

Amended Application

COPY

RECEIVED

2-10536

63-34410

Ident. No.

RECEIVED

JUN 19 2017

INCOMPLETE *
WATER RESOURCES
WESTERN REGION

FORM 202 Rev. 09/16

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

1. Name of applicant(s) J. R. Simplot Company Phone 208-336-2118
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address P. O. Box 27 City Boise
 State ID _____ ZIP 83707 Email vic.conrad@simplot.com
2. Name of representative, if any _____ Phone _____
 Mailing address _____ City _____
 State _____ ZIP _____ Email _____
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☐ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply Snake River which is a tributary of Columbia River
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
4N	6W	14	2		NW	SW	Canyon	Snake River	

5. Water will be used for the following purposes:
- Amount 14.66/ 2,932 for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 14.66 cubic feet per second (cfs) and/or (b) 2,932 acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. River intake, pumps, motors, underground pipeline.
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? _____; drilling firm _____;
 well was drilled for (well owner) _____; Drilling Permit No. _____

Received by (BTS) Date 6/19/2017 Time _____ Preliminary check by PH
 Fee \$ 800.- Receipted by (BTS) Receipt No. WD45394 Date 6/19/2017
10 *Received w/ original application WD45509 7/21/17

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
 - Domestic; show number of households _____
 - Other; describe fully. _____
9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	5W	5															33		33
		7	38	36	38	40									31	29		28	240
		8					37	35	39	39									150
		18													32	31		31	94
4N	6W	12			31	30			34	32		32			28	29			216

Total number of acres to be irrigated: 733

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? 63-10663A, 63-10663B, 63-117546, 63-2678, 63-3282, 63-3559 and water from the Wilder Irrigation District are used to irrigate the place of use.
11. a. Who owns the property at the point of diversion? Ron Smith
- b. Who owns the land to be irrigated or place of use? Applicant, Agwild, Inc. and Agland, Inc.
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Easement at POD; Agwild, Inc. and Agland, Inc. are 100% owned by Applicant.
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Water will be diverted from the Snake River to irrigate the place of use.
13. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant

David Spurling, Senior V.P. and Secretary

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

Abstract



Date: 6/13/2017



ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

2012-053711
RECORDED
11/30/2012 01:52 PM
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pg# 4 JCRANE \$19.00
TYPE: DEED
TITLEONE BOISE
ELECTRONICALLY RECORDED

Order Number: 12214121

WARRANTY DEED

For Value Received,

Stewart Constantine, also shown of record as Stewart Judd Constantine and Joyce L. Constantine, also shown of record as Joyce Constantine, husband and wife, as to Parcels 1, 2 and 3 and Stewart Constantine, a married man as his separate property, as to Parcels 4, 6 and 7, the Grantor, does hereby grant, bargain sell and convey unto, J.R. Simplot Company, a Nevada Corporation whose current address is PO Box 27, Boise, ID 83707, the Grantee, the following described premises, in Canyon County, Idaho, To Wit:

Parcel 1

A parcel of land located in the Southwest quarter of the Southeast quarter of Section 5, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho, being further described as follows:

Basis of Bearings:

The West line of the Northeast quarter of Section 8, Township 4 North, Range 5 West, Boise Meridian, derived from found monuments and taken as North 00°09'04" East with the distance between monuments found to be 2679.04 feet.

Beginning at a point on the West line of Southwest quarter of the Southeast quarter of Section 5, Township 4 North, Range 5 West, Boise Meridian from which the quarter corner common to Sections 5 and 8 bears South 00°27'27" West a distance of 884.76 feet; thence along said West line North 00°27'27" East a distance of 400.80 feet; thence leaving said West line North 89°47'04" East a distance of 348.35 feet; thence South 00°27'27" West a distance of 404.89 feet; thence North 89°32'33" West a distance of 348.33 feet to the Point of Beginning.

Parcel 2

This parcel is a portion of the Southwest quarter Southeast quarter of Section 5, Township 4 North, Range 5 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

Commencing at the Southwest corner of the Southwest quarter Southeast quarter (South quarter corner, Section 5), a found brass cap monument; thence North 0°27'27" East along the West boundary of the Southwest quarter of the Southeast quarter a distance of 342.15 feet the True Point of Beginning; thence continuing North 00°27'27" East a distance of 542.61 feet; thence South 89°32'33" East a distance of 348.33 feet; thence

APN: R 36701
R 36702
R 36739
R 36739011

North 00°27'27" East parallel with the West boundary of the Southwest quarter Southeast quarter a distance of 404.89 feet; thence
North 89°47'04" East parallel with and 50 feet Southerly from the North boundary of the Southwest quarter Southeast quarter a distance of 531.06 feet to a 1/2 x 24 inch rebar set with a plastic cap stamped L.S. 3627; thence
Southeasterly 503.02 feet along the arc of a curve to the right having a central angle of 45°12'32", a radius of 637.50 feet and a long chord which bears South 41°39'04" East a distance of 490.07 feet to a 1/2 x 24 inch rebar set with a plastic cap stamped L.S. 3627; thence
North 89°47'04" East a distance of 105.89 feet to a point on the East boundary of the Southwest quarter Southeast quarter to a found 5/8 inch diameter rebar; thence
South 00°32'06" West along the East boundary of the Southwest quarter Southeast quarter a distance of 581.66 feet; thence
Southwesterly 869.39 feet along the arc of a curve to the left having a central angle of 32°50'10", a radius of 1517.00 feet and a long chord which bears South 66°41'50" West a distance of 857.54 feet to a point on the South boundary of the Southwest quarter Southeast quarter; thence
South 89°45'50" West along the South boundary of the Southwest quarter Southeast quarter a distance of 207.78 feet; thence
North 00°27'27" East parallel with the West boundary of the Southwest quarter Southeast quarter a distance of 338.27 feet; thence
North 89°32'33" West a distance of 320.43 feet to the True Point of Beginning.

Parcel 3

A parcel of land located in the Southwest quarter of the Southeast quarter of Section 5, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho. Being further described as follows:

Basis of Bearings:

The West line of the Northeast quarter of Section 8, Township 4 North, Range 5 West, Boise Meridian, derived from found monuments and taken as North 00°09'04" East with the distance between monuments found to be 2679.04 feet.

Beginning at the quarter corner common to Sections 5 and 8, Township 4 North, Range 5 West, Boise Meridian; thence along the West line of the Southwest quarter of the Southeast quarter of said Section 5

North 00°27'27" East a distance of 342.15 feet; thence leaving said West line

South 89°32'33" East a distance of 320.43 feet; thence

South 00°27'27" West to a point on the line common to said Sections 5 and 8 a distance of 338.27 feet; thence along said common line of Sections 5 and 8

South 89°45'50" West a distance of 320.46 feet to the Point of Beginning.

Parcel 4

A parcel of land located in the Northwest quarter of the Northeast quarter of Section 8, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho. Being further described as follows:

Basis of Bearings:

The West line of the Northeast quarter of Section 8, Township 4 North, Range 5 West, Boise Meridian, derived from found monuments and taken as North 00°09'04" East with the distance between monuments found to be 2679.04 feet.

Beginning at the quarter corner common to Sections 5 and 8, Township 4 North, Range 5 West, Boise Meridian; thence along the line common to said Sections 5 and 8

all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: November 30, 2012

Stewart Constantine
Stewart Constantine

Joyce Constantine
Joyce Constantine

State of Idaho, County of Ada, ss.

On this 31st day of November in the year of 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Stewart Constantine and Joyce Constantine, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Justin Robertson
Notary Public
My Commission Expires:
(seal)

RESIDING AT BOISE, IDAHO
COMMISSION EXPIRES 10-28-2017



2013-057844

RECORDED

12/31/2013 09:29 AM



CHRIS YAMAMOTO

CANYON COUNTY RECORDER

Pgs=2 EWMILLAMSON

\$13.00

DEED

SIMPLOT

BARGAIN AND SALE DEED

EFFECTIVE the 31st day of August, 2013, GRANTOR, J.R. Simplot Self-Declaration of Revocable Trust, established by written instrument dated December 21, 1989, and registered in the Fourth Judicial District of the State of Idaho, Ada County, as No. 3T-788, whose principal address is 999 Main Street, Suite 1300, Boise ID 83702, for Ten Dollars and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby bargain, sell and convey unto J. R. SIMPLOT COMPANY, a Nevada corporation, whose principal address is 999 Main Street, Suite 1300, Boise ID 83702, as GRANTEE, and to Grantee's successors and assigns forever, all of the following described real estate located in Canyon County, State of Idaho:

The Northwest quarter of the Southwest quarter and the Southwest quarter of the Northwest quarter of Section 12, Township 4 North, Range 6 West of the Boise Meridian, Canyon County, Idaho.

TOGETHER WITH all improvements, easements, hereditaments and appurtenances thereto, and SUBJECT TO such rights, easements, covenants, restrictions and zoning regulations as appear of record or by use upon the premises.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, Grantor has hereunto subscribed its name to this instrument this 20th day of December, 2013.

