

10/24/2005

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

RIGHT NUMBER: 22-13429
NAME AND ADDRESS: SUN-GLO INDUSTRIES
378 S 7 W
SUGAR CITY ID 83448

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.336 CFS
67.43 AFY

PRIORITY DATE: 07/15/1974

POINT OF DIVERSION:
T06N R40E S8 NENENE Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY
INDUSTRIAL	01/01 12/31	0.300 CFS 62.03 AFY
IRRIGATION	04/01 11/01	0.036 CFS 4.20 AFY

PLACE OF USE: IRRIGATION Within MADISON County
T06N R40E S08 NENE 1.2
DOMESTIC same as IRRIGATION
INDUSTRIAL same as IRRIGATION

1.2 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 - License

This right is a split from former right 22-7097.



Department of Water Resources

Eastern Region



Claim No.: 22-13429



0 330 660 990 1320 Feet

- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: Kristin Moore
Date Prepared: October 2005

JAN 10 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 21, 2006

MICHAEL CREAMER
GIVENS PURSLEY
PO BOX 2720
BOISE ID 83701

RE: OWNERSHIP CHANGE & MODIFIED CLAIMS FOR 22-13429, 22-13430
(Sun-Glo and Dickinson)

Dear Mr. Creamer:

The above referenced claims have been modified per your ownership change request. Rather than splitting the rights, our office modified the elements for each one. If you have questions about this change, please call Water Rights Supervisor, Ernest Carlsen at 525-7161.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

cc: Sun-Glo
Dickinson Frozen Foods

PROFILED

SCANNED
FEB 21 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is not corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
22-13429					
22-13430		X			

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify diversion of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claims(s) (these are usually attached to your deed or on file with the county).
- OR**
- If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Northland Frozen Foods, Inc.
903 East 3000 North, Sugar City, Idaho 83448
4. New Owner/Claimant(s) Dickinson Frozen Foods, Inc.
Name Connector (Check one): [] and, [] or, [] and/or
 New Mailing Address 600 N.W. 21st Street
 City, State and ZIP Code Fruitland, ID 83619
 New Telephone Number (208) 452-5200
5. Date you acquired the property December 1, 2005

RECEIVED

FEB 08 2006

Department of Water Resources
 Eastern Region

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) amount multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for the larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>22-13430</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	<u>0.3 cfs / 217 AF</u>	<u>12.5 Acres</u>
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	<u>0.3 cfs / 217 AF</u>	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

7. Signature of New Owner(s) or Claimant(s) 
(include title if applicable) CEO President, Dickinson Frozen Foods, Inc.

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
Receipted by _____ Date _____ Receipt No. _____
Processed by _____ AJ Date _____ WR _____ Date _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 8, 2006

MICHAEL CREAMER
GIVENS PURSLEY
PO BOX 2720
BOISE ID 83701

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP 22-13429 & 22-13430 & CHECK NO. 45696 FOR \$125.00

Dear Mr. Creamer:

I am returning the above referenced check because a fee is not required to change the ownership of this right. I will process your request as soon as possible, and send you a copy for your files.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 4, 2006

JERRY RIGBY
RIGBY THATCHER ANDRUS
PO BOX 250
REXBURG ID 83440

RE: SPLIT OWNERSHIP OF WATER RIGHT 22-13429

Dear Mr. Rigby:

Review of your "Notice of Change in Water Right Ownership" reveals a portion of the water right(s) listed above is appurtenant to Northland property. However, our office is unable to split water rights in Basin 22 until after we submit the Director's Report to the Snake River Basin Adjudication Court. Therefore, Northland has been added to the water right record(s) as a "present owner." This designation will allow you to receive copies of mailings that pertain to the water right(s) listed above.

Splitting rights will be completed following distribution of the Basin 22 Director's Report scheduled for mailing in 2006. At that time we will designate Northland "current owner" of their portion and notify the SRBA Court, so the water rights appurtenant to their property will be adjudicated in their name.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

cc: File: 22-13429
Sun-glo Industries

SCANNED
JAN 10 2006

PROFILED
present owner

M E M O R A N D U M

DATE: January 3, 2006

TO: File

FROM: Jennifer Crabtree, Technical Records Specialist

RE: Adding Present Owners

Per the procedure developed in August 2005 by the state office staff, legal, and the court, I added the new claimants as "present owners" and left the old claimants as "current owners". Once the director's report is issued and all the ownership changes are received, the recommendation will be split as per our normal procedure.

SCANNED
JAN 10 2006

PROFILED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

*needs
split.
added
present
owner.
JC
1-4-06*

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is not corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
22-13430 (formerly 22-7097)	22-13430 (formerly 22-7097)	☒			
	22-13429	☒			

*Northland
already
owns all of
this right*

2. The following **REQUIRED** information must be submitted with this form:

RECEIVED

DEC 14 2005

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify diversion of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claims(s) (these are usually attached to your deed or on file with the county).
- OR**
- If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Sun-Glo Industries
Box 98, Rexburg, ID 83440
4. New Owner/Claimant(s) Northland Frozen Foods, Inc.
Name Connector (Check one): [] and, [] or, [] and/or
 New Mailing Address 903 E. 3000 N.
 City, State and ZIP Code Sugar City, ID 83448
 New Telephone Number (208) 356-4149
5. Date you acquired the property May 13, 2003

PROFILED

SCANNED

JAN 10 2006

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) amount multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for the larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>22-13430 (formerly 22-7097)</u>		
Water Use	Diversion Rate or Volume (cubic fee per second or acre-feet per anum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other <u>Irrigation</u>	<u>0.3 cfs / 43.75 AF</u>	<u>Portion of irrigation right</u> <u>appurtenant to 12.5 acre</u> <u>Northland property.</u>
Total	<u>0.3 cfs / 43.75 AF</u>	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic fee per second or acre-feet per anum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

7. Signature of New Owner(s) or Claimant(s)  _____
(include title if applicable) Northland Frozen Foods, Inc. dba Norsun Food Group, Inc.

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
Received by _____ Date _____ Receipt No. _____
Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED
JAN 10 2006

Instrument # 324276

REXBURG, MADISON, IDAHO

2005-11-30 12:12:00 No. of Pages: 1

Recorded for: FIRST AMERICAN TITLE

MARILYN R. RASMUSSEN

Fee: 3.00

Ex-Officio Recorder Deputy

QUITCLAIM DEED

FOR VALUE RECEIVED, SUN-GLO OF IDAHO, INC., f.k.a. CRAPO ENTERPRISES, INC., an Idaho corporation, with its principle place of business located at 2935 N. 1000 E., Rexburg, Idaho 83440, does hereby remise, release and forever quitclaim unto NORTHLAND FROZEN FOODS, INC., a Maine corporation, duly authorized to conduct business within the State of Idaho, whose Idaho address is 903 E. 3000 N., Sugar City, Idaho 83448, the following described water right in Madison County, State of Idaho, to wit:

0.3 cfs of the total 0.8 cfs and 43.75 acre-feet of the total 217 annual acre-feet volume of Irrigation Use water from water right license #22-13430 (formerly 22-7097), issued by the Idaho Department of Water Resources. Licensed Place of use: 8.5 acres within the NE 1/4 NE 1/4 and 4 acres within the NW1/4 NE1/4 of Section 8, Twp. 6 N., Rge. 40 E. B.M.

DATED this 29 day of November 2005

SUN-GLO OF IDAHO, INC.

By: George M. Crapo
George Crapo, President

STATE OF IDAHO)
) ss.
County of Madison)

On this 29 day of November 2005 before me, the undersigned, a Notary Public in and for said State, personally appeared GEORGE CRAPO, known to me to be the President of SUN-GLO OF IDAHO, INC., the corporation that executed the foregoing instrument and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal the day and year in this certificate first above written.



