

11/15/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-195M
NAME AND ADDRESS: IDAHO FRESH PAK INC
PO BOX 130
LEWISVILLE ID 83431-0130
SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 1.000 CFS
PRIORITY DATE: 06/01/1885
POINT OF DIVERSION:
T02N R37E S12 NWNENW Within BONNEVILLE County
T04N R37E S35 NENE Within JEFFERSON County
PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	1.000 CFS

PLACE OF USE: IRRIGATION in BONNEVILLE County

T03N R37E S25	NESW	2.10	T03N R37E S25	NWSW	24.00
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26.1 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Water is delivered through Great Western Canal and Porter Canal.

11/15/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 1-195M

IDAHO FRESH PAK INC

PO BOX 130

LEWISVILLE ID 83431-0130

Telephone Number: (208)754-8100

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: ~~no changes need to be made.~~

DATE: _____

SIGNATURE: _____

Please print your name: _____

_____ *Tony R Christianse*
_____ *Tony R Christianse*
IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

*KMO
12/04*



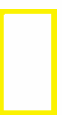
Idaho Department of Water Resources

SRBA Recommendation:

1-195M

(Irrigation)

Legend

-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Bonneville County
IDWR Basin 1

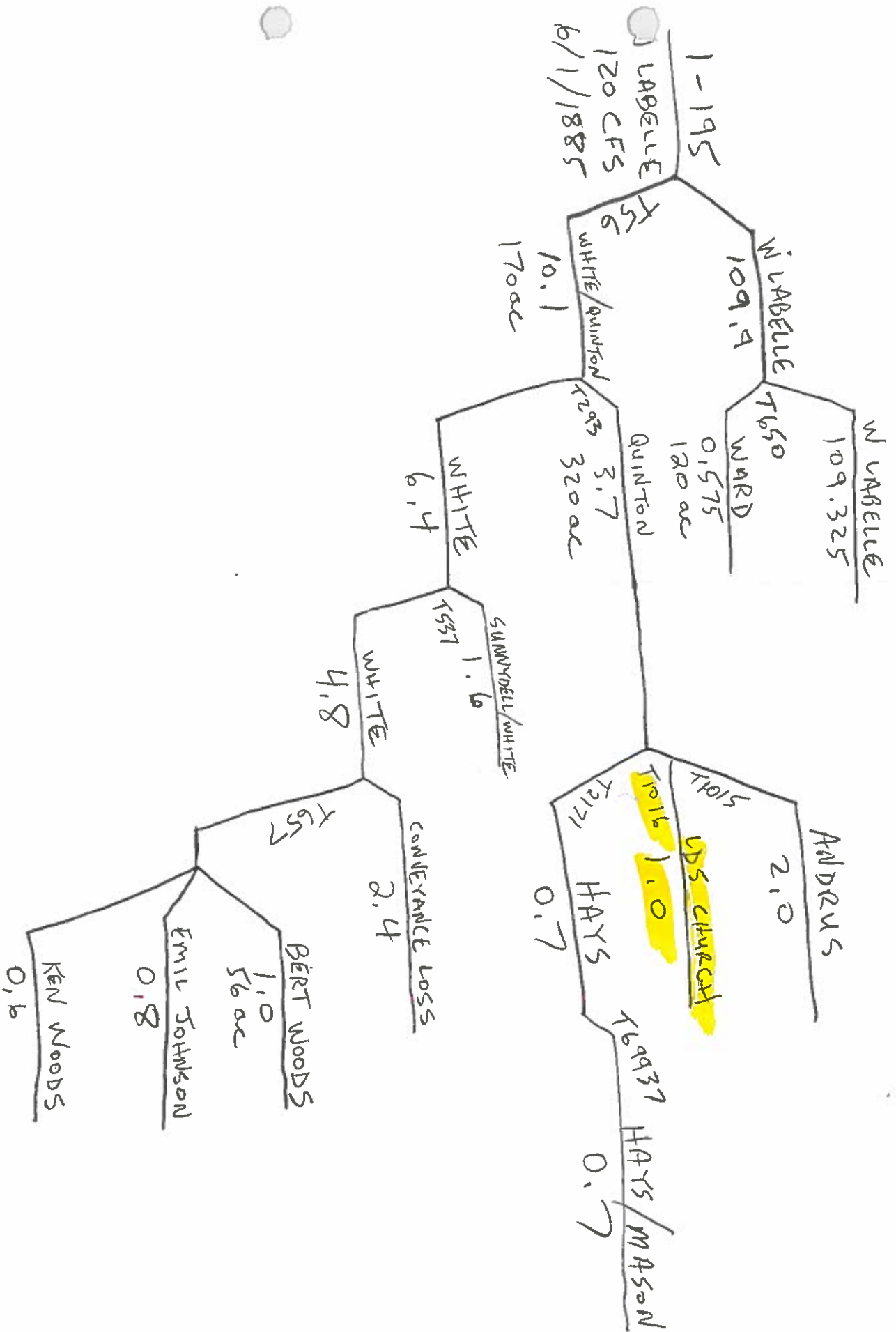


T03N

R37E



Prepared by A. Golart
On Friday, October 27, 2006
1987/88 Aerial Photography



DEPARTMENT OF RECLAMATION

CERTIFICATE OF DECREED WATER RIGHT
TRANSFERRED RIGHT NO. 1016

THIS IS TO CERTIFY, That the North Idaho Falls Stake of the Church of Jesus Christ of Latter-Day Saints, through DALE G. OLSON, President, is the owner of and using a certain water right bearing date of priority of June 1, 1885, for one cubic foot per second of the waters of South Fork of the Snake River, County of Bonneville, State of Idaho, decreed to West LaBelle Irrigating Company by decree of J. M. Stevens of the Sixth Judicial District of the State of Idaho, in and for the County of Fremont, in the case of

REXBURG IRRIGATION CO., et al

Plaintiffs

vs.

TETON IRRIGATION CANAL COMPANY

Defendants

said decree bearing date of December 16, 1910, and being appurtenant to the following described lands, to-wit:

Sections 20, 29, 30, 32;
Township 3 North, Range 37
E. B. M.,

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 3 of Decrees at Page 450;

That said North Idaho Falls Stake of the Church of Jesus Christ of Latter-day Saints, has become the owner of said water right by warranty deed;

And that now upon the application of the North Idaho Falls Stake of the Church of Jesus Christ of Latter-Day Saints, through Dale G. Olson, President, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of one cubic foot per second of the waters of the South Fork of the Snake River upon the above described lands is hereby abandoned, and the lands under such right, and to which the water right HEREBY CONFIRMED shall become appurtenant by this Certificate for irrigation purposes, are described as follows, to-wit:

West Half Northwest Quarter West of railroad tracks less, Commencing at the Southwest corner of Section 36, Township 3 North, Range 37 E.B.M., thence North 0°09' East along the West line of said Section 36, a distance of 899.9 feet more or less to a point in a line parallel with and 100.0 feet distant northwesterly from the center line of the old Montana Main Line Track of the U. P. Railroad which point is the real point of beginning; thence North 14°08' East along said parallel line a distance of 2665.6 feet more or less to a point; thence North 89°26' West 644.3 feet to a point in the west line of Section 36; thence South 0°09' West along the West line of said Section 36 a distance of 2590.9 feet more or less to the point of beginning and containing approximately 19.62 acres, Section 36, Township 3 North, Range 37 East Boise Meridian; Southwest Quarter (SW $\frac{1}{4}$) West of railroad track, Section 25, Township 3 North, Range 37 East Boise Meridian; North Half of the Northeast

N 90° 00' E
200

Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) West of highway and ALSO a parcel of land being a portion of the Northwest Quarter of the Northeast Quarter of Section 35, Township 3 North Range 37 East Boise Meridian described as follows, to-wit: Beginning at the southwest corner of the Northwest Quarter of the Northeast Quarter of Section 35, Township 3 North, Range 37 East Boise Meridian; thence Easterly along the South line of the said Northwest Quarter of the Northeast Quarter 200.0 feet, more or less, to a point in a line parallel with and 150.0 feet distant westerly from the survey center line of interstate project No. 1-15-3 (3) 117 Highway Survey; thence North-westerly along said parallel line being a 23,068.31 foot radius curve right 1340.0 feet more or less to a point in the north line of said Northwest Quarter of the Northeast Quarter; thence North 89°32'56" West along said north line 57.00 feet more or less, to the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$), thence south along the west line of said Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) 1327.0 feet, more or less to the place of beginning and containing approximately 3.75 acres, Section 35, Township 3 North, Range 37 East Boise Meridian; Southeast Quarter of the Southeast Quarter East of canal, Section 26, Township 3 North, Range 37 East Boise Meridian.

That the said water is to be limited at any given time to an amount actually needed and beneficially used for such purpose, and shall not exceed the following amount to-wit:

One cubic foot per second,
bearing date of priority of
June 1, 1885;

That the water right hereby transferred has heretofore been conducted from the South Fork of the Snake River in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35, Township 4 North, Range 32 E.B.M., through the New Sweden Irrigation District Canal;

That the water right hereby transferred will hereafter be conducted to the last above described lands, with no change in point of diversion;

That the right to the use of the waters aforesaid, hereby confirmed, is restricted to the lands last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 25th day of October, 1963.

NW 1/4
35

Carl E. Tappan
CARL E. TAPPAN
State Reclamation Engineer

An aerial photograph of a landscape, possibly a wetland or agricultural area. A large red rectangular boundary is drawn over the image, encompassing a central area. The top half of the image is predominantly red, while the bottom half shows more varied terrain with some blue and green patches. A winding path or road is visible on the left side. Two punch holes are visible at the top of the page.