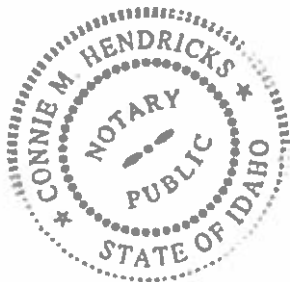
J.R. Simplot Self-Declaration of Revocable Trust,
established by written instrument dated December 21,
1989, and registered in the Fourth Judicial District of the
State of Idaho, Ada County, as No. 3T-788

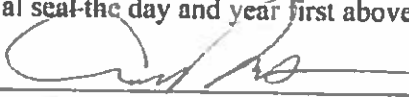
BY: 
Ronald N. Graves, Trustee

STATE OF IDAHO }
 } ss.
COUNTY OF ADA }

On this 20th day of December, 2013, before me, the undersigned, personally appeared Ronald N. Graves, to me known to be the individual who executed the foregoing instrument as Trustee of the J.R. Simplot Self-Declaration of Revocable Trust, established by written instrument dated December 21, 1989, and registered in the Fourth Judicial District of the State of Idaho, Ada County, as No. 3T-788, for the uses and purposes therein mentioned, and on oath stated he was authorized to execute this instrument

WITNESS my hand and official seal the day and year first above written.





Notary Public in and for the State of Idaho
Residing at: Boise
Commission expires: 01/22/2014

FUD165
INSTRUMENT NO. 8906323

WARRANTY DEED

GRANTOR, Farm Credit Bank of Spokane, a corporation, successor in interest to Western Idaho Production Credit Association, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto Agland, Inc., an Idaho corporation, whose current address is 2615 East Cleveland, Caldwell, Idaho 83605, as GRANTEE, and to grantee's heirs and assigns forever, all of the real estate located in Canyon County, State of Idaho, more particularly described on Exhibit A, attached hereto and incorporated herein.

Grantor does hereby covenant, warrant and shall defend the quiet and peaceable possession of said premises by the grantee, his heirs and assigns forever against the lawful claims of all persons.

Grantor warrants that it has complied with the applicable provisions of the Agricultural Credit Act of 1987.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, grantor has hereunto subscribed his name to this instrument this 6th day of April, 1989.

FARM CREDIT BANK OF SPOKANE

By: Bob Taylor
Authorized Agent

WARRANTY DEED

1

02-10536

Attachments pg 7-Deed

STATE OF IDAHO)

COUNTY OF Ada)

ss.

On this 6th day of April, 1989, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Rod Endow, known or identified to me to be the authorized agent of Farm Credit Bank of Spokane, the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

WITNESS my hand and Official Seal.



Robert A. Duvett
Notary Public for Idaho
Residing at Caldwell, Idaho
My Commission expires: April 15, 1993

WARRANTY DEED

2

02-10536

PARCEL I

The Northwest Quarter of Section 17, Township 4 North, Range 5 West, Boise Meridian; and the West Half of the Northeast Quarter, Section 17, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM:

A part of the Southwest Quarter of the Northwest Quarter of Section 17, Township 4 North, Range 5 West of the Boise Meridian in Canyon County, Idaho, more particularly described to wit:

Commencing at the Southwest Corner of the Southwest Quarter of the Northwest Quarter of Section 17, Township 4 North, Range 5 West of the Boise Meridian, the Initial Point of this Description; thence North 0°21' West 500 feet; along the West line of said Section 17; thence North 87°07' East 174.24 feet; thence South 0°21' East 500 feet; to a point on the South line of the said Southwest Quarter of the Northwest Quarter; thence South 87°07' West 174.24 feet, along the said South line, to the Initial Point of this Description.

AND

The Northeast Quarter of the Southwest Quarter of Section 17, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho.

PARCEL II

A part of the Southeast Quarter of the Southwest Quarter of Section 8, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho, particularly described as follows, to-wit:

Beginning at the Southwest corner of the Southeast Quarter of the Southwest Quarter of Section 8, Township 4 North, Range 5 West, Boise Meridian, and running thence North 50 feet on the West line of the said Southeast Quarter of the Southwest Quarter; thence East 40 feet parallel to the South line of the said Southeast Quarter of the Southwest Quarter; thence South 50 feet, parallel to the said West line, to a point in the said South line; thence West 40 feet along the said South line, to the point of beginning.

PARCEL III

The Southwest Quarter of the Southwest Quarter of Section 17, Township 4 North, Range 5 West of the Boise Meridian, EXCEPTING THEREFROM: All mineral rights reserved in State Deed.

PARCEL IV

The Northwest Quarter of the Southwest Quarter, Section 17, Township 4 North, Range 5 West of the Boise Meridian, Canyon County, Idaho.

The Northeast Quarter of the Southeast Quarter, Section 18, Township 4 North, Range 5 West of the Boise Meridian, Canyon County, Idaho.

The Southeast Quarter of the Southeast Quarter, EXCEPTING the South 33 feet in Section 18, Township 4 North, Range 5 West of the Boise Meridian, Canyon County, Idaho.

EXHIBIT A

SUBJECT TO that certain Agreement of Lease executed the 11th day of March, 1989, by and between Interstate Production Credit Association as lessor and SSI Land & Cattle Co., a corporation, as lessee.

SUBJECT FURTHER to that road right of way easement, if it should exist, as described by the Subordination to Easement recorded April 3, 1974, as Instrument No. 726235, records of Canyon County, Idaho, pertaining to the following-described property:

A part of Section 17, Township 4 North, Range 5 West of the Boise Meridian, more particularly described as follows, to-wit:

Commencing at the Northwest corner of the East half of Section 17, Township 4 North, Range 5 West of the Boise Meridian, the initial point of this description; thence South 0°28' East 4024.02 feet, along the West line of the said East half; thence South 89°08'30" West 56 feet, along the North line of the Southeast quarter of the Southwest quarter; thence North 0°28' West 4023.95 feet, parallel to the said West line, to a point in the North line of the said Section 17; thence North 89°04' East 56 feet, along the said North line to the initial point of this description.

or to any claim of easement over any property conveyed hereunder which is or may be made by Johnson Cattle Company, Inc., a corporation, or anyone claiming under it.

TOGETHER WITH all tenements, hereditaments, and appurtenances thereunto belonging or anyway appertaining to the property, including all existing fixtures; subject to any and all easements, rights of way, or restrictions of record, and the exceptions, provisions and reservations contained in patents or deeds from the United States of America, or the State of Idaho, or in other deeds of record.

EXHIBIT

RECEIVED
APR 11 4 10 PM '89
Med J. Kern by C. Smith
PIONEER - CALDWELL
APR 11 1989

8906323

INSTRUMENT NO. 9007855

R3909

K2-87-2

WARRANTY DEED

RICHARD J. WARD and OPAL M. WARD, husband and wife, Grantors, hereby convey, grant and warrant to AGWILD, INC., an Idaho corporation, Grantee, whose address is 2615 E. Cleveland Boulevard, Caldwell, Idaho 83605, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following described real property, to-wit:

The Northwest Quarter of the Southwest Quarter and all that part of the Northeast Quarter of the Southwest Quarter lying East of the center of the right-of-way of the Plowhead lateral, all in Section 18, Township 4 North, Range 5 West, Boise Meridian, in Canyon County, Idaho.

SUBJECT TO taxes and assessments for the year 1990 and all subsequent years, together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the property herein described.

The Grantors covenant to the Grantee that they are the owners in fee simple of said premises; that the premises are free from all encumbrances, excepting those as may be herein set forth, and excepting those of record, and that they will warrant and defend the same from all lawful claims.

IN WITNESS WHEREOF, the Grantors have executed this instrument on this 30th day of April, 1990.

Richard J. Ward
Richard J. Ward

Opal M. Ward
Opal M. Ward

STATE OF IDAHO

County of

Canyon

)
:ss

On this 30th day of April, in the year 1990, before me, the undersigned, a Notary Public, personally appeared RICHARD J. WARD and OPAL M. WARD, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

(SEAL)

07/9621.1

DeSiree A Grayden
Notary Public for Idaho
Commission expires: 3-9-94

9007855

RECORDED

'90 MAY 1 PM 12 25

NED J KERR

CANYON CNTY RECORDER
RY C. J. Kerr

PIONEER - NAMPA

REQUEST

TYPE Deed FEE 6.00

WARRANTY DEED - 2

02-10536

WARRANTY DEED

9023642

12/24/1990

For value received, ALVIN J. ROBERSON and ALICE C. ROBERSON, husband and wife, of 28249 Fern Lane, Wilder, Idaho 83676, Grantors, do hereby convey, grant, bargain, and sell unto AGLAND, Inc., an Idaho Corporation, of 2615 Caldwell Boulevard, Caldwell, Idaho 83605, Grantee, the following described premises in Canyon County, Idaho, to wit:

PARCEL I

NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, T 4 N, R 5 W, BM, Canyon County, Idaho;

EXCEPTING THEREFROM Railroad right of way;

ALSO EXCEPTING THEREFROM Mineral rights reserved to State of Idaho in State Deed.