Mandy Davis
Notary Public for Idaho
Residing at: Parker, Idaho
My Commission Expires: 6-24-11

SCANNED

JAN 10 2006

QUITCLAIM DEED - 1

C:\Documents and Settings\Supervisor\Local Settings\Temporary Internet Files\OLK1\Revised SunGlo to Northland H2O Quitclaim Deed (Orig).DOC

QUITCLAIM DEED

FOR VALUE RECEIVED, SUN-GLO OF IDAHO, INC., f.k.a. CRAPO

ENTERPRISES, INC., an Idaho corporation, with its principal place of business located at 2935 N. 1000 E., Rexburg, Idaho 83440, does hereby remise, release and forever quitclaim unto **NORTHLAND FROZEN FOODS, INC.**, a Maine corporation, duly authorized to conduct business within the State of Idaho, whose Idaho address is 903 E. 3000 N., Sugar City, Idaho 83448, the following described water right in Madison County, State of Idaho, to wit:

.5 cfs of the total .8 cfs and 103.375 acre feet of the total 165.4 annual acre feet volume of Industrial Use water from water right license #22-7097, issued by the Idaho Department of Water Resources. Licensed Place of use: NE 1/4 NE 1/4 of Section 8, Twp. 6 N., Rge. 40 E. B.M.

DATED this 29th day of July, 2005

SUN GLO OF IDAHO, INC.

By: George M. Crapo
George Crapo, Pres.

STATE OF IDAHO)
) ss.
County of Madison)

On this 29th day of July, 2005 appeared before me, the undersigned, a Notary Public in and for said State, personally appeared GEORGE CRAPO, known to me to be the President of

Quitclaim Deed - Page - 1
F:\WP6\SB\SUNGLOQC.WPD

Instrument # 322058

REXBURG, MADISON, IDAHO
2005-08-23 10:53:00 No. of Pages: 2
Recorded for : RAY RIGBY
MARILYN R. RASMUSSEN Fee: 6.00
Ex-Officio Recorder Deputy *GR*

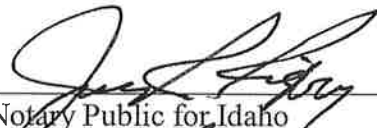
Fee: 6.00

JAN 10 2006

SUN GLO OF IDAHO, INC., the corporation that executed the foregoing instrument and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.




Notary Public for Idaho
Residing at: *Rebuck*
Commission Expires: *11-09-05*

Law Offices

**RIGBY, THATCHER, ANDRUS
RIGBY, & MOELLER, Chartered**

Ray W. Rigby
Gordon S. Thatcher
G. Rich Andrus
Jerry R. Rigby
Michael S. Kam (1954-2001)
Gregory W. Moeller
Reed E. Andrus

P.O. Box 250
25 North Second East
Rexburg, ID 83440

Telephone: (208) 356-3633
Fax: (208) 356-0768
E-Mail: jrigby@rigby-thatcher.com

December 13, 2005

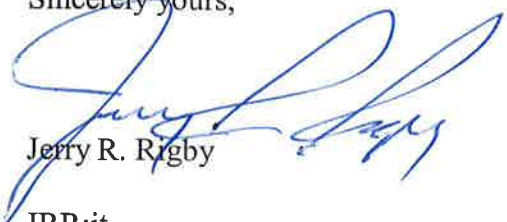
Idaho Department of Water Resources
900 North Skyline, Ste. A
Idaho Falls, Idaho 83402

Re: Change in Water Right Ownership ~~22-13430~~ 22-13429

Northdove
already
has
22-13430

Enclosed please find a Change in Water Right Ownership which again splits ownership of Right Number 22-13430. Also enclosed please find a recorded quitclaim deed which evidences the change. Please have the records reflect the change.

Sincerely yours,


Jerry R. Rigby

JRR:jt

Enclosures

F:\WP6\SB\SUNNOR.LT4

RECEIVED
DEC 14 2005
Department of Water Resources
Eastern Region

SCANNED

JAN 10 2006

State of Idaho
Department of Water Resources

RECEIVED

MAY 7 1991

Department of Water Resources
Eastern District Office

WATER RIGHT LICENSE

License of Water Right No. 22-7097 Priority July 15, 1974 Amount 1.38 cfs

THIS IS TO CERTIFY, that SUN GLO INDUSTRIES
of Rexburg, Idaho, has complied with the terms and conditions of Permit
No. 22-7097 issued pursuant to Application for Permit dated July 15, 1974
and has submitted proof to the Department of Water Resources on June 8, 1979
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.08 cfs of water from a groundwater source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic (1 unit)	from <u>January 1</u> to <u>December 31</u>	at <u>.04</u> cfs and	<u>1.2</u> acre feet
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>.80</u> cfs and	<u>217</u> acre feet
Industrial	from <u>January 1</u> to <u>December 31</u> (both dates inclusive)	at <u>.80</u> cfs and <u>.32</u> <u>0.58</u>	<u>165.4</u> acre feet

Subject, however, to the condition that no more than 1.38 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
383.6 acre feet per year, said waters to be diverted within the 2 pts. NE1/4, Sec. 8,
Twp. 6N, Rge. 40E, B.M. in the County of Madison

Description and location of place of use:

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6N	40E	8	33	12	8	9													82 50

Total number of acres irrigated 82 50

Industrial use is for washing & transporting Idaho potatoes.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30th day of
April, 19 81.

Director

NOTES

10-24-05

22-7097 { 22-13429 The rest of the right; one of the two wells
 22-13430 Industrial only 0.5 cfs; the other of the two wells

From split, 22-13429 received all domestic and irrigation and 0.5 cfs of industrial. However, after the destruction of their facility from the Teton Flood, Sun-Glo abandoned most of their irrigation right. They began using canal water only except for on 1.2 ac. of lawn, which they have continued to irrigate from the well. Therefore, concentrated irrigation to 0.03 cfs/ac. on POU = 0.036 cfs.

Recommendations

Irrigation 0.036 cfs
 Industrial 0.3 cfs
 Domestic 0.04 cfs
0.336 cfs

↳ < 10 ac. = 0.03 cfs/ac. 1.2 ac x 0.03 cfs = 0.036 cfs
 Domestic is incidental to irrigation and industrial and is not included in total quantity.

PROTECTED

SCANNED
 JAN 10 2006

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-7097

WATER RIGHT NUMBER: 22-7097

Owner Type Name and Address
 Current Owner SUN-GLO INDUSTRIES
 378 S 7 W
 SUGAR CITY, ID 83448
 (208)356-7346

Priority Date: 07/15/1974

Basis: License

Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.800 CFS	217.00 AF
INDUSTRIAL	1/01 to 12/31	0.800 CFS	165.40 AF
DOMESTIC	1/01 to 12/31	0.040 CFS	1.20 AF
<u>Total Diversion:</u>		1.380 CFS	383.60 AF

A: 62.025
B: 103.375

Location of Point(s) of Diversion

GROUND WATER

MADISON County

NE1/4NE1/4

Sec. 8, Twp 06N, Rge 40E, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	40E	8	33.0	12.0	8.0	9.0													62.0

Total Acres: 62

INDUSTRIAL same as IRRIGATIONDOMESTIC same as IRRIGATIONConditions of Approval:

1. 2 P/D IN NENE, S8, T6N, R40E.

Remarks:Comments:

22-7097 22-13429 Paving
 SPLIT BY ch P.D. @ 0.3 only
 Don

22-13430

0.5 cfs

103.375 AF

INDUSTRIAL Only

SCANNED

JAN 10 2006

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that SUN GLO INDUSTRIES

Total number of acres irrigated 62

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30th day of April, 19 81.

Director



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Storehouse
Boise, Idaho 83720
(208) 334-4440

April 1, 1981

Sun-Glo Industries
P.O. Box 84
Rexburg, Idaho 83440

Dear Sirs,

A representative of this Department has made an examination of the works covered by your Permit No. 22-7097, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 1.38 cfs Source: groundwater

The maximum quantity diverted shall not exceed 383.6 acre feet per year.

Point(s) of diversion: 2 pts. NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, Twp. 6N, Rge. 40E, B.M.

