

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 36-16156

Priority: April 09, 2003

Maximum Diversion Rate: 1.34 CFS

Maximum Diversion Volume: 690.4 AF

It is hereby certified that:

RIVERENCE PROVISIONS LLC
PO BOX 712
BUHL ID 83316-0712

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 09, 2003, and has submitted Proof of Beneficial Use on October 11, 2012. An examination confirms water is diverted from:

Source : GROUND WATER

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>	<u>Annual Volume</u>
INDUSTRIAL	01/01 to 12/31	1.34 CFS	690.4 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF

Location of Point(s) of Diversion

GROUND WATER NW¼ NW¼ SE¼, Sec. 2, Twp 09S, Rge 14E, B.M. GOODING County

Place of Use: INDUSTRIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	14E	2			X											X			

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	14E	2														X			

Conditions of Approval

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
2. The right holder shall maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
3. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
4. Rights 36-16156 and 36-7201 when combined shall not exceed a total diversion rate of 2.0 cfs for industrial and domestic purposes, nor more than 10.0 cfs total.

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 36-16156

5. The diversion and use of water described in this right may be subject to additional limitations agreed to by the protestant(s) and the right holder under separate agreement to which the Department is not a party and which may be enforceable by a court of law.
6. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
7. This right is for the use of trust water, and it is subject to review 20 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
8. Administration of this right to satisfy the minimum stream flow water rights in the Snake River at Murphy Gage shall not be required because use of water pursuant to this right is either non-consumptive or the right holder is required to provide ongoing mitigation to offset the depletion of water resulting from the use of this right.
9. Use of water under this right for domestic purposes shall be non-consumptive.
10. This right authorizes an alternative source of water for the industrial use authorized by Right 36-7201. Any depletion of water resulting from the use of water under this right for industrial purposes shall be mitigated by an equal reduction in diversion and use under Right 36-7201.
11. Industrial use includes water uses associated with the operation of a fish processing facility.

This license is issued pursuant to the provisions of Idaho Code § 42-219. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 28th day of January, 20 21.



COREY SKINNER
Southern Regional Manager

State of Idaho
Department of Water Resources
Attachment to Water Right License
36-16156

This map depicts the INDUSTRIAL place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

14E



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.035 0.07 0.14 Miles



State of Idaho
Department of Water Resources
Attachment to Water Right License
36-16156

This map depicts the DOMESTIC place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

14E



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.035 0.07 0.14 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

January 28, 2021

RIVERENCE PROVISIONS LLC
PO BOX 712
BUHL ID 83316-0712

RE: License No. 36-16156

Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources ("Department") has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review all the conditions of approval listed on your license. The conditions may include ongoing requirements, such as maintenance of a measuring device or implementation of mitigation, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district. Also enclosed is a copy of the approved application for amendment.

The license is a PRELIMINARY ORDER issued by the Department pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Water right forms are available from any office of the Department or on the Department's website at idwr.idaho.gov

If you have any questions concerning the enclosed information, please contact me at (208) 736-3033.

Sincerely,

Corey Skinner
Southern Regional Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on January 28, 2021, I served a true and correct copy of Water Right License No. 36-16156 by U.S. Mail, postage prepaid, to the following:

RIVERENCE PROVISIONS LLC (Current Owner)
PO BOX 712
BUHL ID 83316-0712

WATER DISTRICT #130
NATHAN ERICKSON (Watermaster)
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301



Denise Maline
Administrative Assistant 1

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

State of Idaho
Department of Water Resources
Application for Amendment
(For Licensing Purposes)
Water Right No. 36-16156

RECEIVED

DEC 14 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

Priority: April 09, 2003

Maximum Diversion Rate: 1.34 CFS

Maximum Diversion Volume: 690.4 AF

The owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 36-16156

RIVERENCE PROVISIONS LLC PO BOX 712 BUHL ID 83316-0712

requests the permit be changed as follows:

Source : GROUND WATER

Beneficial Use

INDUSTRIAL

DOMESTIC

Period of Use

01/01 to 12/31

01/01 to 12/31

Rate of Diversion

1.34 CFS

0.04 CFS

Annual Volume

690.4 AF

0.6 AF

Location of Point(s) of Diversion

GROUND WATER NW¼ NW¼ SE¼, Sec. 2, Twp 09S, Rge 14E, B.M. GOODING County

Place of Use: INDUSTRIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	14E	2			X											X			

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	14E	2														X			

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed this 8th day of DECEMBER, 2020.