01-195M

Port
Transfer # 1016

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>
1	195	M ✓	29	10082		45	4263	
2	2176	C	35	7022		45	7019	
2	2380		35	7231		45	7130	
21	4088		35	7903	A	45	7497	
21	4115		37	40		47	7247	
21	10235		37	41		47	7897	
21	10236		37	42		47	7898	
21	11264		37	363	B	57	7147	
22	4114		37	364	B	63	161	AL
22	4116		37	636	D	63	2923	
22	4128		37	4288	A	63	3294	A
22	7184		37	11656		63	4714	
22	7438		43	2296	B	63	4906	
22	10950		43	4005		63	4950	
22	11264		43	4160		63	4993	
22	11269		43	4161		63	4994	
22	11270		43	4163		63	5316	
22	12780		43	4164		63	7454	
24	1		43	7176		63	7869	
24	2		43	7194		63	7932	
25	2020		43	13008		63	9213	
25	2035		43	13009		63	9263	
25	4200		43	13010		63	9280	
25	4238		43	13011		63	9669	
25	7291		43	13012		63	9953	
25	7312		43	13013		63	9954	
25	7326		43	13014		63	10076	
25	7360		43	13015		63	10141	
25	7365		43	13017		63	10142	
25	12186		43	13020		63	10194	
25	12346		43	13069		63	10522	
25	14030		45	78	S	63	19309	
25	14147		45	2376	C	63	31789	
25	14148		45	2400	A	63	31952	
27	4113		45	2400	B	63	31953	
27	7037		45	2451		63	32046	
27	7112		45	2503		63	32092	
27	7321		45	2518		63	32094	
27	10362		45	2530		63	32099	
29	2366		45	2541		63	32100	
29	2466		45	2548		63	32173	
29	2529		45	2553		63	32174	
29	4176		45	2554		65	1506	
29	4305		45	4081	A	65	3481	
29	4429		45	4185		65	3483	
29	7108		45	4194		65	7235	
29	7166		45	4198		65	12659	
29	7865		45	4201		65	12703	
29	10077		45	4209		65	12704	
29	10078		45	4210		73	4096	
29	10081		45	4215	A	74	373	

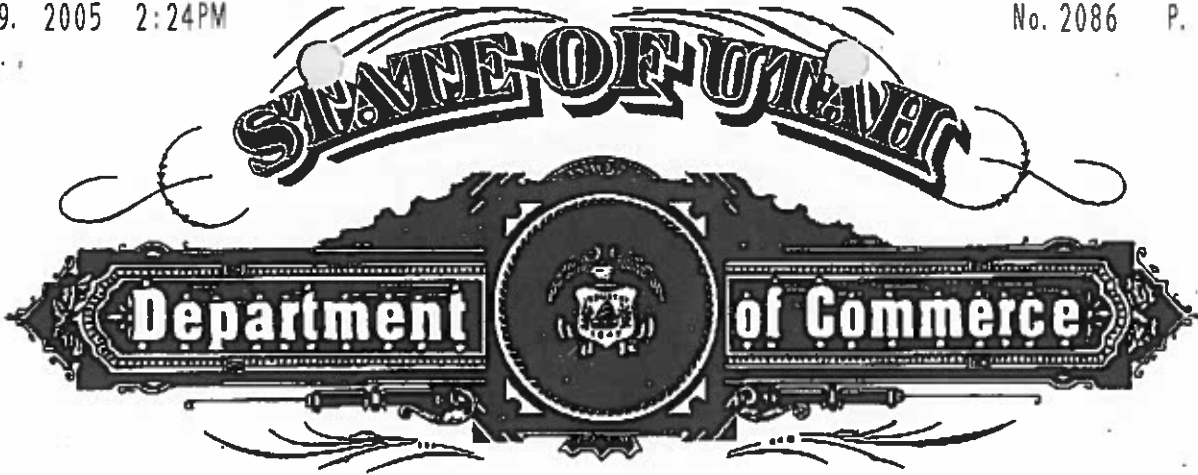
<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>
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74	374	
74	574	
74	1066	A
74	1066	B
74	1067	
74	1068	
74	1072	
74	1073	
74	1074	
74	1816	H
74	1859	A
74	1859	B
74	10005	
75	4492	
75	7403	
84	7191	
84	7261	

Basin	Sequence	Suffix	Basin	Sequence	Suffix	Basin	Sequence	Suffix
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22	11269		43	4161		63	4994	
22	11270		43	4163		63	5316	
22	12780		43	4164		63	7454	
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25	7360		43	13015		63	10141	
25	7365		43	13017		63	10142	
25	12186		43	13020		63	10194	
25	12346		43	13069		63	10522	
25	14030		45	78	S	63	19309	
25	14147		45	2376	C	63	31789	
25	14148		45	2400	A	63	31952	
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74	1816	H
74	1859	A
74	1859	B
74	10005	
75	4492	
75	7403	
84	7191	
84	7261	



