

JUL 27 2018

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER RESOURCES
WESTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the Application for Transfer Instructions for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change ☐ Ownership split
☐ Transfer is for changes pursuant to Idaho Code § 42-221.0.8. Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** Syngenta Crop Protection, LLC. Phone 208-465-8554

2. **MAILING ADDRESS** 6338 HWY 20/26 City Nampa

State ID Zip 83687 Email Eric.Runkle@syngenta.com

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
☒ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the fee schedule.

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 63-10788

- ☒ Attach a copy of the water right(s) as recorded, available at idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 0.11 cubic feet per second and/or 20.0 acre-feet per annum.
(diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Y			SW	SE	24	4N	2W	Canyon	Ground Water	
N			SW	SE	24	4N	2W	Canyon	Ground Water	

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Two wells, pumps and integrated commercial system.

Measuring devices and lockable controlling works will be accommodated upon Department request.

- b. Who owns the property at the point(s) of diversion? Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. You may create a map at idwr.idaho.gov, Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Teresa Mitzel

Signature of applicant or authorized agent

Teresa Mitzel

Print name and title if applicable

7/13/18

Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** – ☒ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes 5 pages of attachments.

Received by CS

Date 7/27/18

Fee paid \$200⁰⁰ Date 7/27/18

Received by CS

Receipt # WD46587

Preliminary review by AB

Date 10/30/18

Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐

Name on W-9

W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

Path: S:\PROJECTS\IS thru Z\Projects\Syngenta_14110010 Water System Engineering\PROJECT\GIS\ArcMap_Points\XFR map (comm).mxd



COORDINATE REFERENCE SYSTEM: NAD 1983 2011 StatePlane Idaho West FIPS 1103 F1 US

82562

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

7/5/2018

WATER RIGHT NO. 63-10788

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROGERS BROS SEED CO PO BOX 4727 BOISE, ID 83711-0727 2083227272

Priority Date: 05/01/1989

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	12/31	0.11 CFS	20 AFA
Total Diversion			0.11 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SWSE|Sec. 24|Township 04N|Range 02W|CANYON County

Place(s) of use:

Place of Use Legal Description: COMMERCIAL CANYON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	02W	24		SWSE										

Conditions of Approval:

1. C18 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.
2. Commercial use is for a research center.

Dates:

Licensed Date:

Decreed Date: 04/03/2009

Permit Proof Due Date: 8/1/1990

Permit Proof Made Date: 2/12/1990

Permit Approved Date: 7/25/1989

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 05/01/1989

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

[illegible]

I, Brian Reeve, being duly sworn, do hereby depose and say that as follows:

1. I am the Assistant Secretary of Syngenta Crop Protection, LLC, a limited liability company organized and validly existing under the laws of the State of Delaware, having a place of business located at 410 Swing Road, Greensboro, North Carolina, (the "Company") and I am authorized to execute this affidavit on its behalf.
2. Teresa Mitzel in her capacity as Head R&D for Vegetables for the Company has full authority to execute the water permit forms, to be filed with the State of Idaho and all Addendum, Schedules and any and all other agreements, certificates, instruments or other documents to be entered into in connection with such permits.

IN WITNESS WHEREOF, I have hereunto signed my name on this 24th day of July, 2018.