TOGETHER With all water, water rights, ditches and rights of way for ditches appurtenant thereto.

PARCEL II

NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, T 4 N, R 5 W, BM, Canyon County, Idaho;

EXCEPTING THEREFROM The NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, T 4 N, R 5 W, BM, Canyon County, Idaho.

TOGETHER With all water, water rights, ditches and rights of way for ditches appurtenant thereto.

TOGETHER With all tenements, hereditaments and appurtenances thereto belonging or used in connection therewith.

To have and to hold said premises, with their appurtenances unto the said Grantee, Grantee's heirs and assigns forever. Grantors do hereby covenant to and with Grantee that Grantors are the owners in fee simple of said premises; that said premises are free from all encumbrances and that Grantors will warrant and defend the same from all lawful claims whatsoever, subject only to the following encumbrances:

1. Restrictions imposed by law, ordinance or regulation by any governmental entity, department or agency;
2. Restrictions contained in any covenants of record affecting the premises;

3. All rights of way or easements, affecting the premises regardless of how evidenced or acquired and whether the same appear of record or not;
4. Taxes and assessments of all taxes units not yet due and payable;
5. Reservations in patents or state grants or in acts authorizing the issuance thereof;
6. All repayment contracts between irrigation districts within which said premises are situated and any government or agency; and
7. The bonded debt of all taxing units within which said premises are located.

DATED This 2nd day of February, 1990.

Alvin J. Roberson
GRANTOR

Alice C. Roberson
GRANTOR

STATE OF IDAHO)
 : ss.
County of Canyon)

On the 2nd day of February, 1989, before me, Kinley A. Compton, a notary public for said state, personally appeared before me, ALVIN J. ROBERSON and ALICE C. ROBERSON, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, who acknowledged to me that they executed the same.

Kinley A. Compton
Notary Public for Idaho
Residing at: Calderwell
My commission expires: 1-27-93

Kathrine 17-1301 ~

DN 18217 INSTRUMENT NO 9100246

WARRANTY DEED

FOR VALUE RECEIVED RONALD D. SCHOEN, TRUSTEE FOR GERALD TRUNNELL AND DORIS H. TRUNNELL, UNDER BANKRUPTCY CASE NO. 87-02938-F

the Grantors, do hereby grant, bargain, sell and convey unto AGWILD, INC.

the Grantee, whose address is 2615 E. CLEVELAND BLVD., CALDWELL, ID 83605

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE.

THIS DEED IS GIVEN TO CORRECT AN ERROR IN THE LEGAL DESCRIPTION IN THAT CERTAIN DEED BETWEEN THE PARTIES HERETO, RECORDED AS INSTRUMENT NO. 9023383, RECORDS OF CANYON COUNTY, IDAHO.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances except for general taxes and assessments for the year 1990 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: December 21, 1990

Ronald D. Schoen
RONALD D. SCHOEN, TRUSTEE FOR GERALD TRUNNELL
AND DORIS H. TRUNNELL, UNDER BANKRUPTCY CASE
NO. 87-02938-F

ACKNOWLEDGED BY THE GRANTEE:
AGWILD, INC.

BY Michael J. Smith
ITS PRESIDENT

BY Kathrine
ITS SECRETARY

STATE OF IDAHO
COUNTY OF Canyon

On this 28th day of December, 1990,
before me, the undersigned, a Notary Public in
and for said State, personally appeared RONALD D.
SCHOEN known to me to be the person whose name
is subscribed to the within instrument as Trustee
for GERALD TRUNNELL AND DORIS H. TRUNNELL, under
Bankruptcy case no. 87-02938-F and acknowledged to
me that he executed the same as such Trustee for
GERALD TRUNNELL AND DORIS H. TRUNNELL, under
Bankruptcy case no. 87-02938-F.

John A. Hayden
Notary Public for Idaho residing at Tampa
My commission expires: 3-9-94

EXHIBIT "A"

PARCEL I:

JRS The Southwest Quarter of the Southwest Quarter in Section 4, Township 4 North, Range 5 West of the Boise Meridian in Canyon County, Idaho. ^{2 3484 010}

PARCEL II:

The Southeast Quarter of the Southeast Quarter in Section 7, Township 4 North, Range 5 West of the Boise Meridian in Canyon County, Idaho. ^{R36728}

PARCEL III:

The East Half of the Northeast Quarter and the Northeast Quarter of the Southwest Quarter in Section 8, Township 4 North, Range 5 West of the Boise Meridian in Canyon County, Idaho. ^{R36743} SOLD

PARCEL IV:

The Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter in Section 8, Township 4 North, Range 5 West of the Boise Meridian in Canyon County, Idaho. ^{R36743} SOLD

EXCEPTING THEREFROM:

A part of the Southeast Quarter of the Southwest Quarter of Section 8, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho, particularly described as follows, to-wit:

Beginning at the Southwest corner of the Southeast Quarter of the Southwest Quarter of Section 8, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho, and running thence North 30 feet on the West line of the said Southeast Quarter of the Southwest Quarter; thence East 40 feet parallel to the South line of the said Southeast Quarter of the Southwest Quarter; thence South 50 feet, parallel to the said West line, to a point in the said South line; thence West 40 feet along the said South line, to the point of beginning. ^{Handwritten}

PARCEL V:

The Southwest Quarter of the Southwest Quarter in Section 8, Township 4 North, Range 5 West of the Boise Meridian in Canyon County, Idaho. ^{R36745} SOLD

PARCEL VI:

JRS The Southeast Quarter of the Northwest Quarter in Section 9, Township 4 North, Range 5 West of the Boise Meridian in Canyon County, Idaho.

PARCEL VII:

*ptn 223
JRS* The West Half of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter in Section 9, Township 4 North, Range 5 West of the Boise Meridian in Canyon County, Idaho, excepting therefrom that portion of the Northwest Quarter of the Southwest Quarter lying West of the Arena Canal. *R3475100*

PARCEL VIII:

The Northeast Quarter of the Southwest Quarter, Southwest Quarter of the Southwest Quarter, West Half of the Southeast Quarter of the Southwest Quarter, and the North 558 feet of the East Half of the Southeast Quarter of the Southwest Quarter in Section 9, Township 4 North, Range 5 West of the Boise Meridian in Canyon County, Idaho.

EXCEPTING FROM said Northeast Quarter of the Southwest Quarter of Section 9, the following described tract:

BEGINNING at the Northeast corner of said Northeast Quarter of the Southwest Quarter; thence

South along the East boundary thereof, a distance of 300 feet; thence

West parallel with the North boundary thereof, a distance of 500 feet; thence

North parallel with the East boundary thereof, a distance of 300 feet; thence

East along the North boundary thereof a distance of 500 feet to the POINT OF BEGINNING.

9100246

RECORDED

'91 JAN 7 AM 11 15

NED J KERR

CANYON COUNTY RECORDER

BY *of Sunday, Aug*

REGISTER PIONEER-NAMPA

TRV 10 well REC 9 00

PC03727

INSTRUMENT NO. 9108689

Post-It™ brand fax transmittal memo 7671		# of pages > 3
To	Bob W.	
Co.	Co.	
Dept.	Phone #	
Fax #	Fax #	

SPECIAL WARRANTY

GRANTOR, FARM CREDIT BANK OF SPOKANE, a corporation, successor by merger to The Federal Land Bank of Spokane, for good and valuable consideration, the receipt of which is heraby acknowledged, does heraby grant, bargain, sell and convey unto ACWILD, INC., a corporation, whose current address is 2615 Cleveland Boulevard, Caldwell, Idaho 83605, as GRANTEE, and to grantee's heirs and assigns forever, all of the real estate located in Canyon County, State of Idaho, more particularly described as follows:

PARCEL I:

The Northwest quarter of the Southeast quarter of Section 12, Township 4 North, Range 6 West of the Boise Meridian.

PARCEL II:

Lot 3 of Section 7, Township 4 North, Range 5 West Boise Meridian; and the Northeast quarter of the Southeast quarter of Section 12, Township 4 North, Range 6 West Boise Meridian; and the Southeast quarter of the Northeast quarter of Section 12, Township 4 North, Range 6 West Boise Meridian; and all that portion of the Northeast quarter of the Northeast quarter of Section 12, Township 4 North, Range 6 West Boise Meridian, lying South of the following described line, to-wit:

Beginning at a point 1140 feet South of the Northwest corner of the Northeast quarter of the Northeast quarter of said Section 12; run thence in a Northeasterly direction, a distance of 202.5 feet, along the South and East side of a raised ditch and along the toe of slope of same, to a point which is 1032.5 feet South of the North line and 150.5 feet

SPECIAL WARRANTY DEED

1

02-10536

Attachments Pg 18 - Deed

East of the West line of said quarter-quarter section; thence East 1169.5 feet, more or less, to a point in the East line of said quarter-quarter section, 1032.5 feet South from the Northeast corner thereof.