THE UTAH DIVISION OF CORPORATIONS AND COMMERCIAL CODE HEREBY CERTIFIES THAT the attached is a true, correct, and complete copy of THE ARTICLES OF INCORPORATION AND AMENDMENTS

***CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH
OF JESUS CHRIST OF LATTER-DAY SAINTS***

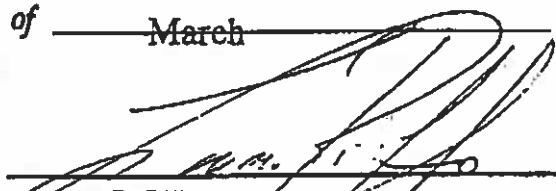
and the endorsements thereon, as the same is taken from and compared with the original filed in the office of the Division on *JULY 13, 1916*, and now remaining on file and of record therein.

AS APPEARS OF RECORD IN THE OFFICES OF THE DIVISION.



Received Time Dec. 19. 1:15PM

Dated this 26TH day
of March, 19 99.


Lorena P. Rizzo
Division Director of
Corporations and Commercial Code

EXPEDITE**RECEIVED****FEB 27 1997****AMENDED AND RESTATED ARTICLES OF INCORPORATION OF
THE CORPORATION OF THE PRESIDING BISHOP OF
THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS**

UTAH DIV. OF CORP. AND COMM. COD

Pursuant to Utah Code Ann. § 16-7-14, the Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints amends and restates its Articles of Incorporation to read in their entirety as follows:

ARTICLES OF INCORPORATION:**First.**

The name of the corporation shall be the "Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints."

Second.

The object of this Corporation shall be to acquire, hold, and dispose of such real and personal property as may be conveyed to said Corporation for religious and charitable purposes and public worship of The Church of Jesus Christ of Latter-day Saints, a religious society; consequently this Corporation has not been organized for the purpose of making a profit. Such real and personal property may be situated, either within the State of Utah, or elsewhere, and this Corporation shall have power, without any authority or authorization of the members of said Church or religious society, to grant, sell, convey, rent, mortgage, exchange, or otherwise dispose of the same, or any part thereof; however, this Corporation is prohibited from declaring or paying dividends, and in no case shall its income or assets be distributed directly or indirectly among the members of the Church.

Third.

The estimated value of the property of which I hold the legal title for the purpose aforesaid, at the time of making these Articles of Incorporation, is \$16,000.00.

Fourth.

The title of the person making these Articles of Incorporation is "Presiding Bishop of The Church of Jesus Christ of Latter-day Saints."

Fifth.

The corporate seal shall contain the words, "Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints," and an impression thereof is hereto affixed.

Sixth.

In the winding up and dissolution of this Corporation, after paying or adequately providing for the debts and obligations of the Corporation, the remaining assets shall be distributed among legal entities of similar objectives, that is, to a non-profit fund, foundation or corporation, which is organized and operated exclusively for charitable, educational, religious and/or scientific purposes

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and which has established its tax exempt status under § 501(c)(3) (or its successor) of the Internal Revenue Code.

IN WITNESS WHEREOF these AMENDED AND RESTATED ARTICLES OF INCORPORATION are adopted by the Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints this February 22nd 1997

State of Utah
Department of Commerce
Division of Corporations and Commercial Code
I hereby certify that the foregoing is a true and correct copy of the original as approved on the 22nd day of Feb 1997
in the office of this Division and hereby issue
this Certificate thereof.

Examiner



Ex Date 2-28-97
Karla S. Wood
NOTARY PUBLIC

**CORPORATION OF THE PRESIDING
BISHOP OF THE CHURCH OF JESUS
CHRIST OF LATTER-DAY SAINTS**

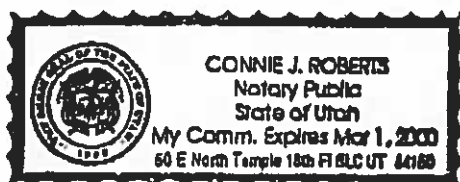
By: H. David Burton

H. David Burton, Presiding Bishop and
Corporation Sole

STATE OF UTAH)
: ss
COUNTY OF SALT LAKE)

On the 27th day of February, 1997, personally appeared before me H. David Burton, who is known to me to be the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints and successor to the original Presiding Bishop of said Church and the person whose name is subscribed to the foregoing instrument as such Presiding Bishop, and he duly acknowledged to me that he executed the same on behalf of the corporation sole as the lawful and proper successor in office to the original incorporator.

Connie J. Roberts
Notary Public
Residing in Salt Lake County



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AMENDMENT TO THE ARTICLES OF INCORPORATION OF THE
 "CORPORATION OF THE PRESIDING BISHOP OF THE
 CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS."