Bh

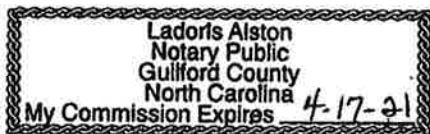
Brian Reeve
Assistant Secretary

SWORN AND SUBSCRIBED before me
this 24th day of July, 2018

Ladoris Alton

Notary Public

My Commission Expires: April 17, 2021



No. W 100787		Due no later than Feb 28, 2018		2. Registered Agent and Address (NO PO BOX)	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		Annual Report Form 1. Mailing Address: Correct in this box if needed. SYNGENTA CROP PROTECTION, LLC TRENT LEONARD 410 SWING RD GREENSBORO NC 27409		C T CORPORATION SYSTEM 921 S ORCHARD ST STE G BOISE ID 83705	
				3. <u>New</u> Registered Agent Signature:*	
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.					
Office Held	Name	Street or PO Address	City	State	Country Postal Code
MEMBER	TONYA CICCONI	CONCORD PLAZA, SHIPLEY BLDG. 3411 SILVERSIDE RD. STE 100	WILMINGTON	DE	USA 19803
MEMBER	CHERYL QUAIN	CONCORD PLAZA, SHIPLEY BLDG. 3411 SILVERSIDE RD. STE 100	WILMINGTON	DE	USA 19803
MEMBER	BRIAN REEVE	410 SWING RD	GREENSBORO	NC	USA 27409
MEMBER	RANDY SMITH	410 SWING ROAD	GREENSBORO	NC	USA 27409
MEMBER	JENNIFER JACKSON	410 SWING ROAD	GREENSBORO	NC	USA 27409
MEMBER	VERNON HAWKINS	410 SWING ROAD	GREENSBORO	NC	USA 27409
5. Organized Under the Laws of: DE W 100787		6. Annual Report must be signed.* Signature: TONYA CICCONI Name (type or print): TONYA CICCONI Date: 01/16/2018 Title: ASSISTANT TREASURER			
Processed 01/16/2018		* Electronically provided signatures are accepted as original signatures.			

82562

Kaiser, Anna

From: Kaiser, Anna
Sent: Friday, November 30, 2018 10:00 AM
To: 'IDAHO PRESS TRIBUNE'
Subject: Canyon Legal Notice
Attachments: Cover Letter.docx; Legal Notice.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning Legal Clerk,

My name is Anna. I will be sending you legal notices, please send confirmation to my email.

Please see the attached ad for publication on 12/06/2018 & 12/13/2018.

Please confirm these are okay to publish as shown.

Anna Kaiser | Office Specialist II
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov

November 30, 2018

LEGAL NOTICE DEPARTMENT
PRESS TRIBUNE
PO BOX 9399
NAMPA, ID 83652

RE: Application for Permit No: 63-34519
 Application for Permit No: 63-34574
 Application for Permit No: 63-34575
 Application for Permit No: 63-34604
 Application for Permit No: 63-34621
 Application for Transfer No: 82562

Dear Legal Notice Department:

Please publish the enclosed legal notices on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notices on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 12/24/2018. Your cooperation is appreciated.

Sincerely,

Anna Kaiser
Office Specialist

Enclosures

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-34604

CHARLES W YOUNG JR
491 S HILL RD
MELBA, ID 83641

Point of Diversion SENW S3 T01S R02W CANYON County Source WASTE WATER Tributary SNAKE RIVER

Use: IRRIGATION 03/01 to 11/15 1 CFS

Total Diversion: 1 CFS

Date Filed: 8/28/2018

Place Of Use: IRRIGATION

T01S R02W S3 NWSW SWSW

Total Acres: 50

63-34621

DAVID DUMLER
MICHELLE DUMLER
7454 W MERCER WAY
MERCER ISLAND, WA 98040

Point of Diversion NWNW S23 T05N R05W CANYON County Source GROUND WATER

Point of Diversion NWNW S23 T05N R05W CANYON County Source SAND HOLLOW CREEK Tributary BOISE RIVER

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.1 CFS

Use: WILDLIFE 01/01 to 12/31 0.1 CFS

Use: WILDLIFE STORAGE 01/01 to 12/31 6.2 AF

Total Diversion: 0.1 CFS 6.2 AF

Date Filed: 8/16/2018

Place Of Use: DIVERSION TO STORAGE, WILDLIFE STORAGE, WILDLIFE

T05N R05W S23 NWNW

Water bearing zone to be appropriated is from 0 to 10 feet.

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-34519

DIAMOND S FARMS LLC
23460 STAFFORD RD
CALDWELL, ID 83607

(2) Points of Diversion L1(NESE) S2 T04N R04W CANYON County Source UNNAMED STREAM Tributary BOISE RIVER

(2) Points of Diversion L3(NWSW) S1 T04N R04W CANYON County Source UNNAMED STREAM Tributary BOISE RIVER

Use: DIVERSION TO STORAGE 10/01 to 02/28 1.5 CFS

Use: IRRIGATION 03/01 to 11/15 0.96 CFS

Use: RECREATION 10/01 to 02/28 1.5 CFS

Use: RECREATION STORAGE 10/01 to 02/28 309.1 AF

Total Diversion: 1.5 CFS

Date Filed: 3/2/2018

Place Of Use: RECREATION STORAGE, RECREATION, IRRIGATION

T04N R04W S1 L3(NWSW)

T04N R04W S2 L1(NESE)