(Signature)

State of Idaho
Department of Water Resources
Application for Amendment
(For Licensing Purposes)
Water Right No. 36-16156

FOR DEPARTMENT USE ONLY

Preliminary check by SG Fee = \$100 Received by SG # 5038296 Date 12/14/20

ACTION OF THE DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources hereby approves the above Application for Amendment for Permit No. 36-16156 with the following:

Conditions of Approval

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
2. The right holder shall maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
3. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
4. Rights 36-16156 and 36-7201 when combined shall not exceed a total diversion rate of 2.0 cfs for industrial and domestic purposes, nor more than 10.0 cfs total.
5. The diversion and use of water described in this right may be subject to additional limitations agreed to by the protestant(s) and the right holder under separate agreement to which the Department is not a party and which may be enforceable by a court of law.
6. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
7. This right is for the use of trust water, and it is subject to review 20 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
8. Administration of this right to satisfy the minimum stream flow water rights in the Snake River at Murphy Gage shall not be required because use of water pursuant to this right is either non-consumptive or the right holder is required to provide ongoing mitigation to offset the depletion of water resulting from the use of this right.
9. Use of water under this right for domestic purposes shall be non-consumptive.
10. This right authorizes an alternative source of water for the industrial use authorized by Right 36-7201. Any depletion of water resulting from the use of water under this right for industrial purposes shall be mitigated by an equal reduction in diversion and use under Right 36-7201.
11. Industrial use includes water uses associated with the operation of a fish processing facility.

State of Idaho
Department of Water Resources
Application for Amendment
(For Licensing Purposes)
Water Right No. 36-16156

This amendment is issued pursuant to the provisions of Idaho Code § 42-211.

Signed this 28th day of January, 2021.



COREY SKINNER
Southern Regional Manager

Mills, Bill

From: Karen Henderson <karen.henderson@riverence.com>
Sent: Friday, November 20, 2020 5:40 PM
To: Mills, Bill
Subject: Clear Springs Foods name change to Riverence Provisions LLC
Attachments: RP Letter to IDWR re name change (water rights) -signed.pdf

Bill,

I mistakenly thought I'd be able to submit this electronically to IDWR, but since it needs to be mailed I thought I'd also provide you with a copy via email since I know you want to get the license for 36-16156 finalized.

My sincere apologies for the delay.

Karen



KAREN HENDERSON
CLO & Director of Land & Water Resources
Office: (208) 420-1742
Mobile: (208) 703-1554
Riverence.com



RIVERENCE®

RECEIVED

NOV 20 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

November 20, 2020

IDWR Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301-5858

Re: Company Name Change

Dear Sir or Madam:

Please be advised that **Clear Springs Foods, Inc.**, an Idaho corporation was converted to a Delaware limited liability company on February 3, 2020. The conversion document filed with the Idaho Secretary of State is attached.

On June 26, 2020, the name of Clear Springs Foods LLC **was legally changed to Riverence Provisions LLC**. The filing with the Delaware Secretary of State's office is attached.

Please update your records for the following water rights:

- | | | | |
|-----------|------------|-----------|------------|
| • 11-2098 | • 36-4013A | • 36-7148 | • 36-16156 |
| • 34-7034 | • 36-4013B | • 36-7201 | • 47-13466 |
| • 36-2048 | • 36-4013C | • 36-7218 | • 47-13467 |
| • 36-2659 | • 36-7004 | • 36-7568 | • 47-13468 |
| • 36-2703 | • 36-7040 | • 36-8080 | • 47-13469 |
| • 36-2708 | • 36-7083 | • 36-8639 | • 47-13470 |

Since this is a change in company name only it does not constitute an ownership change nor require payment of a filing fee per the Administrator's Memorandum re Processing Notices of Change in Water Right Ownership and Associated Updates to Water Right Records dated May 21, 2015.

The mailing address has not changed and is still: P.O. Box 712, Buhl, ID 83316.

Please feel free to contact me at 208-420-1742 or karen.henderson@riverence.com if you have any questions or need further information.

Best Regards,

Karen L. Henderson
CLO & Director of Land + Water Resources



STATEMENT OF CONVERSION

Pursuant to § 30-22-405, Idaho Code

Base Filing fee: \$30.00 + \$20.00 for manual processing (form must be typed).

Note: Conversion documents are complex. Please seek appropriate legal and/or financial advice before making this important business decision.

1. CONVERTING ENTITY:

Name: Clear Springs Foods, Inc.

Jurisdiction: Idaho

Type: Corporation

(Corporation, Limited Liability Company, Limited Partnership, etc.)

