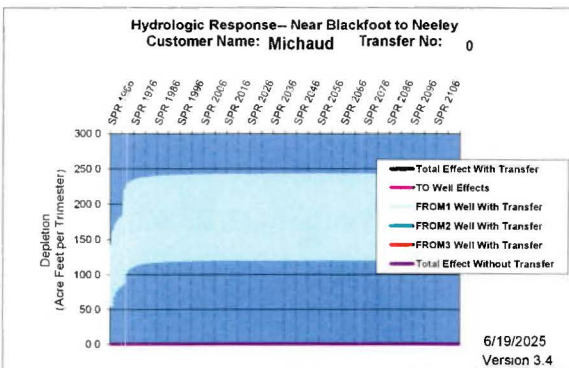
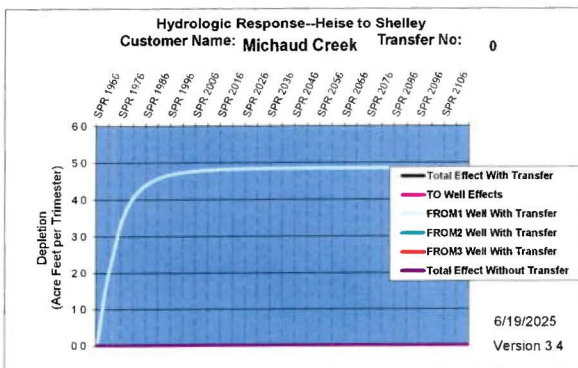
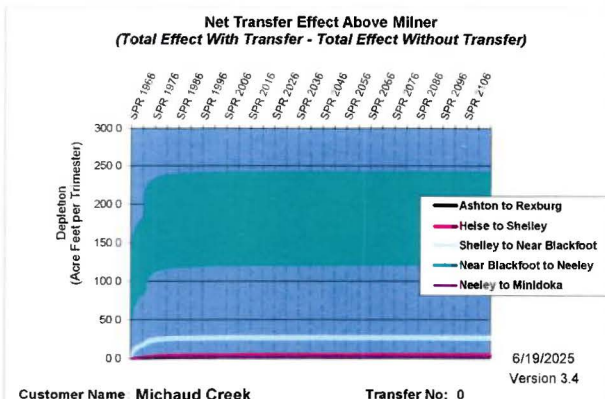
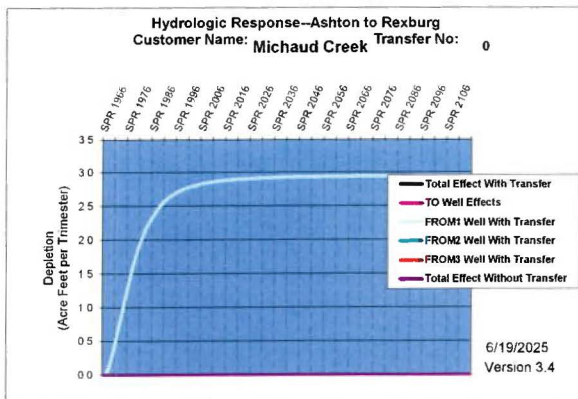
WD1 Watermaster Signature: \_\_\_\_\_



Calculated impacts of 704 acre-feet of ground water pumping under water rights 29-2515 and 29-7089 on reaches of the Snake River.

Right	Priority	Vol (AF)	Acres	Max Acres	AF/AC
29-2515	1/5/1966	560	160	196	3.5
29-7089	6/9/1972	144	36	196	4
		704	196	196	3.6

ESPA modeling of 704 af of annual ground water pumping, using ETRAN 3.4 reveals steady state impacts concentrate in the Blackfoot to Neeley reach of the Snake River.



Mitigation analysis of steady state calculated impacts attributable to 704 af of annual ground water pumping at Michaud Creek Ranch indicate 147.1 af of ground water depletions should be mitigated, of which 83% (122 af) are specific to the Blackfoot to Neeley reach of the Snake River, with the remaining 17% (25 af) required in the Shelley to Blackfoot reach

		Ashton to Rexburg	Heise to Shelley	Shelley to N Blackft	Neeley Neeley	Neeley to Dev. Minidoka	Wbl T. Buhl	Buhl to Kspr	Kspr Kspr	Kspr to Malad	Malad Malad	Malad to Bancroft
Flow (cfs)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Flow (af)		2.94	4.85	25.32	121.80	2.14	2.03	1.65	0.75	0.70	0.80	0.11
Flow (cfs)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Flow (af)		2.94	4.85	28.14	240.89	2.27	2.03	1.65	0.75	0.70	0.80	0.11

Steady State Analysis	Mitigation Check 1 - >10% of Historical	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
	Mitigation Check 2 - > 2 AF/T	2.9	4.9	25.3	121.8	2.1	2.0	1.6	0.8	0.7	0.8	0.1
	Mitigation Check 3 - >10% of Total:	1.8%	3.0%	15.5%	74.7%	1.3%	1.2%	1.0%	0.5%	0.4%	0.5%	0.1%
	Mitigation Required?	NO	NO	YES	YES	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft)	2.9	4.9	25.3	121.8	2.1	2.0	1.6	0.8	0.7	0.8	0.1

Transient State Analysis	Mitigation Check 1 - >10% of Historical	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
	Mitigation Check 2 - > 2.01 AF/T	2.9	4.9	28.1	240.9	2.3	2.0	1.6	0.8	0.7	0.8	0.1
	Mitigation Required?	YES	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft)	2.9	4.9	28.1	240.9	2.3	2.0	1.6	0.8	0.7	0.8	0.1

Notwithstanding the calculated mitigation requirement of 147.1 af under water rights 29-2515 and 29-7089, a storage water delivery to Twin Falls Canal Company of 704 af is proposed for the 2025 irrigation season, to fully mitigate for the use of these rights.



Now offering ACH Electronic Payments! Inquiries: (208) 389-7457

JR SIMPLOT COMPANY - AP

Vendor Name				Vendor Number	Check Number	00077199	
Water District 01				10666098	Check Date	06/23/25	
					Check Amount	1,619.20	
Date	Invoice Number	Description	PO	Invoice Amount	Discount	Net Amount	
06/18/25	CKREQ165230_061825	MITIGATION WATER ADMINISTR		1,619.20	0.00	1,619.20	
THE ATTACHED CHECK IS IN PAYMENT FOR THE ITEMS DESCRIBED ABOVE				Total	1,619.20	0.00	1,619.20

▼ REMOVE DOCUMENT ALONG THIS PERFORATION ▼

VERIFY DOCUMENT AUTHENTICITY - THIS DOCUMENT HAS A COLORED AND VOID BACKGROUND



WELLS FARGO BANK, N.A.

11-156/531

06/23/25

Check No.

00077199

PAY One Thousand Six Hundred Nineteen and 20/100ths Dollars

\$1,619.20

TO  
THE  
ORDER  
OF

WATER DISTRICT 01

SIGNATURE HAS A COLORED BACKGROUND - BORDER CONTAINS MICROPRINTING

⑈00077199⑈ ⑆053101561⑆ 8018383490⑈

JR SIMPLOT COMPANY - AP  
PO BOX 9168  
BOISE, ID 83707

2 Route / Mail per instructions

Water District 01  
900 N Skyline Dr Ste A  
Idaho Falls, ID 83402-1718SEE OTHER SIDE FOR  
OPENING INSTRUCTIONSSEE OTHER SIDE FOR  
OPENING INSTRUCTIONS

Patent Number US 7,975,904 B2

TO REORDER CALL SOLV 1-800-389-3850