Beneficial use: Irrigation of 62 acres and domestic use for 1 unit and industrial use within the NE $\frac{1}{4}$, Sec. 8, Twp. 6N, Rge. 40E.

Priority date established: July 15, 1974

Conditions (if any): Industrial use is for washing & transporting Idaho Potatoes.

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

SCANNED

JAN 10 2006

6-22-77

3. Water will be used for the following purposes:

Period of Use: from 1/01 to 12/31
(mo.-day) inclusive (mo.-day)

Period of Use: from 4/01 to 11/01
(mo.-day) inclusive (mo.-day)

Period of Use: from 1/01 to 12/31
(mo.-day) inclusive (mo.-day)

4. Total amount to be appropriated:

5. **Location of Point(s) of Diversion:**

Other Points of Diversions:

Measuring device required: yes ☒ no ☐

MICROFILMED

TOTAL ACREAGE 70

JAN 10 2006

DATE OF EXAM 14th day of August, 1979

ACREAGE
Found 622
Recommended 622

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = .80 c.f.s. V = 217.00 AF/Ann. from April 1 to Nov. 1
Domestic Q = .04 c.f.s. V = 1.20 AF/Ann. from Jan 1 to Dec 31
Livestock Q = .80 c.f.s. V = 165.00 AF/Ann. from Jan 1 to Dec 31
Industrial .80 c.f.s. V = 165.00 AF/Ann. from Jan 1 to Dec 31
1.38 383.20

Is water co-mingled? yes no X

Name source: n/a
twp. N/S, Rge E/W, B.M., Sec. 1/4, Sub. 1/4 County

Exchange? yes no X

Name source exchanged with: n/a
twp. N/S, Rge E/W, B.M., Sec. 1/4, Sub. 1/4 County

Point of injection: n/a
twp. N/S, Rge E/W, B.M., Sec. 1/4, Sub. 1/4 County

Point of exchange: n/a
twp. N/S, Rge E/W, B.M., Sec. 1/4, Sub. 1/4 County

Total Q measured 2.08 cfs *theoretical Method of measurement Theoretical
Total Q recommended 1.38 Meter No. 73-4-548 MO type meter Condition std.

Total V recommended 383.20 AF/yr

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None

MEASUREMENT CALCULATION:

*Theoretical of 2 production wells $Q = (15 \text{ H.P.}) (.80) (8.814) = 1.04 \text{ cfs} \times 2 \text{ identical wells} = 2.08 \text{ cfs capacity}$
 $(9) + (40) (2.31)$

Pirri - measured $360 \text{ gpm} \div 448.8 = .80 \text{ cfs}$ $V = 62 \times 3.5 = 217 \text{ AF/yr}$

Domestic - .04 cfs by assignment Domestic = 1.20 AF/yr

Industrial - measured $360 \text{ gpm} \div 448.8 = .80 \text{ cfs}$

SYSTEM DESCRIPTION: $V_{ind} = .80 \text{ cfs}$ is collected for 8 months a year, a week year round
 $.80 \text{ cfs} \times .33 \text{ dy} \times 1.483 \text{ AF/cfs} \times 315 \text{ operating d/s} = 165 \text{ AF/yr}$

See Reverse side for system description See Back for Volume Calculations

Allow 1.38 cfs as per permit

REMARKS: System shown and described by Terry Hastings - Manager

Examined Signature Anthony R. Kozlowski Date 2-1-80

Checked by John D. Carlson Date 4/9/80

Approved by [Signature] Date 3/26/81

RECEIVED

SCANNED

JAN 10 2006

Groundwater is lifted from 2-8" in sed wells having depth of 83' feet by 2-15 H.P. submersible pump/motors of unknown make, model, and I.D. #8. Groundwater is conveyed to and open discharged into a concrete sump where it is relifted by a 15 H.P. U.S. motors 3ph Vertical pump motor I.D. # - 9309-01-6517875-630 and by a Johnston Vertical turbine pump s/n-TH075 mfr 6 Ed. The relifted water can be diverted for irrigation or industrial use. Domestic water bypasses the sump and is conveyed directly into the plant to service a mens restroom - 2 toilets - 1 urinal - large circular wash basin, and a Women's restroom - 3 toilets - 1 wash basin. There are also 2 drinking fountains in the plant and a sink in the kitchen area. Industrial water is used for washing and transporting Idaho assets. Please note that the industrial water ~~is~~ recycled. It is collected and conveyed to a settling pond where it can be conveyed back to the sump and reused again for irrigation or industrial use. Acreage (62a) are irrigated by 10 solid set handlines of various lengths. This system can pivot groundwater for irrigation, industrial, & domestic purposes or can divert recycled water for irrigation and for industrial use.

ARR

MICROFILMED

SCANNED

JAN 10 2006

Water Right No(s). A22-13429

SUN-GLO has 100 employees + well is
used for potato process water, bathrooms +
irrigating small lawn at east end of
facility.

In 1976, Teton Flood took out original Facility.
They used to irrigate with process water from
well. When facility rebuilt, only canal water
was used to irrigate farm. Info source is
George Crope of Sun-Glo. Phone 313-6301
(cell)

GPS Data - 2680011
1409837

GPS File - 2213429

GPS DATA:

Existing Tag # 80007499 - DEP? Location: on well

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR

Make: Submerged Model: _____ Hp: 10
SN: _____

PUMP

10" casing - 50 to 60' deep
Make: Submerged Model: _____ Disch: _____
SN: _____

NOTES:

New mailing address is 378 South 7th west
Sugar City, ID, 83448. Ed Ours from maintenance
showed me around facility.