UNITED STATES OF AMERICA,)
 :
 STATE OF UTAH, (SS.
 :
 COUNTY OF SALT LAKE)

Filed in the office of the Lt. Governor
 of the State of Utah, on the 8th
 Feb. A.D. 1978
 DAVID S. MONSON
 Lt. Gov./Sec. of State
 Notary Clerk

Corporation of the Presiding Bishop of The Church of
 Jesus Christ of Latter-day Saints hereby amends the Second Article
 of its Articles of Incorporation to read as follows:

II.

The object of this corporation shall be to acquire, hold,
 and dispose of such real and personal property as may be conveyed
 to said corporation for the benefit of the members of the Church of
 Jesus Christ of Latter-day Saints, a religious society, for the
 benefit of religion, for works of charity and for public worship.
 Such real and personal property may be situated, either within the
 State of Utah, or elsewhere, and this corporation shall have power,
 without any authority or authorization from the members of said
 Church or religious society, to grant, sell, convey, rent, mortgage,
 exchange, or otherwise dispose of the same, or any part thereof;
 however, this corporation is prohibited from declaring or paying
 dividends.

CORPORATION OF THE PRESIDING BISHOP
 OF THE CHURCH OF JESUS CHRIST OF
 LATTER-DAY SAINTS

By

Victor L. Brown
 VICTOR L. BROWN

Presiding Bishop of The Church of
 Jesus Christ of Latter-day Saints.

STATE OF UTAH)
 : SS.
 COUNTY OF SALT LAKE)

On this 4th day of October , A.D., 1978, before me, the
 undersigned, a Notary Public in and for said county, personally
 appeared Victor L. Brown, who is known to me to be the person whose
 name is subscribed to the foregoing instrument as Presiding Bishop
 of the Church of Jesus Christ of Latter-day Saints, and duly
 acknowledged to me that he executed the same as such Bishop.

Graham Dodd
 Graham Dodd, Notary Public

My Commission Expires
 May 13, 1980

Received Time Dec. 19. 1:15PM

393

11993
11993

ARTICLES OF INCORPORATION
of the
CORPORATION OF THE PRESIDING BISHOP OF THE
CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS.

UNITED STATES OF AMERICA,
State of Utah,
County of Salt Lake.

ss.

I, the undersigned, having been duly chosen and appointed Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, in conformity with the rites, regulations and discipline of said Church, being desirous of forming a corporation for the purpose of acquiring, holding and disposing of Church or religious society property, for the benefit of religion, for works of charity and for public worship, under and pursuant to the provisions of Chapter 2, Title 14, of the Compiled Laws of Utah, 1907, on "Churches and Religious Societies," and all acts amendatory thereof and supplementary thereto, for that purpose do hereby make and subscribe, in duplicate, the following

ARTICLES OF INCORPORATION:

First.

The name of this corporation shall be the "Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints."

Second.

The object of this corporation shall be to acquire, hold and dispose of such real and personal property as may be conveyed to said corporation for the benefit of the members of the Church of Jesus Christ of Latter-day Saints, a religious Society, for works of charity and for public worship.

THIRD.

The estimated value of the property of which I hold the legal title for the purpose aforesaid, at the time of making these Articles of Incorporation, is Eighteen thousand Dollars.

FOURTH.

The title of the person making these Articles of Incorporation is "Presiding Bishop of the Church of Jesus Christ of Latter-day Saints."

FIFTH.

The corporate seal shall contain the words, "Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints," and an impression thereof is hereto affixed.

Charles W. Nibley
Presiding Bishop of the Church
of
Jesus Christ of Latter-day Saints.

STATE OF UTAH,)
) ss.
County of Salt Lake.)

On this 11th day of July, A. D. 1916, before me Arthur C. Brinter, a notary public in and for said County, personally appeared Charles W. Nibley who is known to me to be the person whose name is subscribed to the foregoing instrument as Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, and duly acknowledged to me that he executed the same as such Bishop.

Arthur C. Brinter
Notary Public.

My commission expires Dec. 1, 1917.

AMENDMENT TO THE ARTICLES OF INCORPORATION OF THE "CORPORATION OF
THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS."

United States of America,)
State of Utah,) ss.
County of Salt Lake.)

11993

Corporation of the Presiding Bishop of the Church of Jesus
Christ of Latter-Day Saints hereby amends the Second Article of its
Articles of Incorporation, to read as follows:

Second.

The object of this corporation shall be to acquire, hold and
dispose of such real and personal property as may be conveyed to
said corporation for the benefit of the members of the Church of
Jesus Christ of Latter-Day Saints, a religious society, for the bene-
fit of religion, for works of charity and for public worship. Such
real and personal property may be situated, either within the State
of Utah, or elsewhere, and this corporation shall have power, with-
out any authority or authorization from the members of said church
or religious society, to grant, sell, convey, rent, mortgage, ex-
change, or otherwise dispose of the same, or any part thereof.