EXCEPTING THEREFROM:

A right-of-way for road along the North side of said Lot 3 above described.

ALSO EXCEPTING THEREFROM:

A right-of-way for road along the North side of the North one-half of the Southeast quarter and along the South side of the Southeast quarter of the Northeast quarter of said Section 12 above described.

Together with all water and water rights used upon or appurtenant to said lands, and however evidenced.

Together with all tenements, hereditaments, and appurtenances thereunto belonging or anywise appertaining to the property, including all existing fixtures; subject to any and all easements, rights of way, or restrictions of record, and the exceptions, provisions and reservations contained in patents or deeds from the United States of America, or the State of Idaho, or in other deeds of record.

All situated in Canyon County, State of Idaho.

Grantor does hereby covenant that the above-described real estate is free from encumbrances done, made or suffered by the grantor or any persons claiming under him.

Grantor warrants that it has complied with the applicable provisions of the Agricultural Credit Act of 1987.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, grantor has hereunto subscribed his name to this instrument this 16 day of April, 1991.

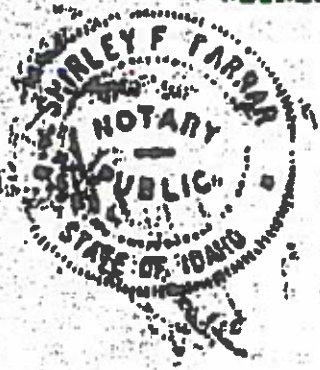
FARM CREDIT BANK OF SPOKANE

By: Richard G. Hill
Authorized Agent

STATE OF IDAHO)
(ss.
COUNTY OF CANYON)

On this 16th day of April, 1991, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared RICHARD G. HILL, known or identified to me to be the authorized agent of Farm Credit Bank of Idaho, and acknowledged to me that such corporation executed the same.

WITNESS my hand and official seal.



Shirley F. Farrar
Notary Public for Idaho
Residing at Nampa, Idaho
My Commission expires: 7-28-94

SPECIAL WARRANTY DEED

REQUEST
PIONEER - CALDWELL
TVE filed on 7.00

BY
CANYON CITY RECORDER
R. J. KERR
R. J. KERR

'91 MAY 8 PM 3 55

RECORDED

9108689

WARRANTY DEED

GRANTORS, CLYDE P. STEWART and ANNIE P. STEWART as trustees of the CLYDE P. STEWART AND ANNIE P. STEWART REVOCABLE LIVING TRUST, of 28019 Red Top Road, Wilder, Canyon County, Idaho, for Ten and no/100 Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto J. R. SIMPLOT COMPANY, a Nevada corporation, whose address is Suite 1300, 999 Main Street, Boise, Ada County, Idaho 83702, as Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in Canyon County, Idaho, described as follows:

Tract 1: All of the Northwest Quarter of Section 8, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho.

Tract 2: The South Half of the Southwest Quarter of Section 5, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho.

Together with all improvements, fixtures, water, water rights, water stock and water stock rights, ditches, ditch rights, easements, hereditaments and appurtenances, specifically including, but not limited to, all mineral rights, hydrocarbon rights, geothermal rights, grazing rights and any and all additional rights arising from or related to ownership of said real property, free and clear of all encumbrances, EXCEPT for General taxes for the year 1993, which are a lien and are not yet due or payable, and SUBJECT TO the following:

1. Reservations and rights-of-way for ditches, tunnels, telephone and transmission lines installed by authority of the United States under provision of Section 58-604, Idaho Code, 1947.

2. Exceptions and mineral reservations contained in deed from the State of Idaho recorded September 5, 1951, as Instrument No. 379916.

3. Exceptions and mineral reservations contained in deed from the State of Idaho recorded July 26, 1961, as Instrument No. 504911, 504912 and 504913; February 3, 1972, as Instrument No. 677086; and April 12, 1972, as Instrument No. 681459.

4. Oil and gas lease between State of Idaho and Atlantic Oil Company recorded March 18, 1991, as Instrument No. 9104891.

WARRANTY DEED - 1

5. Easement recorded November 22, 1968, as Instrument No. 619842.

All as contained in the records of the Canyon County Clerk and Recorder, Canyon County, Idaho.

Grantors, for themselves, their heirs and assigns, do hereby covenant, ~~warranty~~ and shall defend the quiet and peaceable possession of said premises by the Grantee and its successors and assigns forever against the lawful claims of all persons.

In construing this Deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, Grantors have hereunto subscribed their names to this instrument this ____ day of March, 1993.

CLYDE P. STEWART AND ANNIE P.
STEWART REVOCABLE LIVING TRUST

By Clyde P. Stewart
CLYDE P. STEWART, Trustee

By Annie P. Stewart
ANNIE P. STEWART, Trustee

STATE OF IDAHO)
) ss.
County of Canyon)

On this 12th day of March, 1993, before me, a Notary Public in and for said State, personally appeared CLYDE P. STEWART and ANNIE P. STEWART, husband and wife, known to me to be the Trustees of the Clyde P. Stewart and Annie P. Stewart Revocable Living Trust, whose names are subscribed to the within instrument, and acknowledged to me that they 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.

Lois J.
Notary Public for Idaho
Residing at: MERIDIAN
My Commission Expires: 2/14/96

480473-10-93/4:48

WARRANTY DEED - 2

EXHIBIT
TYPE: deed REC. 60
PIONEER - NARPA

93 MAR 15 PM 12 21
REC. FILE
CANYON CNT. RECORDER
BY C. Smith

RECORDED

9305078

02 - 10536

9602697

WARRANTY DEED

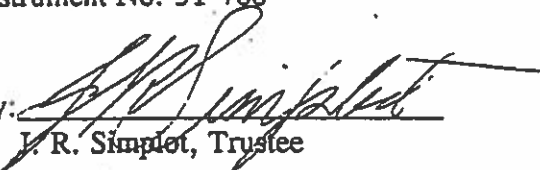
FOR VALUE RECEIVED, J. R. SIMPLOT SELF-DECLARATION OF REVOCABLE TRUST, established by written instrument dated December 21, 1989, and registered in the Fourth Judicial District, State of Idaho, Ada County, Instrument No. 3T-788 (the "Grantor"), does hereby grant, bargain, sell and convey unto J. R. SIMPLOT COMPANY, a Nevada corporation (the "Grantee"), whose address is 999 Main Street, Suite 1300, P.O. Box 27, Boise, ID 83702, the following described premises, to-wit:

See attached **Exhibit "A"**, which by this reference is made a part hereof and is comprised of one (1) page.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 1996 and subsequent years, covenants, conditions, restrictions and easements of record, the lien of that certain mortgage and between Grantor as Mortgagor and William R. Sorrell and Elizabeth A. Sorrell as Mortgagees dated as of January 24, 1996 securing payment of a \$180,000 promissory note of even date, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: January 19, 1996

J. R. SIMPLOT SELF-DECLARATION OF REVOCABLE TRUST, established by written instrument dated December 21, 1989, and registered in the Fourth Judicial District, State of Idaho, Ada County, Instrument No. 3T-788

By: 
J. R. Simplot, Trustee

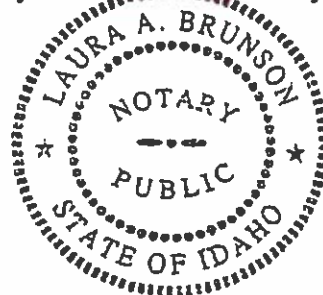
6396v

STATE OF IDAHO)
):ss
County of Ada)

On this 19th day of January, 1996, before me, a Notary Public in and for said State, personally appeared J. R. SIMPLOT, known to me to be the Trustee of J. R. Simplot Self-Declaration of Revocable Trust, the trust that executed the instrument or the person who executed the instrument on behalf of said trust, and acknowledged to me that such trust 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: Emmett
My Commission Expires: 10/29/99



02-10536

Attachments pg 23 - Deed

Exhibit "A"

PARCEL I

The Southeast Quarter of the Southeast Quarter of Section 6, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM mineral rights reserved to State of Idaho in State Deed.

PARCEL II

The Northwest Quarter of the Northeast Quarter of Section 7, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM mineral rights reserved to State of Idaho in State Deed.

PARCEL III

The Northeast Quarter of the Northeast Quarter and the South Half of the Northeast Quarter of Section 7, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM mineral rights reserved to State of Idaho in State Deed.

PARCEL IV

The Northeast Quarter of the Northwest Quarter of Section 7, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho.

9602697

RECORDED

'96 JAN 24 PM 1 57

RECORDED

CANYON CNTY RECORDER

PIONEER — CALDWELL

REQUEST

TYPE

Deed

FEE

6.00

200103422

RECORDED

31 JAN 30 PM 1 28

CANYON CNTY RECORDER
BY G. NOEL HALES
JAN 30 2001

GO # 814-E

After Recording return to:
J.R. Simplot Company
P.O. Box 27
Boise ID 83707

**BARGAIN AND SALE DEED
(Hixon Property)**

GRANTOR, **SSI FOODS, INC.**, an Oregon corporation, whose principal address is 999 Main Street, Suite 1300, Boise ID 83702, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby bargain, sell and convey unto **J.R. SIMPLOT COMPANY**, a Nevada corporation whose principal address is 999 Main Street, Suite 1300, Boise ID 83702, as GRANTEE, all of the following described real estate located in Canyon County, State of Idaho:

THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE
SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, ALL IN SECTION
12, TOWNSHIP 4 NORTH, RANGE 6 WEST, BOISE MERIDIAN, CANYON
COUNTY, IDAHO.