Field Exam Date: 10-17-2005 Agent: J. W. Jones

SCANNED

PROFILED

JAN 10 2006



A 22-13429, Looking West

PROFILE

SCANNED

JAN 10 2006

T6N, R40E

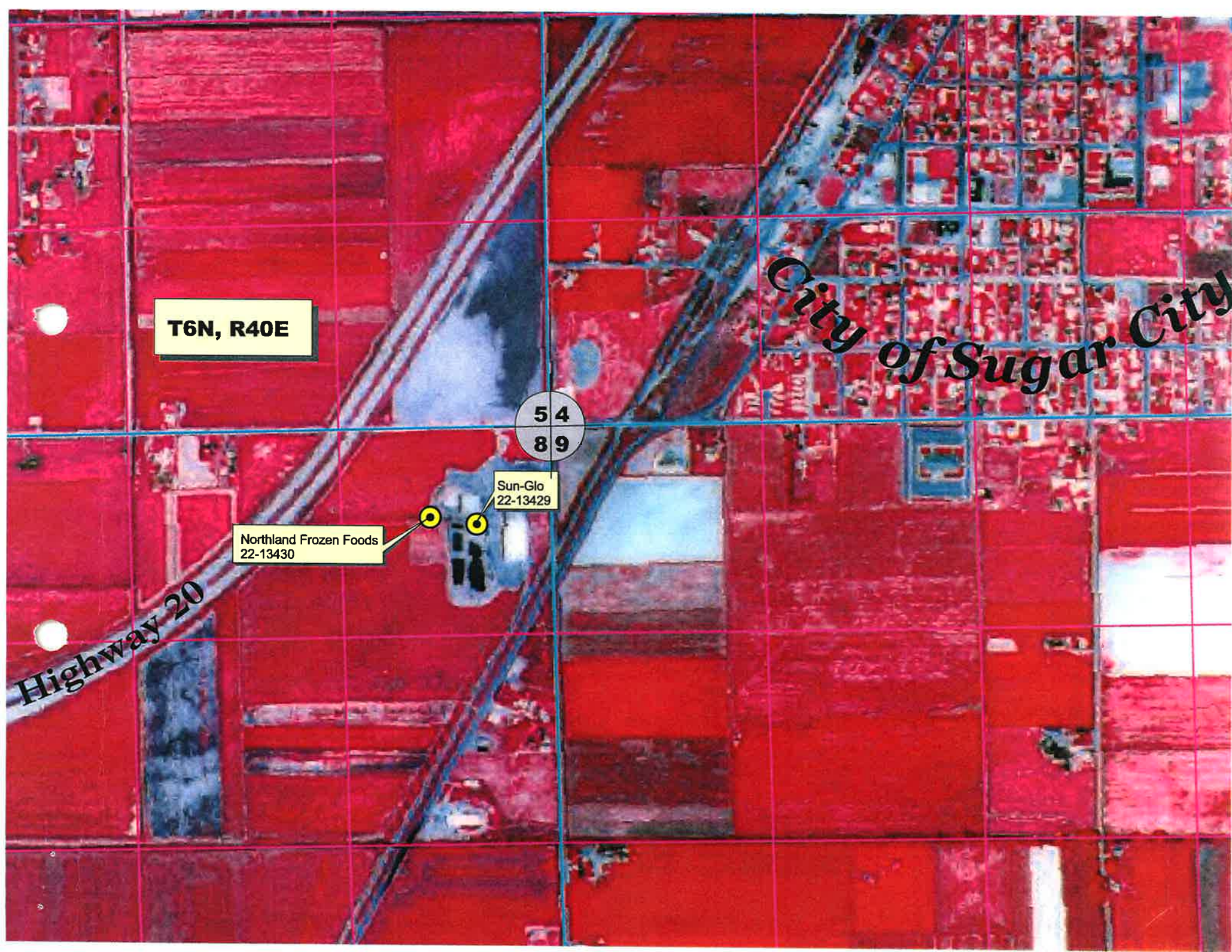
City of Sugar City

54
89

Sun-Glo
22-13429

Northland Frozen Foods
22-13430

Highway 20





Northland Frozen Foods

Geo Crapo

King
canal

Copy all

at Canal ~~etc~~ ~~etc~~

MS

oily



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 15, 2005

SUN-GLO INDUSTRIES
PO BOX 98
REXBURG ID 83440

RE: CHANGE IN OWNERSHIP FOR 22-7097

Dear Sir or Madam:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

22-7097 split into:

22-13429: 0.5 cfs, 103.375 afa, industrial, Northland Frozen Foods Inc.

22-13430: 1.14 cfs, 280.225 afa, 62 acres irrigation, Sun-Glo Industries

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. **Please note: the elements of your water right could change after the field exam and final review by our office.**

Respectfully submitted,

Jennifer Crabtree

Jennifer Crabtree

Technical Records Specialist

Enclosure

SCANNED

JAN 10 2006

PROFILED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

- I. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
22-7097	Same	A	SPLIT AS:	22-13429	SUN-GLO
				22-13430	NORTHLAND

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Sun-Glo Industries

Box 98 Rexburg, ID 83440

4. New Owner/Claimant(s)

Sun-Glo of Idaho, Inc.

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

2935N. 1000E.

City, State and ZIP Code

Rexburg, ID 83440

New Telephone Number

() 208-356-7346

5. Date you acquired the property

12-18-99

RECEIVED

AUG 26 2005

Department of Water Resources
 Eastern Region

PROFILED

3785.7th W.

Sussex City, ID

SCANNED

JAN 10 2006

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>22-7097 A</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>.8 cfs / 217 AF</u>	
Stock		
Domestic	<u>.04 cfs / 1.2 AF</u>	
Other <u>Industrial</u>	<u>.3 cfs / 62.025 AF</u>	
Total	<u>1.14 cfs / 280.225 AF</u>	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

George M. Chapo (Pres)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED
JAN 10 2006

QUITCLAIM DEED

FOR VALUE RECEIVED, **SUN-GLO OF IDAHO, INC., f.k.a. CRAPO**

ENTERPRISES, INC., an Idaho corporation, with its principal place of business located at 2935 N. 1000 E., Rexburg, Idaho 83440, does hereby remise, release and forever quitclaim unto **NORTHLAND FROZEN FOODS, INC.**, a Maine corporation, duly authorized to conduct business within the State of Idaho, whose Idaho address is 903 E. 3000 N., Sugar City, Idaho 83448, the following described water right in Madison County, State of Idaho, to wit:

.5 cfs of the total .8 cfs and 103.375 acre feet of the total 165.4 annual acre feet volume of Industrial Use water from water right license #22-7097, issued by the Idaho Department of Water Resources. Licensed Place of use: NE 1/4 NE 1/4 of Section 8, Twp. 6 N., Rge. 40 E. B.M.

DATED this 29th day of July, 2005

SUN GLO OF IDAHO, INC.

By: George M. Crapo
George Crapo, Pres.

STATE OF IDAHO)
 ss.
County of Madison)

On this 29th day of July, 2005 appeared before me, the undersigned, a Notary Public in and for said State, personally appeared GEORGE CRAPO, known to me to be the President of

SUN GLO OF IDAHO, INC., the corporation that executed the foregoing instrument and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.




Notary Public for Idaho
Residing at: *Rebula*
Commission Expires: *11-09-05*

This document is being re-recorded to correct the legal description in the Warranty Deed recorded in Madison County, November 15, 1999, WARRANTY DEED ~~number~~ instrument number 281318. ST

281327

FOR VALUE RECEIVED, **SUN-GLO INDUSTRIES LIMITED PARTNERSHIP**, an Idaho Limited Partnership, % Delmar H. Raybould, 3215 North 2000 West, Madison County, Rexburg, Idaho 83440, hereinafter called the "Grantor", does hereby grant, bargain, sell and convey unto **SUN GLO INDUSTRIES, L.L.C.**, an Idaho Limited Liability Company, with its principal place of business located at 2935 N. 1000 E., Sugar City, Idaho, 83448, hereinafter called the "Grantee", the following described property:

Commencing at the Northeast corner of Sec. 8, Twp. 6 N., Rge. 40 E., Boise Meridian, Madison County, Idaho, and running thence West 120 rods; thence South 106 rods; thence East 97 rods to the West line of the Oregon Shortline Railroad right-of-way; thence Northeasterly along the right-of-way line to its intersection with the East line of said Sec. 8, thence North 54 rods to the point of beginning.

LESS: A parcel of land being on both sides of the centerline of U.S. Highway No.'s 191 and 20, Project No. ER-F-6471(79), Highway Survey as shown on the plans thereof now on file in the office of the Idaho Transportation Department, Division of Highways, and being a portion of the N1/2NE1/4 of Sec. 8, Twp. 6 N., Rge. 40 E., Boise Meridian, described as follows, to-wit:

Commencing at the Northeast corner of Sec. 8, Twp. 6 N., Rge. 40 E., Boise Meridian, thence Westerly along the North line of said Section a distance of 1147.0 feet, more or less, to a point in a line parallel with and 120.0 feet Southeasterly from the centerline and bears South 56°29'39" East from Station 1714+82.18 of said U.S. Highway No.'s 191 and 20, Project No. ER-F-6471(79) Highway Survey, and being the REAL POINT OF BEGINNING: thence Southwesterly along said parallel line as follows; South 33°30'21" West 17.64 feet to a point opposite Station 1720+97.71 back equals Station 1714+64.54 ahead of said Highway Survey Southwesterly along a 4703.66 foot radius curve right 1230.0 feet, more or less, to a point in the West line of the tract of land as described in that certain Warranty Deed dated July 22, 1974, recorded August 8, 1974, as Instrument No. 153390, and opposite Station 1708+87.22 of said Highway Survey; thence Northerly along said West line 325.0 feet, more or less, to a point in a line parallel with and 120.0 feet Northwesterly from the centerline and radially from Station 1711+06.50 of said Highway Survey; thence Northeasterly along said parallel line, being a 4463.66 foot radius curve left 820.0 feet, more or less, to a point in the North line of said Section 8 and opposite Station 1719+50.56 of said Highway Survey; thence Easterly along said North line 291.0 feet, more or less, to the REAL POINT OF BEGINNING.

