

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 81385

RECEIVED
NOV 21 2016

Department of Water Resources
Eastern Region

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) GLOBAL AG PROPERTIES II USA LLC

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a [Part 2A](#) report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer [Part 2B](#) for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☐ * Correct fee submitted with transfer application form. ([Fee schedule](#) is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☒ ☐ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☒ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).**
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☒ ☐ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System ([GIS](#)) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☒ ☐ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☐ #10 Other. Please describe: _____

STATE OF IDAHO
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Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) GLOBAL AG PROPERTIES II USA LLC Phone _____Mailing address 2004 Fox Dr. Ste L Champaign IL 61820 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it Attachment #1.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it Attachment #2a.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it Attachment #2b.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it Attachment #3.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No RepresentativeName of Representative Greg Sullivan Phone 208-736-8543Mailing address 2016 North Washington St Ste 4 Twin Falls, Idaho 83301 Email greg.sullivan@brockwayeng.com

- ☐ 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.
- ☒ 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 providing authority to sign for the applicant and label it Attachment #4.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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]
Signature of Applicant or Authorized Representative

Skyc A. Root VP W61M
Print Name and Title if applicable

11/15/16
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it Part 1A.2.
Move a portion of 35-7168 to existing wells and a new POU.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	35-7168	0.31/87.6	Irrigation	4/01 to 10/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 3.18 cfs and/or 900 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.31 cubic feet per second and/or 87.6 acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☒ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it Attachment #5.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			NE	SE	26	04S	30E	Bingham	Ground Water	600032
			SW	SE	35	04S	30E	Bingham	Ground Water	600040
			SW	NW	36	04S	30E	Bingham	Ground Water	600041
			SW	SW	36	04S	30E	Bingham	Ground Water	600042
			SW	SW	01	05S	30E	Bingham	Ground Water	600185

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4S	30E	25														21.9			21.9
Total Acres (for irrigation use)																			21.9

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. 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:
Existing wells, mainlines and delivery system.

- b. Who owns the property at the point(s) of diversion? Global Ag Properties
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
Land currently irrigated by 35-2128, 35-7228, 35-7229, 35-14001 and 35-14003 will be irrigated by canal shares.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
Water Right 35-14001, 35-2128, 35-7228, 35-7229 and 35-14003 currently utilizes the same POD

- g. 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 leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 1.

Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the Part 2B form can be obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 35-7168

1. amount 0.31/87.6 (cfs/ac-ft) for Irrigation purposes from 4/01 to 10/15
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

[illegible]

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☐ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (**GIS**) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

[illegible]

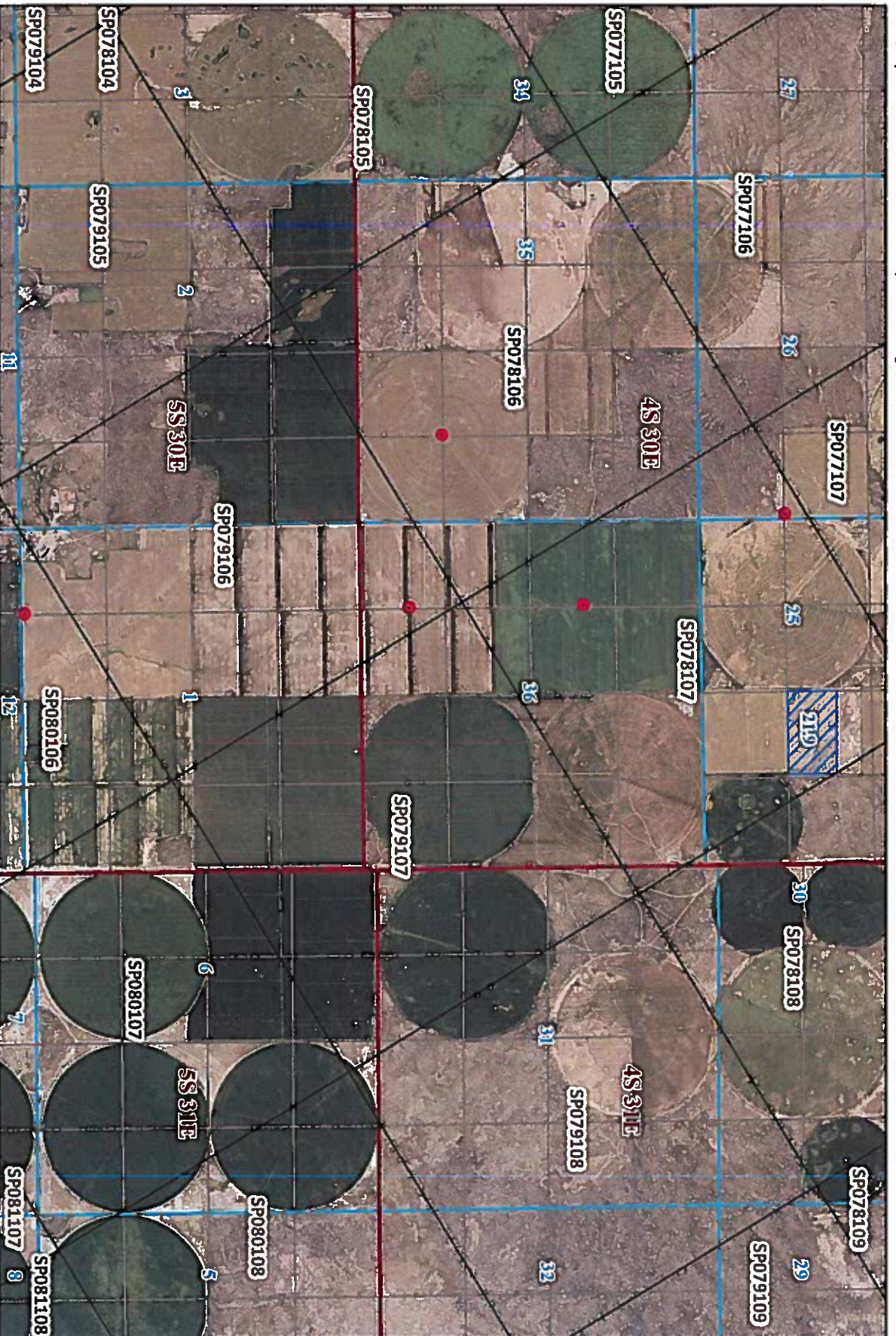
Transfer contains _____ pages and _____ attachments.