CORPORATION OF THE PRESIDING BISHOP OF THE
CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS.

By Charles W. Nibley

Presiding Bishop of the Church of
Jesus Christ of Latter-Day Saints.

State of Utah,)
County of Salt Lake.) ss.

On this 29th day of May, A. D. 1917,
before me, the undersigned, a Notary Public in and for said county,
personally appeared Charles W. Nibley, who is known to me to be the
person whose name is subscribed to the foregoing instrument as Pre-
siding Bishop of the Church of Jesus Christ of Latter-Day Saints,
and duly acknowledged to me that he executed the same as such bishop.

W. H. Shepherd
Notary Public.

My commission expires: April 1919.

TITLE 16. CHAPTER 7. UTAH CODE ANNOTATED. 1953.CORPORATION SOLE

16-7-1. RIGHT TO FORM--PURPOSES. Corporations sole may be formed for acquiring, holding or disposing of church or religious society property for the benefit of religion, for works of charity and for public worship, in the manner hereinafter provided.

16-7-2. ARTICLES OF INCORPORATION--EXECUTION--FILING. Any person being the archbishop, bishop, president, trustee-in-trust, president of stake, president of congregation, overseer, presiding elder or clergyman of any church or religious society who shall have been duly chosen, elected or appointed in conformity with the constitution, canons, rites, regulations or discipline of such church or religious society, and in whom shall be vested the legal title to its property, may make and subscribe articles of incorporation in duplicate, acknowledge the same before some officer authorized to take acknowledgements and file one copy of such articles in the office of the secretary of state; the other he shall retain in his possession.

16-7-3. CONTENTS OF ARTICLES OF INCORPORATION. The articles of Incorporation shall specify:

1. The name of the corporation by which it shall be known.
2. The object of the corporation.
3. The estimated value of the property at the time of the making of the Articles of Incorporation.
4. The title of the person making such articles.

16-7-4. CERTIFIED COPIES OF ARTICLES AS EVIDENCE. The Articles of Incorporation or a certified copy of those filed and recorded in the office of the Secretary of State shall be evidence of the existence of such corporation.

16-7-5. AMENDMENTS OF ARTICLES OF INCORPORATION. Any corporation so formed shall have power from time to time to alter or amend its Articles of Incorporation; such amendment shall be made by the corporation sole and executed by the same person who executed the original Articles of Incorporation or by his successor in office, and shall be filed in the same manner as is provided for the filing of the original Articles.

16-7-6. POWERS OF CORPORATIONS SOLE. Upon making and filing the Articles of Incorporation as herein provided, the person subscribing the same and his successor in office, by the name or title specified in the Articles, shall thereafter be deemed and is hereby created a body politic and a corporation sole, with perpetual succession, and shall have power:

1. To acquire and possess, by donation, gift, bequest, devise or purchase, and to hold and maintain property, real, personal and mixed; and to grant, sell, convey, rent, or otherwise dispose of the same as may be necessary to carry on or promote the objects of the corporation.

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2. To borrow money and to give written obligations therefor, and to secure the payment thereof by mortgage or other lien upon real or personal property, when necessary to promote such objects.
3. To contract and be contracted with.
4. To sue and be sued.
5. To plead and be impleaded in all courts of justice.
6. To have and use a common seal by which all deeds and acts of such corporation may be authenticated.

16-7-7. RIGHT TO ACT WITHOUT AUTHORIZATION FROM MEMBERS--SALE OF PROPERTY. Any corporation sole created under this chapter, and any such archbishop, bishop, president, trustee-in-trust, president of stake, president of congregation, overseer, presiding elder or clergyman of the state of Utah, who holds the title to trust property for the use and benefit of any church or religious society and who is not so incorporated, unless the Articles of Incorporation or deed under which such corporation or individual trustee holds such property provides otherwise, shall have power without any authority or authorization from the members of such church or religious society to mortgage, exchange, sell and convey the same; and any such corporation sole, or individual trustee residing within this state may hold title to property, real or personal, which is situated in any other state or jurisdiction; which holding shall be subject to the same conditions, limitations, powers and rights and with the same trusts, duties and obligations in regard to the property that like property is held for such purposes in this state.

16-7-8. EXECUTION OF CORPORATE INSTRUMENTS--SEAL--AUTHORITY OF AGENTS--REVOCATION OF AUTHORITY. All deeds and other instruments of writing shall be made in the name of the corporation, signed by the person representing the corporation in the official capacity designated in the Articles of Incorporation, or by a duly authorized agent or agents designated and named in a certificate filed by such corporation in the office of the Secretary of State, and sealed with the seal of the corporation; an impression of which seal shall be filed in the office of the Secretary of State. The authority of any agent or agents designated as herein provided shall continue until revoked. A corporation sole designating an agent or agents to sign deeds and instruments of writing by certificate may revoke such authority by filing a notice of revocation of authority in the office of the Secretary of State.