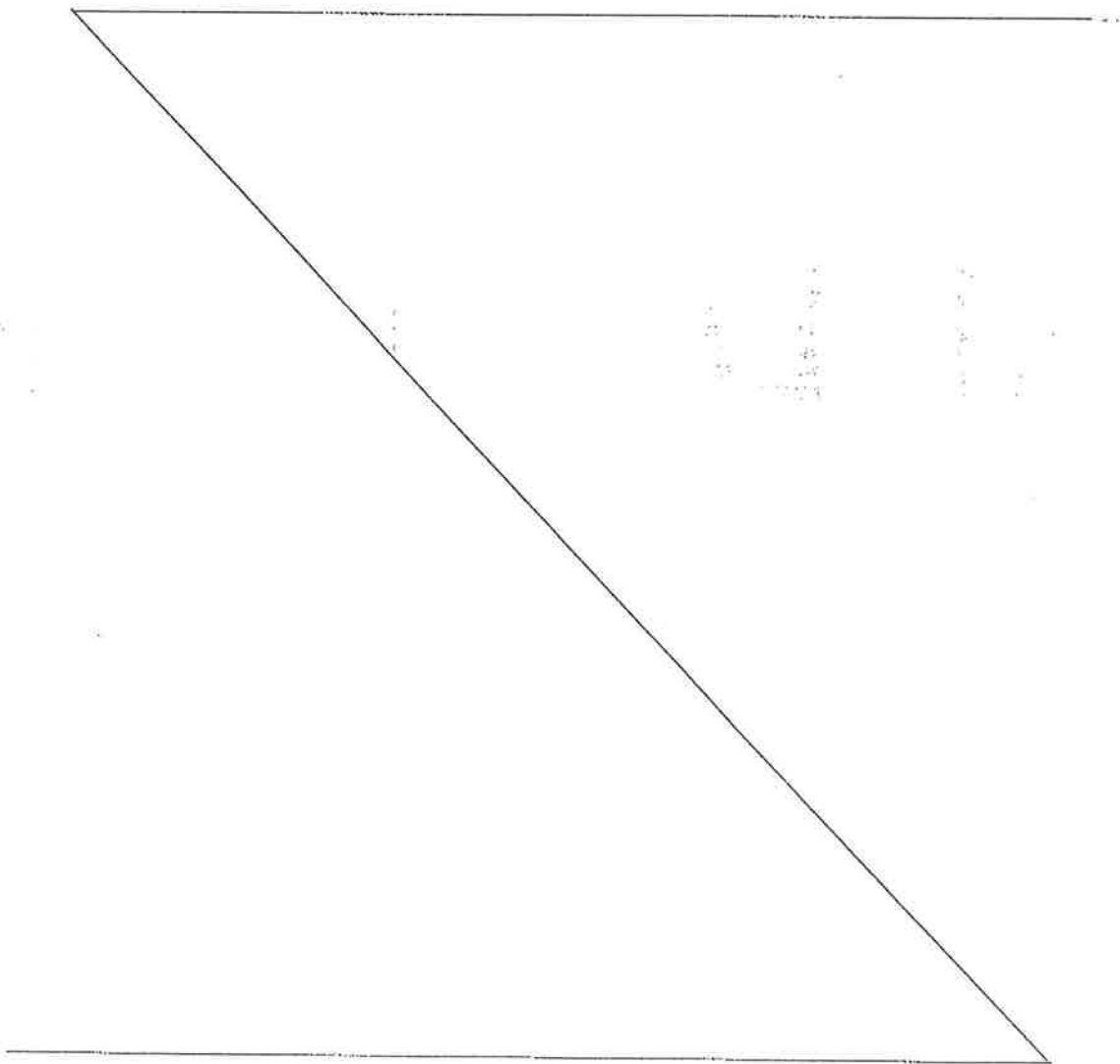
SCANNED

JAN 10 2006

TOGETHER With any and all improvements and appurtenances thereto; rents, issues and profits thereof; and reversions and remainders.

TOGETHER With any and all water and water rights, including but not limited to all water licenses and permits.

Grantor covenants and warrants that fee simple title, to the property, is conveyed to Grantee by this Deed, free from all encumbrances.



SCANNED

JAN 10 2006

281327

DATED This 5 day of November, 1999.BY: Warren J. Walters
Warren J. WaltersBY: George M. Crapp
George Crapp.BY: Golden C. Linford
Golden C. LinfordBY: Delmar H. Raybould
Delmar H. RaybouldSCANNED
JAN 10 2006

Limited Partnership Acknowledgment

STATE OF IDAHO)
 ss.
County of Madison.)

On this 1st day of November, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared **Warren J. Walters, George Crapo, Golden C. Linford, and Delmar H. Raybould**, known to me to be the General Partners of **Sun-Glo Industries Limited Partnership**, an Idaho limited partnership, and the General Partners who subscribed the limited partnership name to the foregoing instrument, and acknowledged to me that they executed the same in the limited partnership name.




Notary Public for Idaho
Residing at: Rexburg, Idaho
My Commission expires: 11-9-05

Microfilm No. 281327
Day NOV 16 1999
At 1420 O'clock p m
MARILYN R. RASMUSSEN
MADISON COUNTY RECORDER
Fee \$ 12-75 Deputy
Recorded At Request of
Rigby Thatchers

~~Microfilm No. 281318
Day NOV 16 1999
At 9:00 O'clock A m
MARILYN R. RASMUSSEN
MADISON COUNTY RECORDER
Fee \$ 12.00 Deputy
Recorded At Request of
Rigby Thatchers~~

SCANNED
JAN 10 2006

This Deed is being re-recorded to correct the legal description on Exhibit "A" on the Warranty Deed recorded in Madison County on November 15, 1999, instrument number 28139. ~~281319~~
WARRANTY DEED ST **281328**

FOR VALUE RECEIVED, SUN-GLO INDUSTRIES, L. L. C., an Idaho Limited Liability Company, with its principal place of business located at 2935 N. 1000 E., Sugar City, Idaho, 83448, hereinafter called "Grantor", does hereby grant, bargain, sell, warrant and convey unto the following persons and entities, hereinafter called "Grantees", in the following interests:

<u>Grantee</u>	<u>Interest</u>
GEORGE CRAPO and LINDA CRAPO, husband and wife:	25.0%
GOLDEN C. LINFORD, a married man dealing with his sole and separate property:	12.5%
JEFFREY W. ANDREW, as Trustee of the Betty Lou Linford Testamentary Trust:	12.5%
RAYBOULD FAMILY LIMITED PARTNERSHIP, an Idaho Limited Partnership:	25.0%
WARREN WALTERS and BARBARA WALTERS, husband and wife:	2.5%
W-B FAMILY LIMITED PARTNERSHIP, an Idaho Limited Partnership:	16.25%
W. JEFFREY WALTERS, a married man dealing with his sole and separate property:	1.0416%
BARRY J. WALTERS, a married man dealing with his sole and separate property:	1.0417%
NAN JENSEN, a married woman dealing with her sole and separate property:	1.0417%
JULIE ANN GNEITING, a married woman dealing with her sole and separate property:	1.0417%
KALLE DAVIS, a married woman dealing with her sole and separate property:	1.0417%
SHAWN J. WALTERS, a married man dealing with his sole and separate property:	1.0416%
Total:	100.00%

the following described real property in Madison County, Idaho, to-wit:

See legal description in attached exhibit "A".

Together with all water and water rights, including but not limited to all water licenses and permits.

Subject to easements of record or in existence for roads, streets and utilities.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in any wise appertaining..

Grantor covenants and warrants that fee simple title to the above described property is conveyed to Grantees by this Deed free from all encumbrances except any assumed by or placed therein by Grantees and accruing 1999 property taxes.

DATED This 15th day of November, 1999.

SUN-GLO INDUSTRIES, L.L.C.