Received by 3C Date 11/21/16 Preliminary check by _____ Date _____

Fee paid 500 Date 11/21/16 Received by SC Receipt # ED042614

Add'l fee paid 125.00 Date 11/21/16 Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

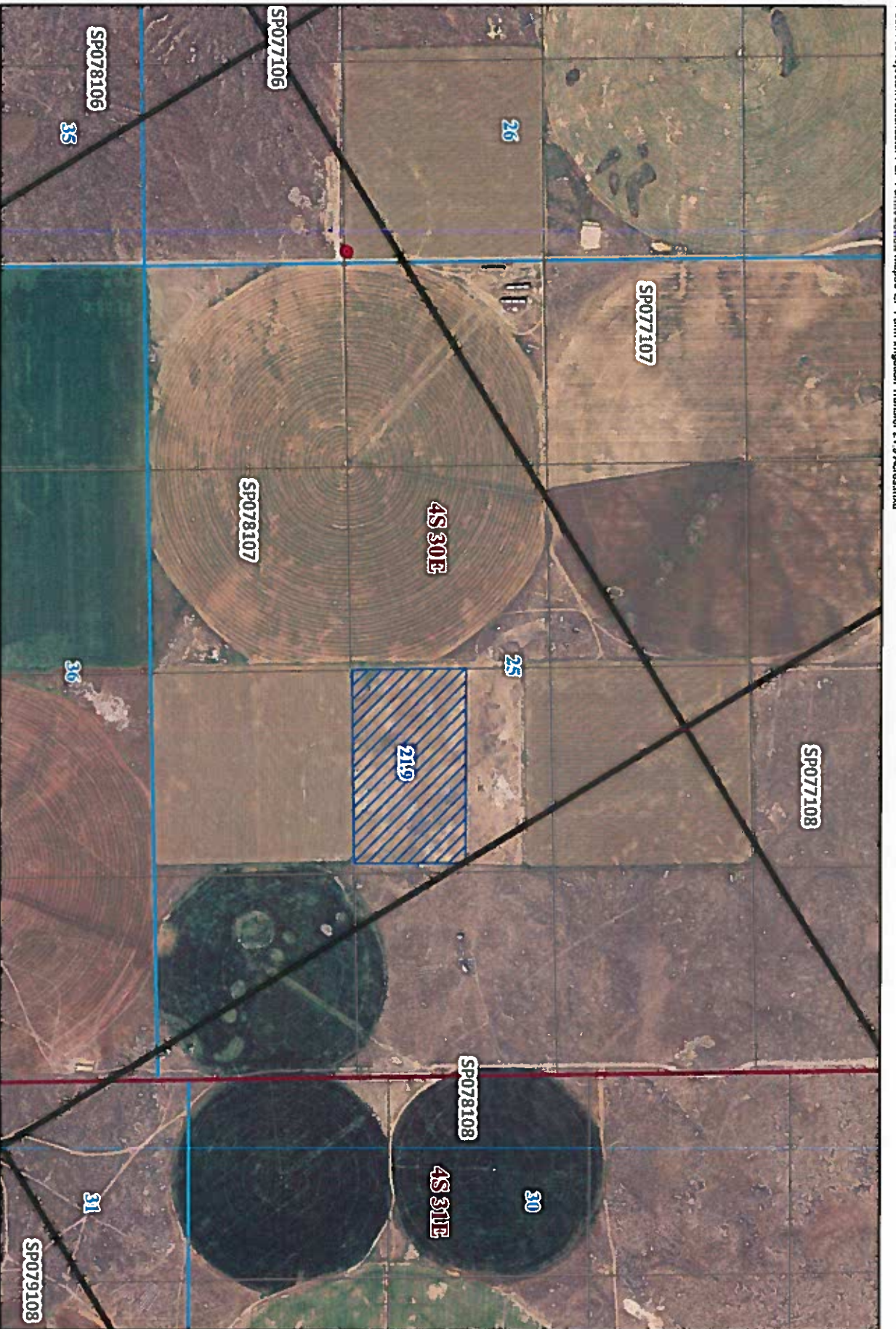


WESTCHESTER - PEP FARM

Water Right Transfer
NAIP 2015 AERIAL

0 625 1,250 2,500 Feet

Legend
modelgrid_trimmed
Transfer Acres
WR_PODS

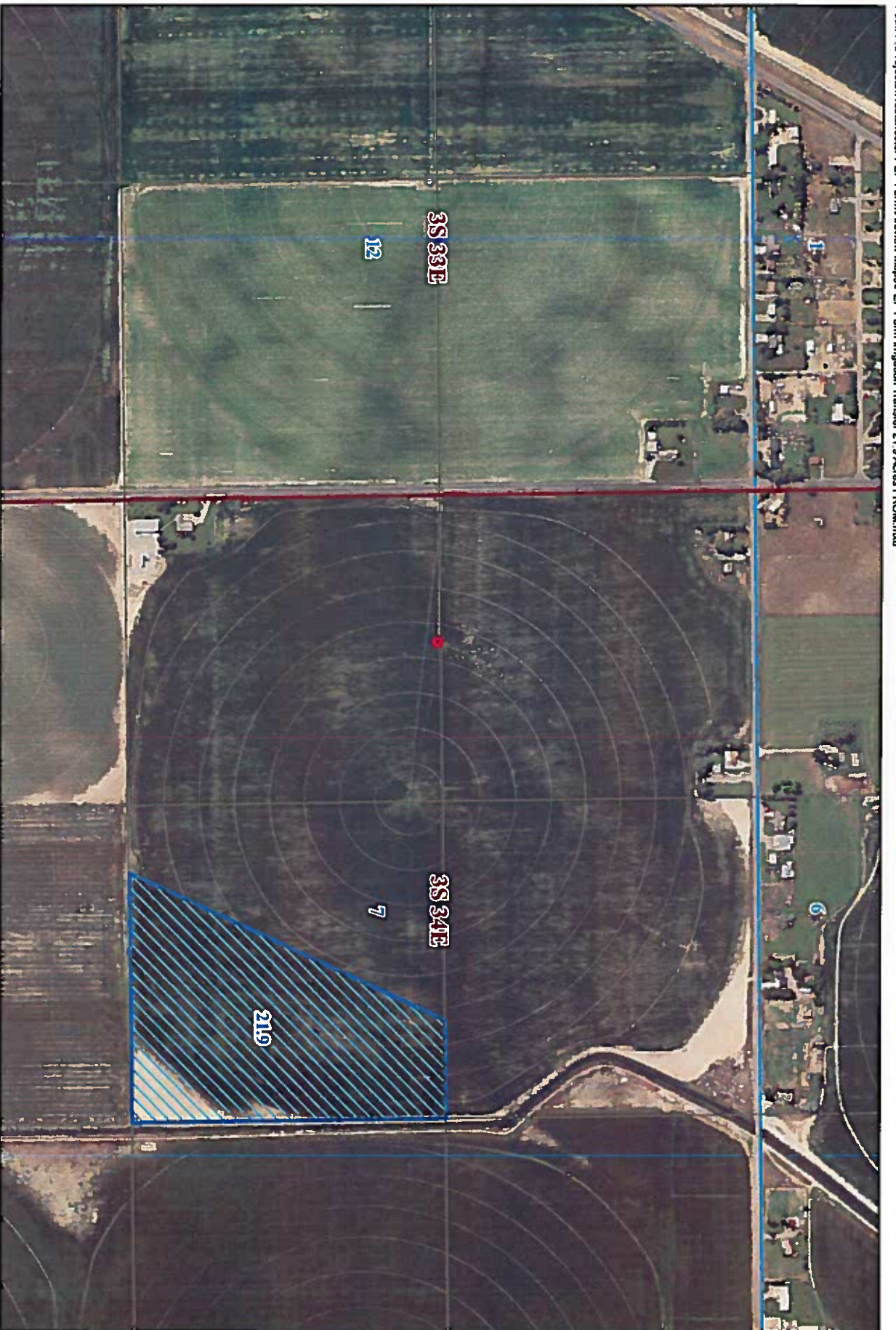


0 250 500 1,000 Feet

WESTCHESTER - PEP FARM

Water Right Transfer
NAIP 2015 AERIAL

Legend
modelgrid_unimmed
Transfer Acres
WR_PODS



0 150 300 600 Feet

WESTCHESTER - PEP FARM

IRRIGATION TRANSFER 21.9 ACRES

NAIP 2015 AERIAL

Legend
Shawver WR FROM 2
WR_PODS

BROCKWAY ENGINEERING, PLLC
GWS - Date: 9/30/2016

N
1 2 3 4 5 6 7 8 9 10 11 12

1 2 (Trimester)
AFT

Total Reach Depletion Impacts

0.0	-0.1	-0.8	-1.24	0.2	0.5	0.6	0.3	0.2	0.2	0.0
-----	------	------	-------	-----	-----	-----	-----	-----	-----	-----

One-Way Analysis of Independent Transfers

Transfer 1:

WR No.	Dir.	Rate	Con.	Vol.	No. of In.	Priority	POD	Dedicated Vol.	Model
(CFS)		(AFA)			Acres	Date	Location	AFA/AFT	Node

Transfer 1: Proposed Steady State Impacts following Transfer

Transfer: Worst Case Transient State Impacts following Transfer

Pre-SS	Post-SS	100.0%	Pre-SS	Post-SS	100.0%	41.8 AFA	21.9 Acres	41.8 AFA	21.9 Acres