Total Acres: 48

63-34574

SYNGENTA SEEDS LLC
6338 HWY 20/26
NAMPA, ID 83687-8116

Point of Diversion SWSE S24 T04N R02W CANYON County Source GROUND WATER

Use: FIRE PROTECTION 01/01 to 12/31 3.35 CFS

Total Diversion: 3.35 CFS

Date Filed: 7/27/2018

Place of Use: FIRE PROTECTION

T04N R02W S24 SWSE

Water bearing zone to be appropriated is from 38 to 208 feet

63-34575

SYNGENTA SEEDS LLC
6338 HWY 20/26
NAMPA, ID 83687-8116

(2) Points of Diversion SWSE S24 T04N R02W CANYON County Source GROUND WATER Tributary

Use: COMMERCIAL 01/01 to 12/31 0.78 CFS

Total Diversion: 0.78 CFS

Date Filed: 7/27/2018

Place of Use: COMMERCIAL

T04N R02W S24 SWSE

Water bearing zone to be appropriated is from 100 to 300 feet

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 82562**

SYNGENTA SEEDS LLC, 6338 HWY 20/26, NAMPA, ID 83687-8116; has filed Application No. 82562 for changes to the following water rights within CANYON County(s): Right No(s). 63-10788. The purpose of the transfer is to drill a new well as an additional point of diversion for commercial uses under water right 63-10788 to reflect an integrated ground water system. Water will be used at the current place of use north of Highway 20/26 and west of North Can Ada Road, approximately 2 miles southwest of Star, Idaho.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 12/24/2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 12/6/2018 and 12/13/2018

STATE OF DELAWARE)
) SS.
COUNTY OF NEWCASTLE)

I, Cheryl L. Quain, being duly sworn, do hereby depose and say that as follows:

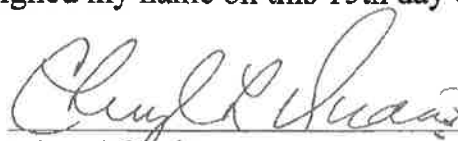
1. I am the Vice President, General Counsel and Secretary of Syngenta Seeds, LLC, a limited liability company organized and validly existing under the laws of the State of Delaware, having a place of business located at 11055 Wayzata Blvd., Minnetonka, MN (the "Company") and I am authorized to execute this affidavit on its behalf.
2. Teresa Mitzel, in her capacity as Head R&D Vegetable Operations for the Company, has full authority to execute any water permit forms for filing with the State of Idaho and all Addendum, Schedules and any and all other agreements, certificates, instruments or other documents required in connection with such permits.
3. The following is a list of the current Board of Directors and Officers of the Company:

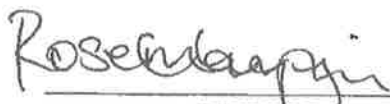
Directors: David Hollinrake
Jennifer Jackson
Cheryl L. Quain

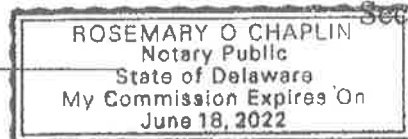
Officers: Jeff Rowe, Chief Operating Officer
David Hollinrake, President
John Hudson, Vice President, Finance and Treasurer
Tim Primus, Vice President
Cheryl L. Quain, Vice President, General Counsel and Secretary
Debra Frimerman, Assistant Secretary
Steve Mitchell, Assistant Secretary
Chris Schumann, Assistant Secretary
Christian Smith, Assistant Secretary
Matthew Grace, Assistant Treasurer
Randy Smith, Assistant Treasurer

IN WITNESS WHEREOF, I have hereunto signed my name on this 15th day of November, 2018.

SWORN AND SUBSCRIBED before me
This 15th day of November, 2018


Cheryl Quain
Vice President, General Counsel
Secretary


NOTARY PUBLIC





SPF WATER
ENGINEERING

September 20, 2018

RECEIVED

SEP 24 2018

WATER RESOURCES
WESTERN REGION

Allen Bradbury
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

**Subject: Assignments of Application for Permit 63-34574 and 63-34575
Assignment of Application for Transfer 82562**

Dear Allen,

Enclosed on behalf of Syngenta Seeds, LLC, are the application assignments you requested. Also enclosed is a notarized statement from the Assistant Secretary of Syngenta Crop Protection, LLC, giving Teresa Mitzel signing authority.

In your email, you also requested justification for the flow rates proposed on each of the permit applications. For application 63-34574, enclosed is a letter from the Star Fire Chief verifying the proposed rate of 3.35 cfs (1500 gpm) is required by Star Fire District. For application 63-34575, the proposed flow rate is based on the maximum capacity of a six-inch pump planned and designed for the commercial water system.