TOGETHER with all water rights, ditch rights, rights of way, improvements, fixtures, tenements, hereditaments and appurtenances thereto belonging or used in connection therewith.

TO HAVE AND TO HOLD the premises and its appurtenances unto the Grantee and the Grantee's successors and assigns forever.

IN WITNESS WHEREOF, Grantor has hereunto caused this deed to be executed in its corporate name this 25th day of January, 2000.

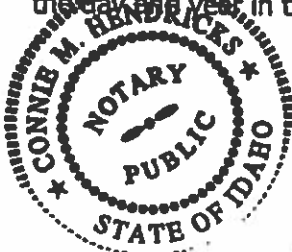
By Stephen A. Beebe
Stephen A. Beebe, Vice-President

Attest:

By Ronald N. Graves
Ronald N. Graves, Secretary

STATE OF IDAHO)
) ss.
County of ADA)

On this 25th day of January, 2000, before me, a Notary Public in and for said State, personally appeared Stephen A. Beebe and Ronald N. Graves, known to me to be the Vice-President and Secretary of SSI Foods, Inc., the corporation that executed the within instrument, and acknowledged to me that said 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.



Connie M. Hendricks
Notary Public for Idaho
Residing at: Boise
My Commission Expires: 6/22/02

02-10536

Attachments pg 25- Deed

REQUEST ALLIANCE-NMMP
TYPE Deed FEE 34

2015-030211

RECORDED

08/07/2015 10:53 AM

Recording requested by a
when recorded mail to:

J. R. Simplot Company
P. O. Box 27
Boise, Idaho 83707
Phone: (208) 336-2110



00181991201500302110040040

CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=4 BJBROWN \$19.00
EASEMENT
SIMPLOT

EASEMENT

MALHEUR COUNTY, OR 2015-2672
DEASEMENT

07/22/2015 09:47 AM

Cnt=1 Pgs=4

Total: \$67.00



00031208201500026720040043

I, Deborah R. DeLong, County Clerk for Malheur
County, Oregon certify that the instrument identified
herein was recorded in the Clerk records.
Deborah R. DeLong - County Clerk

Land

Grantor: Ronald Smith and Margaret Smith, husband and wife

Grantee: J. R. Simplot Company

Legal Description: See Exhibit A for Description of Land Owned by Smith
("Easement Area")

Assessor's Tax Parcel ID#: Canyon County, Idaho Assessor's Parcel # R373510000
and Malheur County, Oregon Assessor's Parcel #10854

THIS EASEMENT made and entered into as of the 7th day of July,
2015 ("Effective Date"), by and between Ronald and Margaret Smith, husband and wife
("Grantor") and J. R. Simplot Company, a Nevada corporation ("Grantee")

WITNESSETH:

The Grantor, for good and valuable consideration the receipt of which is hereby acknowledged, does hereby grant to Grantee a nonexclusive perpetual right-of-way and easement over, across, upon and through the parcels of land described on Exhibit A attached hereto ("Smith Property"), for the purpose of locating, constructing, reconstructing, operating, maintaining, relocating, repairing removing and replacing a system for diverting and pumping water from the Snake River, together with underground water pipelines, underground conduits to contain communications lines that are required to operate said water diversion and pumping system of Grantee; and any above ground electrical service lines, pumps, motors, or other appurtenances necessary for the operation of said water pumping system (together hereafter referred to as the "Facilities") serving the property of Grantee, together with the right of ingress and egress across said Smith Property.

The Grantee shall construct its Facilities in a good and workmanlike manner, and in the construction and subsequent use thereof shall comply with applicable laws, ordinances, rules and regulations of any governmental agency or agencies having jurisdiction over such construction and subsequent use.

The Grantor reserves to itself, its successors and assigns, the right to construct, use, and maintain across, over and/or under the Easement Area, such temporary improvements as will not create any interference with the use of the rights herein granted to Grantee. The Grantee shall not

02 - 10536

Attachments pg 26 - Deed

interfere with or obstruct any use of said premises by Grantor not inconsistent with the rights herein granted to Grantee.

The Grantor shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the use and occupation of the Smith Property by the Grantee, nor for damages to the property of the Grantee, nor for damages to the property or injuries to the person of the Grantee's officers, agents, servants, or employees, or others who may be using, maintaining, repairing, operating or replacing the property of Grantee at Grantee's invitation, arising from or incident to Grantee's activities, and the Grantee shall hold the Grantor harmless from any and all such claims. Grantor shall not construct any permanent improvements over any underground improvements to be installed by Grantee in accordance with this Easement and Grantee shall not be responsible for any damage to the property of Grantor constructed over any of Grantee's underground improvements. Grantee shall hold Grantor harmless from any and all liability of whatever kind or nature by reason of any damage to person or property arising out of, or resulting from, and to the extent caused by its exercise of its rights hereunder, unless the damage is caused by or attributable to the conduct of Grantor or by Grantor's officers, agents, tenants, servants, employees and invitees.

In the event Grantee does not complete the construction of the Facilities on the Smith Property on or before December 31, 2018, this Easement shall terminate and the Grantee hereby grants to Grantor the right to record a termination and release of this Easement in the official real property records of Canyon County, Idaho and Malheur County, Oregon.

This easement shall be binding upon and shall inure to the benefit of the parties, their successors and assigns.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed the day and year first above written.

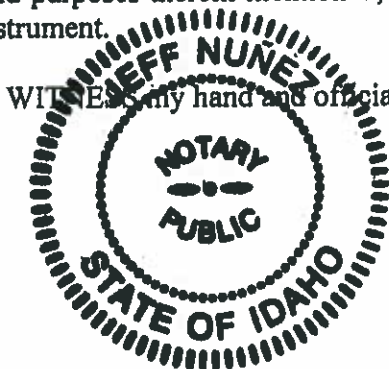
Grantee: J. R. Simplot Company	Grantor: Ronald and Margaret Smith
By:  David Spurling, Senior Vice President, Secretary and General Counsel	 Ronald Smith  Margaret Smith

Acknowledgement of Grantor & Grantee

STATE OF Idaho)
)
County of Canyon) SS.

On this 22nd day of June, 2015, before me, the undersigned, a Notary Public in and for the State of Idaho, duly commissioned and sworn, personally appeared Ronald Smith and Margaret Smith, husband and wife, that they executed the foregoing instrument, and acknowledged the signing of said instrument to be their free and voluntary act and deed for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument.

WITNESS my hand and official seal hereto affixed the day and year first above written.

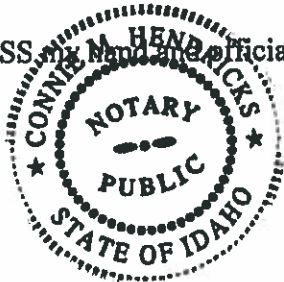


[Signature]
Notary Public for State of Idaho,
Residing at Canyon County

STATE OF IDAHO)
)
County of ADA) SS.

On this 7th day of July, 2015, before me, the undersigned, a Notary Public in and for the State of Idaho, duly commissioned and sworn, personally appeared David Spurling, known to be the Senior Vice President, Secretary and General Counsel of J. R. Simplot Company that executed the foregoing instrument, and acknowledged the signing of said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument.

WITNESS my hand and official seal hereto affixed the day and year first above written.



[Signature]
Notary Public for State of Idaho,
Residing at Boise

commission expiration 8/22/2020

Page

~~10~~

Exhibit A

Parcel 1:

Township 4 North, Range 6 West, B. M., Canyon County, Idaho

Section 14: Approximately 1.19 acres of land located at 31747 Peckham Road, Wilder, Idaho 83676 identified as Canyon County Assessor's Parcel No. R3735100000.

Parcel 2:

Township 22S R.47E. W.M., Malheur County, Oregon

Section 6: A parcel of land composed of approximately 0.05 acres identified as Malheur County Assessor's parcel No. 10854.