BY: Warren J. Walters
Warren J. Walters, Managing Member

BY: George M. Crapo
George Crapo, Managing Member

BY: Golden C. Linford
Golden C. Linford, Managing Member

BY: Delmar H. Raybould
Delmar H. Raybould, Managing Member

Acknowledgment by Limited Liability Company

STATE OF IDAHO,)

ss.

County of Madison.)

On this 15th day of November, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared, **Warren J. Walters, George Crapo, Golden C. Linford and Delmar H. Raybould** known to me to be the Managing Member and Member respectively of **SUN-GLO INDUSTRIES, L.L.C.**, the Limited Liability Company that executed the foregoing instrument and acknowledged to me that such Company executed the same.



Jerry R. Rigby
Notary Public for Idaho
Residing at: Rexburg, Idaho
My Commission Expires: 11-9-05

Exhibit "A"
Legal Description of Entire Parcel

Commencing at the Northeast corner of Sec. 8, Twp. 6 N., Rge. 40 E., Boise Meridian, Madison County, Idaho, and running thence West 120 rods; thence South 106 rods; thence East 97 rods to the West line of the Oregon Shortline Railroad right-of-way; thence Northeasterly along the right-of-way line to its intersection with the East line of said Sec. 8, thence North 54 rods to the point of beginning.

LESS: A parcel of land being on both sides of the centerline of U.S. Highway No.'s 191 and 20, Project No. ER-F-6471(79), Highway Survey as shown on the plans thereof now on file in the office of the Idaho Transportation Department, Division of Highways, and being a portion of the N1/2NE1/4 of Sec. 8, Twp. 6 N., Rge. 40 E., Boise Meridian, described as follows, to-wit:

Commencing at the Northeast corner of Sec. 8, Twp. 6 N., Rge. 40 E., Boise Meridian, thence Westerly along the North line of said Section a distance of 1147.0 feet, more or less, to a point in a line parallel with and 120.0 feet Southeasterly from the centerline and bears South 56°29'39" East from Station 1714+82.18 of said U.S. Highway No.'s 191 and 20, Project No. ER-F-6471(79) Highway Survey, and being the REAL POINT OF BEGINNING: thence Southwesterly along said parallel line as follows; South 33°30'21" West 17.64 feet to a point opposite Station 1720+97.71 back equals Station 1714+64.54 ahead of said Highway Survey Southwesterly along a 4703.66 foot radius curve right 1230.0 feet, more or less, to a point in the West line of the tract of land as described in that certain Warranty Deed dated July 22, 1974, recorded August 8, 1974, as Instrument No. 153390, and opposite Station 1708+87.22 of said Highway Survey; thence Northerly along said West line 325.0 feet, more or less, to a point in a line parallel with and 120.0 feet Northwesterly from the centerline and radially from Station 1711+06.50 of said Highway Survey; thence Northeasterly along said parallel line, being a 4463.66 foot radius curve left 820.0 feet, more or less, to a point in the North line of said Section 8 and opposite Station 1719+50.56 of said Highway Survey; thence Easterly along said North line 291.0 feet, more or less, to the REAL POINT OF BEGINNING.

281328

Microfilm No. _____
Day NOV. 16 1999
At 1422 O'clock P m
MARILYN R. RASMUSSEN
MADISON COUNTY RECORDER
Fee \$ 9- NA Deputy
Recorded At Request of
Bigby Thatcher

WARRANTY DEED

FOR VALUE RECEIVED, GOLDEN C. LINFORD, a married man dealing with his sole and separate property; JEFFERY W. ANDREW, as Trustee of the Betty Lou Linford Testamentary Trust; RAYBOULD FAMILY LIMITED PARTNERSHIP, an Idaho Limited Partnership; WARREN WALTERS and BARBARA WALTERS, husband and wife; W-B FAMILY LIMITED PARTNERSHIP, an Idaho Limited Partnership; W. JEFFREY WALTERS, a married man dealing with his sole and separate property; BARRY J. WALTERS, a married man dealing with his sole and separate property; NAN JENSEN, a married woman dealing with her sole and separate property; JULIE ANN GNEITING, a married woman dealing with her sole and separate property; KALLE DAVIS, a married woman dealing with her sole and separate property; SHAWN J. WALTERS, a married man dealing with his sole and separate property, hereinafter called "Grantors", do hereby grant, bargain, sell, warrant and convey unto **GEORGE CRAPO and LINDA CRAPO, husband and wife, of 726 N. 2100 E., St. Anthony, Idaho 83445, hereinafter called "Grantees", 100% of Grantors' interest in and to the following described real property in Madison County, Idaho, to-wit:**

Commencing at the Northeast corner of Sec. 8, Twp. 6 N., Rge. 40 E., Boise Meridian, Madison County, Idaho, and running thence West 120 rods; thence South 106 rods; thence East 97 rods to the West line of the Oregon Shortline Railroad right-of-way; thence Northeasterly along the right-of-way line to its intersection with the East line of said Sec. 8, thence North 54 rods to the point of beginning.

LESS: A parcel of land being on both sides of the centerline of U.S. Highway No.'s 191 and 20, Project No. ER-F-6471(79), Highway Survey as shown on the plans thereof now on file in the office of the Idaho Transportation Department, Division of Highways, and being a portion of the N1/2NE1/4 of Sec. 8, Twp. 6 N., Rge. 40 E., Boise Meridian, described as follows, to-wit:

Commencing at the Northeast corner of Sec. 8, Twp. 6 N., Rge. 40 E., Boise Meridian, thence Westerly along the North line of said Section a distance of 1147.0 feet, more or less, to a point in a line parallel with and 120.0 feet Southeasterly from the centerline and bears South 56°29'39" East from Station 1714+82.18 of said U.S. Highway No.'s 191 and 20, Project No. ER-F-6471(79) Highway Survey, and being the REAL POINT OF

BEGINNING: thence Southwesterly along said parallel line as follows; South $33^{\circ}30'21''$ West 17.64 feet to a point opposite Station 1720+97.71 back equals Station 1714+64.54 ahead of said Highway Survey Southwesterly along a 4703.66 foot radius curve right 1230.0 feet, more or less, to a point in the West line of the tract of land as described in that certain Warranty Deed dated July 22, 1974, recorded August 8, 1974, as Instrument No. 153390, and opposite Station 1708+87.22 of said Highway Survey; thence Northerly along said West line 325.0 feet, more or less, to a point in a line parallel with and 120.0 feet Northwesterly from the centerline and radially from Station 1711+06.50 of said Highway Survey; thence Northeasterly along said parallel line, being a 4463.66 foot radius curve left 820.0 feet, more or less, to a point in the North line of said Section 8 and opposite Station 1719+50.56 of said Highway Survey; thence Easterly along said North line 291.0 feet, more or less, to the REAL POINT OF BEGINNING.

ALSO LESS: A parcel of land in Twp. 6 N., Rge. 40 E., Boise Mer., Madison County, Idaho, Sec. 8: Beginning at a point on the section line that is 396.30 feet South $89^{\circ}55'30''$ West of the Northeast corner of said Sec. 8 and continuing South $89^{\circ}55'30''$ West 750.55 feet measured (750.70 feet record) to a point in a line parallel with and 120.00 feet southeasterly from the centerline and bears South $56^{\circ}29'39''$ East from Station 1714 + 82.18 of U.S. Highway 191 and 20, Project Number ER-F-6471 (79 Highway Survey) thence southwesterly along said parallel line South $33^{\circ}30'21''$ West 17.64 feet to a highway right-of-way monument and the beginning of a curve to the right with a radius of 4703.66 feet, a cord bearing of South $37^{\circ}47'09''$ West and a length of 702.75 feet; thence along said curve a distance of 702.75 feet; thence North $89^{\circ}55'30''$ East 1191.21 feet, said point is 60 feet East and 21 feet South of the Southeast corner of the Process Facility Building; thence parallel with said Process Facility North $00^{\circ}04'30''$ West 569.00 feet to the point of beginning.

TOGETHER With any and all improvements and appurtenances thereto; rents, issues and profits thereof; and reversions and remainders.