16-7-9. SUCCESSION IN EVENT OF DEATH, RESIGNATION OR REMOVAL OF INCUMBENT. In the event of the death or resignation of any such archbishop, bishop, president, trustee-in-trust, president of stake, president of congregation, overseer, presiding elder or clergyman, being at the time a corporation sole, or of his removal from office by the person or body having authority to remove him, his successor in office, as such corporation sole, shall be vested with the title to any and all property held by his predecessor as such corporation sole, with like power and authority over the same and subject to all the legal liabilities and obligations with reference thereto. Such successor shall file in the office of the county recorder of each county wherein any of such real property is situated a certified copy of his commission, certificate or letter of election or appointment.

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16-7-10. DEATH OF BISHOP, TRUSTEE, NOT INCORPORATED—SUCCESSION TO PROPERTY. In case of the death, resignation or removal of any such archbishop, bishop, president, trustee-in-trust, president of stake, president of congregation, overseer, presiding elder or clergyman who at the time of his death, resignation or removal was holding the title to trust property for the use or benefit of any church or religious society, and was not incorporated as a corporation sole, the title to any and all such property held by him, of every nature and kind, shall not revert to the Grantor nor vest in the heirs of such deceased person, but shall be deemed to be in abeyance after such death, resignation or removal until his successor is duly appointed to fill such vacancy, and upon the appointment of such successor the title to all the property held by his predecessor shall at once, without any other act or deed, vest in the person appointed to fill such vacancy.

16-7-11. THE SECRETARY OF STATE SHALL CHARGE AND COLLECT FOR:

1. Filing articles of incorporation of a corporation sole and issuing a certificate of incorporation, \$1.00.
2. Filing articles of amendment and issuing a certificate of amendment, \$1.00.
3. Issuing each additional certificate of incorporation or amendment, \$1.00.
4. Filing certificate of authorized agent and issuing his certificate thereof, \$1.00.
5. Filing revocation of authority, \$1.00.
6. For furnishing a certified copy of any document, instrument or paper relating to a corporation sole and affixing his seal, \$1.00.

CORPORATION SOLE

A corporation sole, under Utah law, is designed for churches to buy, sell and hold real estate much like an individual rather than like a corporation. The statutes do not require by-laws and we do not have a board of directors. The signature of the Presiding Bishop or his authorized agent is evidence of approval to buy, sell or trade real property.



Idahoan Foods
Tel: (208) 754-4686
Fax: (208) 754-8090

FACSIMILE COVER PAGE

To: Idaho Dept of Water Resources

Fax #: 525-7177

Company:

From: Donna Freeman

Fax #: (208) 754-8090

Tel #: (208) 754-4686

Subject:

Sent: 7/22/2004 at 3:30:10 PM

Pages: 1 (including cover)

MESSAGE:

We need to update information on our water rights (address, contact name, postal code, etc. Would you please fax or mail the proper form for making these changes to:

Attn: Donna
Idaho Fresh Pak, Inc.
P.O. Box 130
Lewisville, ID 83431
(208) 754-8100 - direct phone
(208) 754-8090 - direct fax

~~01-195M~~
25-7002
~~25-7471~~
25-10794
35-12499

SCANNED

JUL 27 2004

PROFILED

Notes

Claim A01-195M

1/ Exam for place of use verification was done on 3-30-04 with the plant Engineer, Todd Scott.

2/ The individual (in c/o) on the claim, Mr. Denning has passed away & Todd Scott asked that his name be substituted as the contact person. Other aspects of claimant name, address & phone # are correct.

3/ Exam done by Harold W. Jones of Water Rights Contracting Services.

4/ P.O.D is the Great Western Canal in the New Sweden Irrig. System.