No. C 28407	Due no later than Feb 28, 2017 Annual Report Form		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	1. Mailing Address: Correct in this box if needed. J. R. SIMPLOT COMPANY DAVID SPURLING P. O. BOX 27 BOISE ID 83707	CORPORATION SERVICE COMPANY 12550 W EXPLORER DR STE 100 BOISE ID 83713	
		3. <u>New</u> Registered Agent Signature:*	
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).			
Office Held	Name	Street or PO Address	City State Country Postal Code
DIRECTOR	JOHN D SIMPLOT	1099 W. FRONT STREET	BOISE ID USA 83702
DIRECTOR	JOHN OTTER	1099 W. FRONT STREET	BOISE ID USA 83702
PRESIDENT	WILLIAM J WHITACRE	1099 W. FRONT STREET	BOISE ID USA 83702-0027
SECRETARY	DAVID SPURLING	1099 W. FRONT STREET	BOISE ID USA 83702-0027
DIRECTOR	SCOTT R SIMPLOT	1099 W. FRONT STREET	BOISE ID USA 83702-0027
DIRECTOR	GAY C SIMPLOT	1099 W. FRONT STREET	BOISE ID USA 83702-0027
DIRECTOR	JOHN E SIMPLOT	1099 W. FRONT STREET	BOISE ID USA 83702-0027
DIRECTOR	A DALE DUNN	1099 W. FRONT STREET	BOISE ID USA 83702-0027
DIRECTOR	STEPHEN A BEEBE	1099 W. FRONT STREET	BOISE ID USA 83702-0027
DIRECTOR	RICHARD M HORMAECHEA	1099 W. FRONT STREET	BOISE ID USA 83702-0027
DIRECTOR	WILLIAM J WHITACRE	1099 W. FRONT STREET	BOISE ID USA 83702-0027
TREASURER	JOEL G BARKER	1099 W. FRONT STREET	BOISE ID USA 83702
DIRECTOR	TERRY T UHLING	1099 W. FRONT STREET	BOISE ID USA 83702
5. Organized Under the Laws of: NV C 28407		6. Annual Report must be signed.* Signature: David Spurling Name (type or print): David Spurling Date: 12/21/2016 Title: Secretary	
Processed 12/21/2016		* Electronically provided signatures are accepted as original signatures.	

02 - 10536

Attachments pg 30- Report

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. 63-34410
RECEIVED
JUN 19 2017
INCOMPLETE
WATER RESOURCES
WESTERN REGION

1. Name of applicant(s) J. R. Simplot Company Phone 208-336-2110
Name connector (check one): ☐ and ☐ or ☐ and/or
Mailing address P. O. Box 27 City Boise
State ID ZIP 83707 Email vic.conrad@simplot.com
2. Name of representative, if any _____ Phone _____
Mailing address _____ City _____
State _____ ZIP _____ Email _____
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☐ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply Snake River which is a tributary of Columbia River
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
4N	6W	14	2		NW	SW	Canyon	Snake River	

5. Water will be used for the following purposes:
- Amount 14.66/ 2,932 for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 14.66 cubic feet per second (cfs) and/or (b) 2,932 acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. River intake, pumps, motors, underground pipeline.
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate [Application for Construction or Enlargement of a New or Existing Dam](#). Application required? ☐ Yes ☐ No
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? _____; drilling firm _____;
well was drilled for (well owner) _____; Drilling Permit No. _____.

Received by (BTS) Date 6/19/2017 Time _____ Preliminary check by PH
Fee \$ 800.- Receipted by (BTS) Receipt No. W045394 Date 6/19/2017

Superseded by Amended Application

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in kW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
- Domestic; show number of households _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	5W	5															33		33
		7	38	36	38	40									31	29		28	240
		8					37	35	39	39									150
		18													32	31		31	94
4N	6W	12			31	30			34	32					28	29			216

Total number of acres to be irrigated: 733

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? 63-10663A, 63-10663B, 63-117546, 63-2678, 63-3282, 63-3559 and water from the Wilder Irrigation District are used to irrigate the place of use.

11. a. Who owns the property at the point of diversion? Ron Smith

b. Who owns the land to be irrigated or place of use? Applicant, Agwild, Inc. and Agland, Inc.

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Easement at POD; Agwild, Inc. and Agland, Inc. are 100% owned by Applicant.

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Water will be diverted from the Snake River to irrigate the place of use.

13. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).

14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant

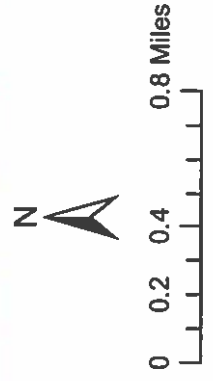
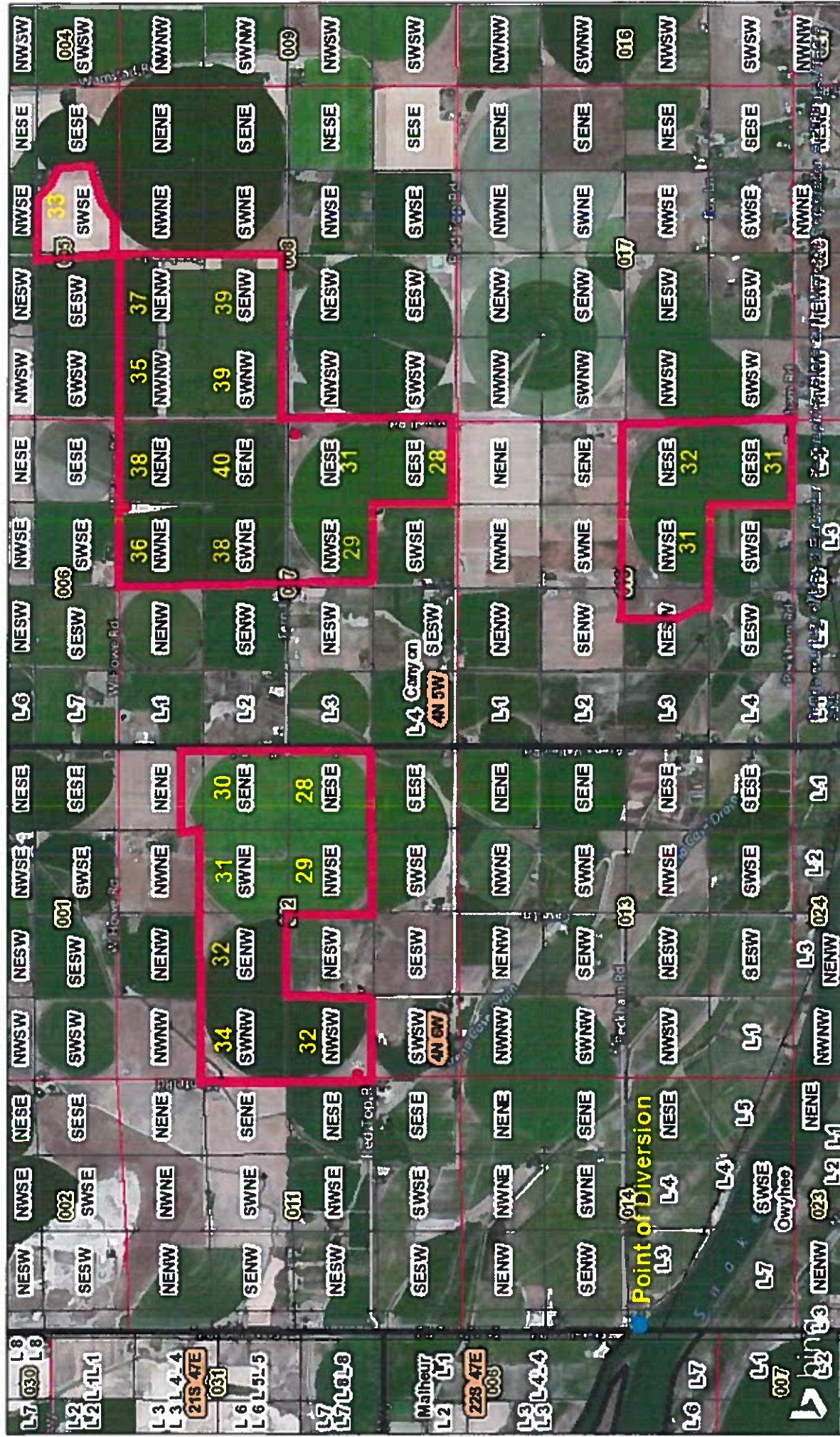
David Spurling, Senior V.P. and Secretary

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

Application for Permit





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 31, 2017

J R SIMPLOT CO
1099 W FRONT ST
PO BOX 27
BOISE, ID 83707

Application for Permit No. 2-10536

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A **statewide** legal notice of the application has been prepared and is scheduled for publication in the PRESS TRIBUNE, IDAHO STATESMAN, POST REGISTER, LEWISTON MORN TRIBUNE, and the TIMES NEWS on 9/7/2017 and 9/14/2017. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Rachel Neely
Administrative Assistant

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, August 31, 2017 1:54 PM
To: 'IDAHO PRESS TRIBUNE'
Subject: Canyon Legal Ads
Attachments: Canyon Cover Letter.docx; Canyon Legal Ad.docx

Good Afternoon Legal Clerk,

Please see the attached ads for publication on 9/7/2017 & 9/14/2017.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

August 31, 2017

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

RE: Application to Permit No. 63-34384
 Application to Permit No. 2-10536
 Application to Permit No. 63-34372
 Application to Permit No. 63-34420
 Application to Amend Permit No. 63-33910

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 9/25/2017. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