TOGETHER With the following described water rights: One-half of the licensed water right No. No. 22-7097, which has been modified under permit no. 22-99-E-0069-000, and any and all other water and water rights held in irrigation canal companies and storage rights held with Fremont Madison Irrigation District.

Subject to easements of record or in existence for roads, streets and utilities.

Together with all and singular the tenements, hereditaments, and appurtenances

thereunto belonging or in any wise appertaining.

Grantors covenant and warrant that fee simple title to the above described property is conveyed to Grantees by this Deed free from all encumbrances except any assumed by or placed therein by Grantees.

DATED This 30th day of November, 1999.

Golden C. Linford
Golden C. Linford
Jeffery W. Andrew
Jeffery W. Andrew
Trustee of the Betty Lou Linford
Testamentary Trust

Raybould Family Limited Partnership

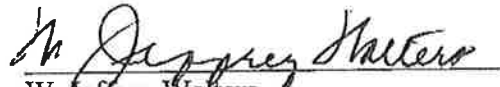
Delmar H. Raybould
By: Delmar H. Raybould
General Partner
Vera Mae Raybould
By: Vera Mae Raybould
General Partner

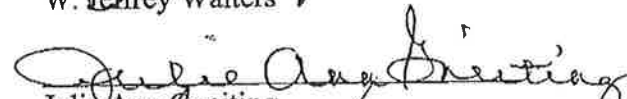
Warren J. Walters
Warren J. Walters
Barbara Walters
Barbara Walters

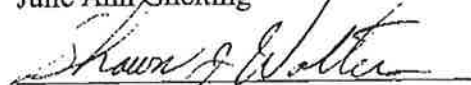
W-B Family Limited Partnership

Warren J. Walters
By: Warren J. Walters
Barbara Walters
By: Barbara Walters

281895


W. Jeffrey Walters

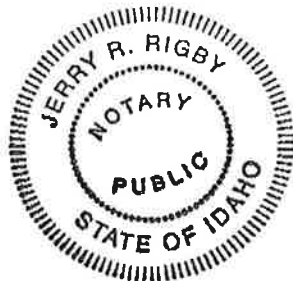

Julie Ann Gneiting

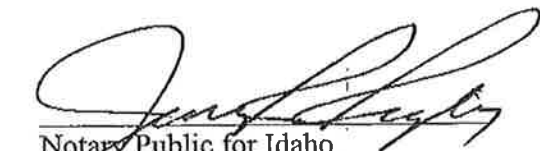

Shawn J. Walters

Limited Partnership Acknowledgment

STATE OF IDAHO)
 ss.
County of Madison.)

On this 30th day of November, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared **Delmar H. Raybould and Vera Mae Raybould**, husband and wife, known to me to be the General Partners of **Raybould Family Limited Partnership**, an Idaho limited partnership, and the General Partners who subscribed the limited partnership's name to the foregoing instrument, and acknowledged to me that they executed the same in the limited partnership's name.

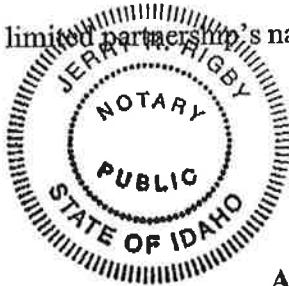



Notary Public for Idaho
Residing at: Rexburg, Idaho
My Commission expires: 11-09-05

Limited Partnership Acknowledgment

STATE OF IDAHO)
 ss.
 County of Madison.)

On this 30th day of November, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared **Warren J. Walters and Barbara Walters**, husband and wife, known to me to be the General Partners of **W-B Family Limited Partnership**, an Idaho limited partnership, and the General Partners who subscribed the limited partnership's name to the foregoing instrument, and acknowledged to me that they executed the same in the limited partnership's name.



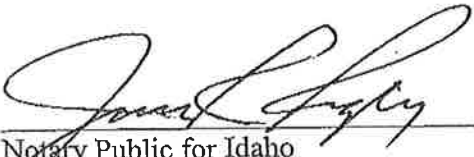

 Notary Public for Idaho
 Residing at: Rexburg, Idaho
 My Commission expires: 11-09-05

Acknowledgment by Trustee

STATE OF IDAHO)
 ss.
 County of Madison.)

On this 30th day of November, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared **Jeffery W. Andrew**, known to me to be person whose name is subscribed to the within instrument as the Trustee of the **Betty Lou Linford Testamentary Trust**, and acknowledged to me that he executed the same as such Trustee.




 Notary Public for Idaho
 Residing at: Rexburg, Idaho
 My Commission expires: 11-09-05

Acknowledgment

STATE OF IDAHO,)

ss.

County of Madison)

On this 30th day of November, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared **Golden C. Linford, Warren J. Walters and Barbara Walters, husband and wife, W. Jeffrey Walters, Julie Ann Gneiting, Shawn J. Walters, George Crapo and Linda Crapo**, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.




Notary Public for Idaho
Residing at: Rexburg, Idaho
My Commission Expires: 11-09-05

221895

Kalle Davis
Kalle Davis

Acknowledgment

STATE OF COLORADO,)

ss.

County of Boulder)

On this 12th day of ~~November~~ DECEMBER 8, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared **Kalle Davis**, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.



Dixie K. Feld
Notary Public for Colorado
Residing at: 368 S. McCaslin, Louisville
My Commission Expires: 12-17-2000

281895

Barry J. Walters
Barry J. Walters

Acknowledgment

STATE OF COLORADO,)

ss.

County of Douglas)

On this 30th day of November, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared **Barry Walters**, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

Carol Jones
Notary Public for Colorado
Residing at: 10615 Oakmore Ct
My Commission Expires: _____

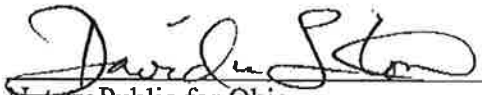



Nan Jensen

Acknowledgment

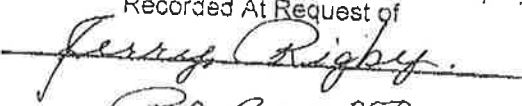
STATE OF OHIO,)
County of Hamilton SS.

On this 17 ^{December} ~~November~~, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared **Nan Jensen**, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.


Notary Public for Ohio
Residing at:
My Commission Expires: 4/5/2004



DAVID W. SEXTON
Notary Public, State of Ohio
My Commission Expires April 5, 2004

Microfilm No. 281895
Day DEC 30 1999 At 1552
MARILYN R. RASMUSSEN
MADISON COUNTY RECORDER
Fee \$ 27 - 75 Deputy
Recorded At Request of

PO Box 250
Rexburg Id

WARRANTY DEED

FOR VALUE RECEIVED, GEORGE CRAPO and LINDA CRAPO, husband and wife, of 726 N. 2100 E., St. Anthony, Idaho 83445, hereinafter called "Grantors", do hereby grant, bargain, sell, warrant and convey unto **CRAPO ENTERPRISES, INC., dba Sun-Glo of Idaho**, an Idaho corporation, with its principal place of business located at 2935 N. 1000 E., Rexburg, Idaho 83440, hereinafter called "Grantees", 100% of Grantors' interest in and to the following described real property in Madison County, Idaho, to-wit:

Commencing at the Northeast corner of Sec. 8, Twp. 6 N., Rge. 40 E., Boise Meridian, Madison County, Idaho, and running thence West 120 rods; thence South 106 rods; thence East 97 rods to the West line of the Oregon Shortline Railroad right-of-way; thence Northeasterly along the right-of-way line to its intersection with the East line of said Sec. 8, thence North 54 rods to the point of beginning.