IDAHOAN® FOODS

Todd Scott
Plant Engineer

Idaho Fresh-Pak, Inc.
P.O. Box 130
529 North 3500 East
Lewisville, Idaho 83431

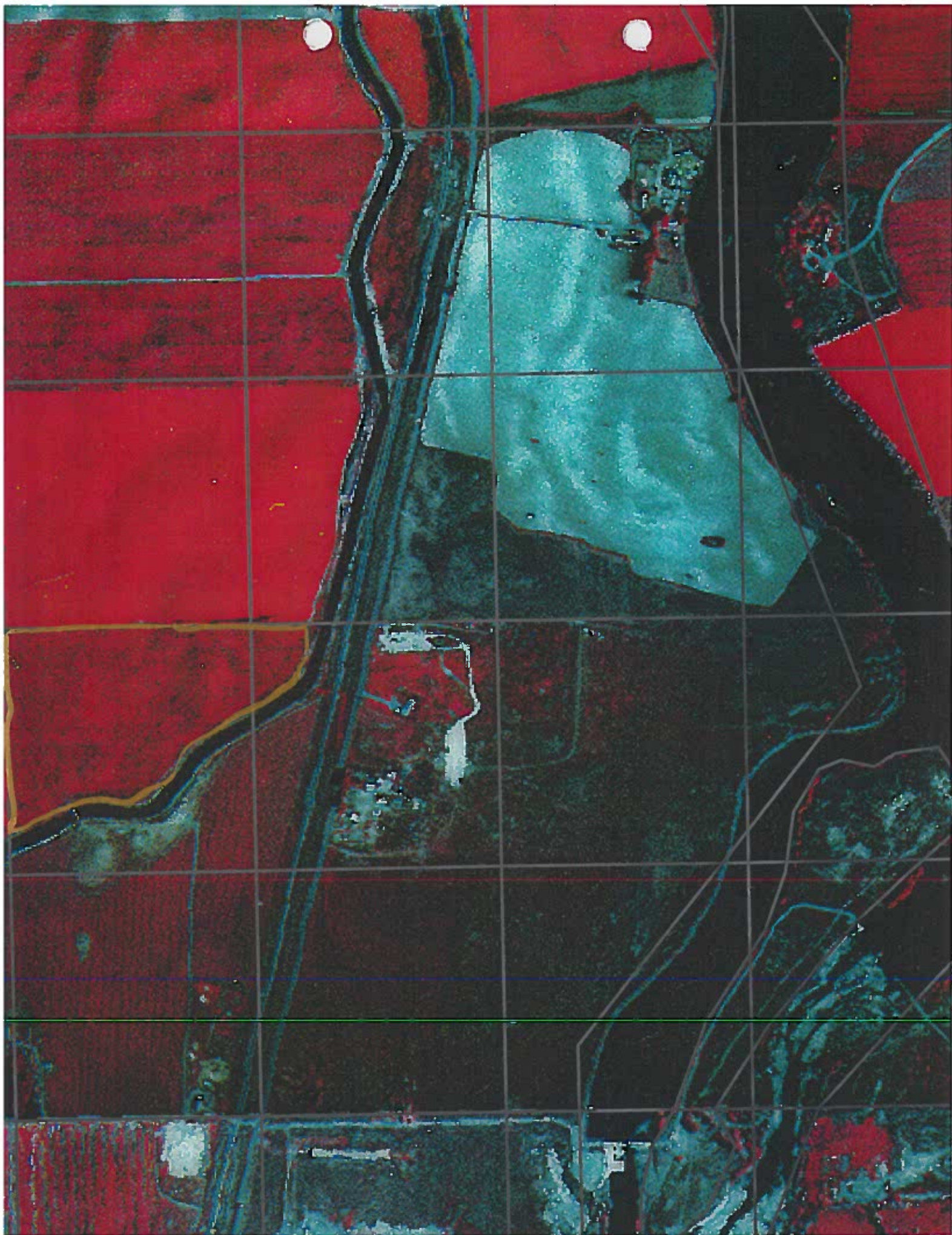
Phone: (208) 754-4686
(800) 635-6100
Fax: (208) 754-0094
E mail: ifp.tods@srv.net



PROFILED

SCANNED

NOV 10 2004



SCANNED

AUG 22 2001

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A01-00195M
Date Received: 4/13/1995
Receipt No: E020892
Received By: HS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: IDAHO FRESH PAK INC
Address: C/O ROBERT DENNING
PO BOX 130
LEWISVILLE ID

208-754-4686

83431

2. Date of Priority: JUN 1, 1885

3. Source: SNAKE RIVER

Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	37E	35	NE	NE		1	JEFFERSON

5. Description of diverting works:
GREAT WESTERN CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	1.000		

7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	37E	25	NE	SW		IRR	2.0
			NW	SW		IRR	25.5

MICROFILMED
NOV 05 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	27.5
					Total Acres	27.5

11. Place of use in counties: ~~JEFFERSON~~ Bonneville RUD

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

TRANS. 1016 P/U CHANGE.

P/D FROM USGS MAP - NEW SWEDEN IRRIGATION DISTRICT.

*IDAHO FRESH PAK PURCHASED PROPERTY IN 1981 AND PREVIOUS OWNERS HAD ALWAYS USED THIS RIGHT ON THE 27.5 ACRES SINCE T. 1016 IN 1963.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

REXBURG IRRIGATION CO.
Decree Plaintiff

TETON IRRIGATION CANAL CO. ET
vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Project mgr. of
Idaho Fresh Pak, INC., that I have signed the foregoing
Organization document in the space below as Project mgr. of
Idaho Fresh Pak, INC. and that the statements contained in the
Organization foregoing document are true and correct.

Robert W. Deuninger
Signature of Authorized Agent

Project mgr. Idaho Fresh Pak, Inc.
Title and Organization

4-13-95
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of April 19 95

Gregory J. Taylor
Notary Public



Residing at Idaho Falls
My Commission Expires 3/3/98

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NOV 05 1996