The following applications have been filed to appropriate the public waters of the State of Idaho:

2-10536

J R SIMPLOT CO
1099 W FRONT ST
PO BOX 27

BOISE, ID 83707

Point of Diversion L2(NWSW) S14 T04N R06W CANYON County Source SNAKE RIVER Tributary COLUMBIA RIVER

Use: IRRIGATION 03/01 to 11/15 14.66 CFS

Total Diversion: 14.66 CFS

Date Filed: 7/21/2017

Place of Use: IRRIGATION

T04N R05W S5 SWSE

T04N R05W S7 NE(ALL) NESE NWSE SESE

T04N R05W S8 NW(ALL)

T04N R05W S18 NESE NWSE SESE

T04N R06W S12 SWNE SENE SWNW SENW NWSW NESE NWSE

Total Acres: 733

63-34384

ANN OBENDORF

GREG OBENDORF

26496 DEB LN

PARMA, ID 83660

(3)Points of Diversion SESE S23 T05N R05W CANYON County Source BOISE RIVER Tributary SNAKE RIVER

(2)Points of Diversion SWSE S23 T05N R05W CANYON County Source BOISE RIVER Tributary SNAKE RIVER

Point of Diversion L6(NWNW) S25 T05N R05W CANYON County Source BOISE RIVER Tributary SNAKE RIVER

Point of Diversion L2(SWSE) S25 T05N R05W CANYON County Source BOISE RIVER Tributary SNAKE RIVER

Use: DIVERSION TO STORAGE 11/01 to 03/01 23.5 CFS

Use: WILDLIFE 11/01 to 03/01 23.5 CFS

Use: WILDLIFE STORAGE 11/01 to 03/01 790.9 AF

Total Diversion: 23.5 CFS, 790.9 AF

Date Filed: 5/16/2017

Places of Use: WILDLIFE, WILDLIFE STORAGE

T05N R05W S23 NESE NWSE SWSE SESE

63-34372

JACOB FILLMORE

MARNIE FILLMORE

18954 LOWER PLEASANT RIDGE RD

CALDWELL, ID 83607

Point of Diversion SWSW S24 T04N R04W CANYON County Source WASTE WATER

Use: IRRIGATION 03/01 to 11/15 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 4/12/2017

Place of Use: IRRIGATION

T04N R04W S24 SWSW

Total Acres: 10

63-34420

DAVID L GASTMAN

SHARON T GASTMAN

PO BOX 505

STAR, ID 83669

Point of Diversion L4(NWNW) S1 T04N R02W CANYON County Source GROUND WATER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Use: IRRIGATION 04/15 to 10/30 0.04 CFS

Total Diversion: 0.08 CFS

Date Filed: 7/21/2017

Places of Use: DOMESTIC, IRRIGATION

T04N R02W S1 L4(NWNW)

Total Acres: 2

Water bearing zone to be appropriated is from 0 to 200 feet.

PROPOSED AMENDMENT OF WATER PERMIT

BID LLC of 777 W. Main St. Ste 900 Boise ID 83702 filed Application No. 81783 on July 3, 2017 to amend a water permit no. 63-33910 with a 2014 priority from the Boise River totaling 4.5 cfs for wildlife, recreation, wildlife storage, and recreation storage purposes. The permit provides wildlife, recreation, wildlife storage, and recreation storage water for property located approximately 3.7 miles southeast of Parma, Idaho. The applicant proposes to amend the permit to add a point of diversion from the Boise River located approximately 1.5 miles southeast of the place of use in Gov Lot 3 (NENW) of Section 36, Township 05 North, Range 05 West, Boise Meridian.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right(s) or proposed amendment(s), please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code §§ 42-203A and 42-211. Any protest against the approval of the application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 9/25/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 9/7/2017 and 9/14/2017

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, August 31, 2017 2:02 PM
To: 'BOI Legals'; 'legalnotices@postregister.com'; 'LEGALS@LMTRIBUNE.COM'; 'TWF Legals'
Subject: Ada Legal Ads - Bonneville Legal Ads - Nez Perce Legal Ads - Twin Falls Legal Ads
Attachments: Statewide Cover Letter.docx; Statewide Legal Ad.docx

Good Afternoon Legal Clerk,

Please see the attached ads for publication on 9/7/2017 & 9/14/2017.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

August 31, 2017

LEGAL NOTICE DEPARTMENT
IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

POST REGISTER
PO BOX 1800
IDAHO FALLS, ID 83402

LEWISTON TRIBUNE
505 C ST PO BOX 957
LEWISTON, ID 83501

TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Application for Permit No. 2-10536
Application for Permit No. 63-34384

Dear Legal Notice Departments:

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 9/25/2017. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosures

The following applications have been filed to appropriate the public waters of the State of Idaho:

2-10536

J R SIMPLOT CO
1099 W FRONT ST
PO BOX 27
BOISE, ID 83707

Point of Diversion L2(NWSW) S14 T04N R06W CANYON County Source SNAKE RIVER Tributary COLUMBIA RIVER

Use: IRRIGATION 03/01 to 11/15 14.66 CFS

Total Diversion: 14.66 CFS

Date Filed: 7/21/2017

Place of Use: IRRIGATION

T04N R05W S5 SWSE

T04N R05W S7 NE(ALL) NESE NWSE SESE

T04N R05W S8 NW(ALL)

T04N R05W S18 NESE NWSE SESE

T04N R06W S12 SWNE SENE SWNW SENW NWSW NESE NWSE

Total Acres: 733

63-34384

ANN OBENDORF
GREG OBENDORF
26496 DEB LN
PARMA, ID 83660

(3)Points of Diversion SESE S23 T05N R05W CANYON County Source BOISE RIVER Tributary SNAKE RIVER

(2)Points of Diversion SWSE S23 T05N R05W CANYON County Source BOISE RIVER Tributary SNAKE RIVER

Point of Diversion L6(NWNW) S25 T05N R05W CANYON County Source BOISE RIVER Tributary SNAKE RIVER

Point of Diversion L2(SWSE) S25 T05N R05W CANYON County Source BOISE RIVER Tributary SNAKE RIVER

Use: DIVERSION TO STORAGE 11/01 to 03/01 23.5 CFS

Use: WILDLIFE 11/01 to 03/01 23.5 CFS

Use: WILDLIFE STORAGE 11/01 to 03/01 790.9 AF

Total Diversion: 23.5 CFS, 790.9 AF

Date Filed: 5/16/2017

Places of Use: WILDLIFE, WILDLIFE STORAGE

T05N R05W S23 NESE NWSE SWSE SESE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right(s) or proposed amendment(s), please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code §§ 42-203A and 42-211. Any protest against the approval of the application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 9/25/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 9/7/2017 and 9/14/2017

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, August 31, 2017 3:13 PM
To: Clark, Cynthia (Bridge)
Subject: Application for Permit No. 2-10536
Attachments: Agency Recommendation Form.docx; Application for Permit 2-10536.pdf

August 31, 2017

IDAHO DEPARTMENT OF WATER RESOURCES
WATER PROJECTS SECTION MANAGER
ATTN: CYNTHIA (BRIDGE) CLARK
322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098

RE: Application for Permit No. 2-10536

Dear Ms. Clark:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendation(s) from your agency regarding the above referenced water right application(s). Copy(s) of the application(s) are enclosed with this email for your reference. Please review the application(s), complete the enclosed recommendation form, and submit your reply, if any, to this office by the protest deadline of **September 25, 2017**.

If your agency desires to formally protest approval of this application, you may do so by filing a written protest along with a \$25.00 filing fee for each protested application by the protest deadline.

IDWR will assume your agency does not object to this application if a timely response is not received. Please contact me if you have any questions regarding the application. Thank you for your help.

Sincerely,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, August 31, 2017 3:11 PM
To: 'Bassista, Tom'
Subject: Applications for Permit Nos. 63-34384 & 2-10536
Attachments: IDFG Recommendation Form.docx; Application for Permit 63-34384.pdf; Application for Permit 2-10536.pdf

August 31, 2017

STATE OF IDAHO
DEPT OF FISH & GAME
ATTN: THOMAS BASSISTA
3101 S POWERLINE RD
NAMPA, ID 83686

RE: Applications for Permit Nos. 63-34384 & 2-10536

Dear Mr. Bassista:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendation(s) from your agency regarding the above referenced water right application(s). Copy(s) of the application(s) are enclosed with this email for your reference. Please review the application(s), complete the enclosed recommendation form, and submit your reply, if any, to this office by the protest deadline of September 25, 2017.

If your agency desires to formally protest approval of this application, you may do so by filing a written protest along with a \$25.00 filing fee for each protested application by the protest deadline.

IDWR will assume your agency does not object to this application if a timely response is not received. Please contact me if you have any questions regarding the application. Thank you for your help.