LESS: A parcel of land being on both sides of the centerline of U.S. Highway No.'s 191 and 20, Project No. ER-F-6471(79), Highway Survey as shown on the plans thereof now on file in the office of the Idaho Transportation Department, Division of Highways, and being a portion of the N1/2NE1/4 of Sec. 8, Twp. 6 N., Rge. 40 E., Boise Meridian, described as follows, to-wit:

Commencing at the Northeast corner of Sec. 8, Twp. 6 N., Rge. 40 E., Boise Meridian, thence Westerly along the North line of said Section a distance of 1147.0 feet, more or less, to a point in a line parallel with and 120.0 feet Southeasterly from the centerline and bears South 56°29'39" East from Station 1714+82.18 of said U.S. Highway No.'s 191 and 20, Project No. ER-F-6471(79) Highway Survey, and being the REAL POINT OF BEGINNING: thence Southwesterly along said parallel line as follows; South 33°30'21" West 17.64 feet to a point opposite Station 1720+97.71 back equals Station 1714+64.54 ahead of said Highway Survey Southwesterly along a 4703.66 foot radius curve right 1230.0 feet, more or less, to a point in the West line of the tract of land as described in that certain Warranty Deed dated July 22, 1974, recorded August 8, 1974, as Instrument No. 153390, and opposite Station 1708+87.22 of said Highway Survey; thence Northerly along said West line 325.0 feet, more or less, to a point in a line parallel with and 120.0 feet Northwesterly from the centerline and radially from Station 1711+06.50 of said Highway Survey; thence Northeasterly along said parallel line, being a 4463.66 foot radius curve left 820.0 feet, more or less, to a point in the North line of said Section 8 and opposite Station 1719+50.56 of said Highway Survey; thence Easterly along said North line 291.0 feet, more or less, to the REAL POINT OF BEGINNING.

ALSO LESS: A parcel of land in Twp. 6 N., Rge. 40 E., Boise Mer., Madison County, Idaho, Sec. 8: Beginning at a point on the section line that is 396.30 feet South 89°55'30" West of the Northeast corner of said Sec. 8 and continuing South 89°55'30" West 750.55 feet measured (750.70 feet record) to a point in a line parallel with and 120.00 feet southeasterly from the centerline and bears South 56°29'39" East from Station 1714 + 82.18 of U.S. Highway 191 and 20, Project Number ER-F-6471 (79 Highway Survey) thence southwesterly along said parallel line South 33°30'21" West 17.64 feet to a highway right-of-way monument and the beginning of a curve to the right with a radius of 4703.66 feet, a cord bearing of South 37°47'09" West and a length of 702.75 feet; thence along said curve a distance of 702.75 feet; thence North 89°55'30" East 1191.21 feet, said point is 60 feet East and 21 feet South of the Southeast corner of the Process Facility Building; thence parallel with said Process Facility North 00°04'30" West 569.00 feet to the point of beginning.

TOGETHER With any and all improvements and appurtenances thereto; rents, issues and profits thereof; and reversions and remainders.

TOGETHER With the following described water rights: One-half of the licensed water right No. No. 22-7097, which has been modified under permit no. 22-99-E-0069-000, and any and all other water and water rights held in irrigation canal companies and storage rights held with Fremont Madison Irrigation District.

Subject to easements of record or in existence for roads, streets and utilities.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in any wise appertaining.

Grantors covenant and warrant that fee simple title to the above described property is conveyed to Grantees by this Deed free from all encumbrances except any assumed by or placed therein by Grantees.

DATED This 18th day of December, 1999.

George M Crapo
George Crapo
Linda Crapo
Linda Crapo

Acknowledgment

STATE OF IDAHO,)

SS.

County of Madison)

On this 18th day of December, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared **George Crapo and Linda Crapo**, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.



Jerry R. Rigby
Notary Public for Idaho
Residing at: Rexburg, Idaho
My Commission Expires: 11-09-05

221896

Microfilm No. _____
Day DEC 30 1999 At 1554
MARILYN R. RASMUSSEN
MADISON COUNTY RECORDER
Fee \$ 9- 00 Deputy
Recorded At Request of

Jerry R. Rigby

ARTICLES OF AMENDMENT
to the
ARTICLES OF INCORPORATION
OF
CRAPO ENTERPRISES, INC.

FILED
12/20/1999

Pursuant to the provisions of Sec. 30-1-61 of Idaho Business Corporation Act, the undersigned corporation adopts the following Articles of Amendment to its original Articles of Incorporation:

FIRST: The present name of the corporation is CRAPO ENTERPRISES, INC.

SECOND: The following amendments of the Articles of Incorporation were adopted by the shareholders of the corporation on December 14, 1999, in the manner prescribed by the Idaho Business Corporation Act:

The following paragraph was amended:

FIRST: The name of the corporation is SUN-GLO OF IDAHO, INC.

CRAPO ENTERPRISES, INC.

By: George Crapo
George Crapo, President

STATE OF IDAHO)

ss.

County of Madison)

GEORGE CRAPO, being duly sworn, states as follows:

That he is the President of CRAPO ENTERPRISES, INC., in the foregoing Articles of Amendment to the Articles of Incorporation; that he has read the Articles of Amendment to the Articles of Incorporation and the facts therein stated are true to the best of his knowledge.

George Crapo
GEORGE CRAPO

SUBSCRIBED AND SWORN to before me this 14th day of December, 1999.



IDAHO SECRETARY OF STATE
12/20/1999 09:00
CK: 12499 CT: 2552 BH: 274680
Marsha L. Mahoney
Notary Public for Idaho
Residing at: Redding, Id
Commission Expires: 4-10-2000 C131299

STATE OF IDAHO)

ss.

County of Madison)

On this 14th day of December, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared GEORGE CRAPO, known to me to be the President, of CRAPO ENTERPRISES, INC., the corporation that executed the foregoing instrument and acknowledged to me that such corporation executed the same.



Marsha L. Mahary
Notary Public for Idaho
Residing at: Keystone II
My Commission Expires: 4-10-2000

Law Offices

***RIGBY, THATCHER, ANDRUS
RIGBY, & MOELLER, Chartered***

*Ray W. Rigby
Gordon S. Thatcher
G. Rich Andrus
Jerry R. Rigby
Michael S. Kam (1954-2001)
Gregory W. Moeller
Reed E. Andrus*

*P.O. Box 250
25 North Second East
Rexburg, ID 83440*

*Telephone: (208) 356-3633
Fax: (208) 356-0768
E-Mail: jrigby@rigby-thatcher.com*

August 25, 2005

Water District No. 1
900 North Skyline, Ste. A
Idaho Falls, Idaho 83402

Re: Change in Water Right Ownership

Enclosed please find two Notices of Change in Water Right Ownership for Northland Frozen Foods, Inc., and Sun-Glo of Idaho, Inc.

Thank you for your assistance in this matter. If you have any questions or concerns, please feel free to give our office a call.

Sincerely yours,



Jodi L. Thurber
Assistant to Jerry R. Rigby

/jt
Enclosures
F:\WP6\SB\SUNNOR.LTR

RECEIVED

AUG 26 2005

Department of Water Resources
Eastern Region

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 22-13429
Date Received: 9/14/2005
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

SUN-GLO INDUSTRIES Phone: (208)356-7346
PO BOX 98
REXBURG ID USA 83440

2. Date of Priority: 07/15/1974

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	40E	8	NE NE	MADISON	

5. Description of diverting works:

WELL/PUMP TO SPRINKLERS, POTATO PROCESSING PLANT, RESTROOMS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.8	217
INDUSTRIAL	01/01	12/31	0.3	62.025
DOMESTIC	01/01	12/31	0.04	1.2

7. Total Quantity Appropriated is:
1.14 C.F.S. and/or 280.225 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
06N	40E	8	NE NE	IRRIGATION	33
			NW NE	IRRIGATION	12

SW	NE	IRRIGATION	8
SE	NE	IRRIGATION	9
		Section Acres	62
		Total Acres	62

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:

14. Remarks:

2 P/D IN NENE, S8, T6N, R40E.

This right is a split from former right 22-7097 .

Right Nos. 22-13429 and 22-13430 are limited to a total combined diversion rate of 1.38 cfs.

15. Basis of Claim: License

SCANNED
JAN 10 2006