This is a domestic entity, and this plan of conversion was approved in accordance with § 30-22-403, Idaho Code.

This is a foreign entity, and this plan of conversion was approved in accordance with the law of its jurisdiction of formation.

2. CONVERTED ENTITY:

Name: Clear Springs Foods LLC

Jurisdiction: Delaware

Type: Foreign Limited Liability Company

(Corporation, Limited Liability Company, Limited Partnership, etc.)

- ☐ a. If this is a **domestic** entity or domestic limited liability partnership, please attach a copy of the entity's public organic record, or statement of qualification.
- ☒ b. If this is a **foreign** entity please designate a registered agent in the space provided:

Corporation Service Company 12550 W Explorer Dr Ste 100, Boise, ID 83713

(Registered Agent Name & Physical Address)

3. EFFECTIVE DATE OF CONVERSION:

☒ Effective upon filing

☐ Effective on future date: _____

(Enter date -- not more than 90 days in the future)

Printed Name: Robert G. Young

Capacity: President

Signature:

Secretary of State use only

B0473-0964 02/03/2020 9:19 AM Received by ID Secretary of State Lawrence Denney

Delaware

The First State

Page 1

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "CLEAR SPRINGS FOODS LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE THIRD DAY OF FEBRUARY, A.D. 2020.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "CLEAR SPRINGS FOODS LLC" WAS FORMED ON THE FIRST DAY OF FEBRUARY, A.D. 2020.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN ASSESSED TO DATE.



7828516 8300

SR# 20200746633

You may verify this certificate online at corp.delaware.gov/authver.shtml

A handwritten signature of Jeffrey W. Bullock in black ink, written over a horizontal line. Below the line, the text "Jeffrey W. Bullock, Secretary of State" is printed.

Jeffrey W. Bullock, Secretary of State

Authentication: 202307189

Date: 02-03-20

B0473-0965 02/03/2020 9:19 AM Received by ID Secretary of State Lawrence Denney

Delaware

The First State

Page 1

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "CLEAR SPRINGS FOODS LLC", CHANGING ITS NAME FROM "CLEAR SPRINGS FOODS LLC" TO "RIVERENCE PROVISIONS LLC", FILED IN THIS OFFICE ON THE TWENTY-SIXTH DAY OF JUNE, A.D. 2020, AT 8:54 O`CLOCK P.M.

A handwritten signature of Jeffrey W. Bullock in black ink, written over a horizontal line.

Jeffrey W. Bullock, Secretary of State

7828516 8100
SR# 20205945966

You may verify this certificate online at corp.delaware.gov/authver.shtml

Authentication: 203192009
Date: 06-29-20

State of Delaware
Secretary of State
Division of Corporations
Delivered 08:54 PM 06/26/2020
FILED 08:54 PM 06/26/2020
SR 20205945966 - File Number 7828516

STATE OF DELAWARE
CERTIFICATE OF AMENDMENT
OF
CERTIFICATE OF FORMATION
OF
CLEAR SPRINGS FOODS LLC

Clear Springs Foods LLC (the "*Company*"), a Delaware limited liability company, DOES
HEREBY CERTIFY:

1. That the Company was formed under the name of Clear Springs Foods LLC and its original certificate of formation was filed with the Delaware Secretary of State on February 1, 2020.

2. That article FIRST of the certificate of formation of the Company is hereby amended and restated in full to read as follows:

"FIRST: The name of the limited liability company is Riverence Provisions LLC."

3. That the aforesaid amendment was duly adopted in accordance with the applicable provisions of Section 18-202 of Title 6 of the Delaware Limited Liability Company Act.

IN WITNESS WHEREOF, the Company has caused this Certificate of Amendment of Certificate of Formation to be executed by an authorized person this 26th day of June, 2020.



Karen Henderson
Authorized Person



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

November 20, 2020

CLEAR SPRINGS FOODS INC
PO BOX 712
BUHL ID 83316-0712

RE: Water Right Permit No. 36-16156

Dear Permit Holders:

The Department of Water Resources is reviewing the permit referenced above prior to issuing water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit.

The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Idaho Code § 42-211. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

☐ Point of Diversion

☒ Place of Use

☐ Other

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when issued. Please review the amendment form carefully. If you concur with the information presented, please sign and return the form with the filing fee of \$100.00 within fourteen (14) days.

If you have any questions, please call me at (208) 293-9915.

Sincerely,

Bill Mills
Water Resource Agent, Senior

Enclosure: Application for Amendment