Sincerely,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 31, 2017

RONALD SMITH
MARGARET SMITH
25357 WAMSTAD RD
PARMA ID 83660

Re: Application for Permit No: 2-10536

Dear Interested Party:

The above referenced application may be of interest to you. I would like to inform you that the application has been submitted to the *Idaho Statesman*, *Idaho Press Tribune*, *Post Register*, *Lewiston Morn Tribune*, and the *Times News* for **statewide** advertising. I have enclosed a copy of the application for your convenience. This information is also available on our website www.idwr.idaho.gov.

If you desire to file a formal protest against approval of the application, a written protest along with the \$25.00 protest fee must be received in this office by **September 25, 2017**. A copy of the protest must also be sent to the applicant.

If you have any questions regarding the application, please contact this office at 208-334-2190.

Sincerely,

Rachel Neely
Administrative Assistant
Western Regional Office

Enclosures

From: Conrad, Vic <Vic.Conrad@simplot.com>
Sent: Tuesday, August 15, 2017 10:24 AM
To: Hummer, Phill
Subject: RE: Water Rights

Thank you Phill.

From: Hummer, Phill [<mailto:Phill.Hummer@idwr.idaho.gov>]
Sent: Tuesday, August 15, 2017 10:22 AM
To: Conrad, Vic <Vic.Conrad@simplot.com>
Subject: RE: Water Rights

That's how I read it also. I will proceed with advertising the application. The next session will be the first two weeks of September.

From: Conrad, Vic [<mailto:Vic.Conrad@simplot.com>]
Sent: Tuesday, August 15, 2017 9:59 AM
To: Hummer, Phill <Phill.Hummer@idwr.idaho.gov>
Subject: RE: Water Rights

Phill

In my reading of the original Government Survey (see below), I think the description that was assigned to the point of diversion for 2-2390, 2-7207, 2-7259 and 2-4007B was erroneous. These rights should have also identified Lot 2; not Lot 3. The pump station location is the same, however, the description should have been the same as identified for 2-10536.

Subject: Water Rights

Your letter dated July 18, 2017 that provides additional information in support of water right application 2-10536 (previously 63-34410) mentioned several other water rights are diverted from the proposed pump. Water rights no. 2-2390, 2-7207, 2-7259, and 2-4007B were listed in the letter but our records indicate the point of diversions for these water rights are in the L3NSW of section 14, township 04N, range 06W. Application 2-10536 proposes to divert from L2NWSW of section 14, T04N, R06W. If that is the correct location I can proceed with advertising the application and you might want to submit an application for transfer to change the POD of the other rights to the correct location. If the application needs to be amended

8/15/2017

to a different location the amended application will need to be submit before advertising. Please let me know which location is correct, thanks.

Phill Hummer

Water Resource Agent

Idaho Department of Water Resources

Phone: (208) 334-2190

Email: phill.hummer@idwr.idaho.gov



J.R. Simplot Company
P.O. Box 27, Boise, Idaho
83707 0027

1099 West Front Street
Boise, Idaho 83702

Vic.conrad@simplot.com
208 780 7359 Business
208 780 7333 Fax

July 18, 2017

Phill Hummer
Water Resource Agent
State of Idaho
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

RECEIVED
JUL 21 2017
WATER RESOURCES
WESTERN REGION

Re: Response to Additional Information Request; IDWR Permit Application for Permit No. 2-10536.

Dear Phill:

In responding to your letter dated July 14, 2017, the subjects below use the same headings as contained in your letter.

7 – Description of Diverting Works

There is an existing diversion composed of a concrete platform, pumps, motors and river intake that are used to divert water under IDWR water right nos. 2-2390, 2-7207, 2-7259 and 2-4007B. This existing diversion system will be reconstructed to provide for the diversion under the above referenced application.

The point of diversion is located in Government Lot 2 (NW¼SW¼) of Section 14 T.4N R.6W. In your letter, you identified Section 12 as the proposed point of diversion. This is likely a typing error – and want to clarify the diversion is in Section 14 not Section 12.

9 – Place of Use

My mistake – the map is correct. I inadvertently omitted the 32 acres in the NWSW of Section 12 T.4N R.6W from the table provided on the application form. I am including the correction on the enclosed copy that was provided with your letter. The total acres for the application and the total acres for this section remain unchanged.

10 – Other Water Rights

Enclosed is Notice of Change of Water Right ownership to update the IDWR's records to reflect Agwild, Inc. as the current owner of water right nos. 63-21772 and 63-21773. Also enclosed a check in the amount of \$50.00 to cover your fee for filing the enclosed change notice.

The Fee



Enclosed is a second check in the amount of \$10.00 to cover the balance of the permit application fee that was not included with the original filing.

In addition to the above, I want to point out that the handwritten ID number on the application is 63-34410. However, the number used to identify the application on your letter is 2-10536. Because the source is the Snake River, it is my impression, the correct ID is the number you provided in your letter (2-10536). Please let me know if I need to make any changes to identify the application correctly.

Sincerely,



Vic Conrad

Land, Water & Asset Recovery

Enclosures

Notice of Change of Water Right Nos. 63-21772 and 63-21773

Check in the amount of \$50.00

Check in the amount of \$10.00

Corrected Application No. 2-10536



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

07/14/2017

J R SIMPLOT COMPANY
C/O VIC CONRAD
PO BOX 27
BOISE ID 83707

Re: Application for Permit No. 2-10536 Additional Information Required

Dear Applicant:

Your recent application for permit proposing the use of water for IRRIGATION is being processed. The application has been assigned a priority date but cannot be processed further until the following items are clarified:

- **7 - Description of Diverting Works**

There is an existing pump for water right no. 2-4007B near the proposed point of diversion. Please indicate in this section of section 12 if the proposed point of diversion for this application is an existing pump and pipe system or if a new pump will be installed.

- **9 - Place of Use**

The map shows the proposed place of use includes 32 acres in the NWSW of section 12, township 4N, and range 6W but these acres were not included in the description listed in this section. Additionally, the acres for this section add up to 184 not 216 as indicated. Please amend either this section or the map to the correct proposed place of use.

- **10 - Other Water Rights**

J R Simplot Company may own water right nos. 63-21772 and 63-21773. If the company owns the property at the place of use then they should submit a notice of change in water right ownership. Enclosed are copies of the water rights and maps showing the place of use.

- **The Fee**

The required processing for an application proposing to divert between 14.01 and 15.00 cfs is \$810.00. The enclosed receipt shows only \$800.00 was received for this application. Please submit the required additional \$10.00.

Please submit the requested information within thirty (30) days for application processing to continue. You may seek additional time to provide the information by making a written request for additional time. The request must provide the specific time period for the extension and appropriate justification for an extension. The application will become void if a written reply is has not been received within the next thirty (30) days. Refunds are not issued for voided applications.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you need more information. Thank you for your attention to these matters.

Sincerely,



Phill Hummer
Water Resource Agent
Idaho Department of Water Resources
Phone: (208) 334-2190
Email: phill.hummer@idwr.idaho.gov

Enclosure: Copy of Permit Application No. 2-10536
Fee Schedule
Copy of Water Right Nos. 63-21772 and 63-21773
Map of Water Right Nos. 63-21772 and 63-21773
Receipt ID W045394



J.R. Simplot Company
P.O. Box 27, Boise, Idaho
83707 0027

1099 West Front Street
Boise, Idaho 83702

Vic.conrad@simplot.com
208 780 7359 Business
208 780 7333 Fax

June 15, 2017

Nick Miller
State of Idaho
Department of Water Resources
2375 Airport Way
Boise, Idaho 83706

RECEIVED

JUN 19 2017

**WATER RESOURCES
WESTERN REGION**

Re: Application for Permit.

Dear Nick:

Enclosed for filing is an application for a permit to authorize the diversion of up to 14.66 cfs from the Snake River to irrigate 733 acres located in Canyon County, Idaho. Included with the application are the following deeds all recorded in the official real property records of Canyon County, Idaho to confirm ownership of the place of use:

1. Warranty Deed recorded on November 30, 2012 as instrument no. 2012-053711.
2. Bargain and Sale Deed recorded on December 31, 2013 as instrument no. 2013-057844.
3. Warranty Deed recorded on April 11, 1989 as instrument no. 8906323.
4. Warranty Deed recorded on May 1, 1990 as instrument no. 9007855.
5. Warranty Deed recorded on December 24, 1990 as instrument no. 9023642.
6. Warranty Deed recorded on January 7, 1991 as instrument no. 9100246.
7. Special Warranty Deed recorded on May 8, 1991 as instrument no. 9108689.
8. Warranty Deed recorded on March 15, 1993 as instrument no. 9305078.
9. Warranty Deed recorded on January 24, 1996 as instrument no. 9602697.
10. Bargain and Sale Deed recorded on January 30, 2001 as instrument no. 200103422.

In addition, I am also including an Easement recorded in the official real property records of Canyon County, Idaho on August 7, 2015 as instrument no. 2015-030211 and in Malheur County, Oregon on July 22, 2015 as instrument no. 2015-2672 to confirm the use of the point of diversion.

Please apply the enclosed \$810.00 check toward covering your fee for filing the enclosed application.

Sincerely,

Vic Conrad
Land, Water & Asset Recovery

Enclosures