Please call me if you have any questions. Thanks Allen.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: K. Patrick Silveira

Enclosures

SPF file number: 1411.0010

[illegible]

I, Brian Reeve, being duly sworn, do hereby depose and say that as follows:

1. I am the Assistant Secretary of Syngenta Crop Protection, LLC, a limited liability company organized and validly existing under the laws of the State of Delaware, having a place of business located at 410 Swing Road, Greensboro, North Carolina, (the "Company") and I am authorized to execute this affidavit on its behalf.
2. Teresa Mitzel in her capacity as Head R&D for Vegetables for the Company has full authority to execute the water permit forms, to be filed with the State of Idaho and all Addendum, Schedules and any and all other agreements, certificates, instruments or other documents to be entered into in connection with such permits.

IN WITNESS WHEREOF, I have hereunto signed my name on this
24th day of July, 2018.

Baku

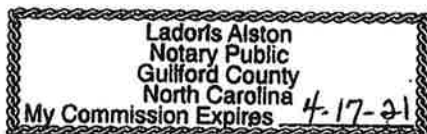
Brian Reeve
Assistant Secretary

SWORN AND SUBSCRIBED before me
this 24th day of July, 2018

Ladoris Alton

Notary Public

My Commission Expires: April 17, 2021



Bradbury, Allen

From: Bradbury, Allen
Sent: Wednesday, September 12, 2018 4:18 PM
To: 'lgraves@spfwater.com'
Subject: Syngenta Seeds Application for Permit
Attachments: assignment-of-application-for-permit.pdf

Good Afternoon Lori,

It was good to talk to you today. As we talked about, to keep your applications consistent with previous ownership changes, I will need an *assignment of application for permit form*. This form will convey ownership of the application for permit to appropriate water from Syngenta Crop Protection, LLC. to the correct legal owner, Syngenta Seeds, LLC. Please, note that a separate form is needed for each of the three applications submitted and each form must be notarized.

Also, could you please provide justification for the rates being requested on each of the applications.

Please return the forms to Water Resources within **30 days** of receipt of this email. Enclosed is a form for your use.

Regards,

Allen Bradbury

Water Resource Agent, Sr.

Idaho Department of Water Resources

Phone: (208) 334-2190

Email: Allen.Bradbury@idwr.idaho.gov



July 25, 2018

Angie Grimm
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Syngenta Crop Protection, LLC Application Package

Dear Angie,

Enclosed on behalf of Syngenta Crop Protection, LLC are the following:

- Sent to S.O. (Water Supply Bank)*
1. **Ownership Change Notice** requesting commercial right 63-10788 and irrigation right 63-10584 be updated to show Syngenta as the current owner of record rather than Rogers Bros. Seed Co. Because the last warranty deed for the property is in the name of Rogers Brothers Seed Company, chain of title documents have been included that show how Rogers Brothers Seed Company evolved into Syngenta Crop Protection, LLC through various company mergers and name changes. A notarized statement from the company secretary precedes the chain of title documents and provides a summary. The Department's filing fee for the notice is \$50.
 2. **Application for Permit** for commercial use proposing diversion of additional ground water from the commercial well serving right 63-10788 and a proposed well to cover the research facility's proposed expansion. The Department's filing fee for the permit application is \$250.
 3. **Application for Permit** proposing diversion of 1,500 gpm for fire protection using the irrigation well serving right 63-10584. The Department's filing fee for the permit application is \$370.
 4. **Application for Transfer** proposing authorization to use the proposed new well as an additional point of diversion for commercial use under right 63-10788 to reflect an integrated ground water system. The Department's filing fee for the transfer application is \$200. Note, this right is proposed for ownership change on the notice described in item 1.

Sent to S.O. 63-10584

5. **Water Supply Bank Lease Application** proposing 10 acres of irrigation use, currently applicable to the proposed expansion area, be placed in the Idaho Water Supply Bank for protection from forfeiture due to non-use. The Department's filing fee for the lease application is \$250. Note, this right is proposed for ownership change on the notice described in item 1.

The above documents were signed by Teresa Mitzel. Attached to this letter is a notarized statement from Brian Reeve, Assistant Secretary of Syngenta Crop Protection, LLC, explaining Teresa's authority to sign. Check No. 012241 for \$1,120 is enclosed for the filing fees. Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: K. Patrick Silveira, Sr. Project Engineer

Enclosures

SPF file number: 1411.0010