Pre-SS	Post-SS	100.0%	Pre-SS	Post-SS	100.0%	41.8 AFA	21.9 Acres	41.8 AFA	21.9 Acres
0.68	2.01	0.68	19.02	0.11	0.35	0.39	0.18	0.11	0.10
0.61	1.84	0.61	17.77	0.30	0.69	1.00	0.44	0.28	0.26
0.68	2.01	0.68	19.02	0.11	0.35	0.39	0.18	0.11	0.10
0.64	1.93	0.64	17.77	0.30	0.69	1.00	0.44	0.28	0.26

Pre-SS
Post-SS
Pre-SS
Post-SS

Steady State Analysis
Mitigation Check 1 - >10% of Historical:
Mitigation Check 2 - > 2 AFT:
Mitigation Check 3 - >10% of Total:
Mitigation Required?
Mitigation Vol. Req'd (ac-ft)

Transient State Analysis
Mitigation Check 1 - >10% of Historical:
Mitigation Check 2 - > 2 AFT:
Mitigation Required?
Mitigation Vol. Req'd (ac-ft)

Transfer 2:

WR No.	Dir.	Rate	Con.	Vol.	No. of In.	Priority	POD	Dedicated Vol.	Model
(CFS)		(AFA)			Acres	Date	Location	AFA/AFT	Node

Transfer 1: Proposed Steady State Impacts following Transfer

Transfer 1: Worst Case Transient State Impacts following Transfer

Pre-SS	Post-SS	100.0%	Pre-SS	Post-SS	100.0%	0.0 AFA	0.0 Acres	0.0 AFA	0.0 Acres
Pre-SS	Post-SS	100.0%	Pre-SS	Post-SS	100.0%	0.0 AFA	0.0 Acres	0.0 AFA	0.0 Acres
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Pre-SS
Post-SS
Pre-SS
Post-SS

Steady State Analysis
Mitigation Check 1 - >10% of Historical:
Mitigation Check 2 - > 2 AFT:
Mitigation Check 3 - >10% of Total:
Mitigation Required?
Mitigation Vol. Req'd (ac-ft)

Transient State Analysis
Mitigation Check 1 - >10% of Historical:
Mitigation Check 2 - > 2 AFT:
Mitigation Required?
Mitigation Vol. Req'd (ac-ft)

ENHANCED GROUND-WATER RIGHTS TRANSFER

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

IDAHO DEPARTMENT OF WATER

Cells this color are set up for user entries

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON

TRANSFER NO:

YEAR

1950

TRANSFER NAME:

SEASON

SPRING

ENTER CELL LOCATIONS:

'TO' CELL

'FROM1' CELL

'FROM2' CELL

'FROM3' CELL

21.9

87.6

ROW
COLUMN

77

79

107

128

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
	Protected Use	With Transfer	Without Transfer	With Transfer	Without Transfer	With Transfer	Without Transfer
AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER
SPR 1950	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1950	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1950	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1951	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1951	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1951	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1952	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1952	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1952	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1953	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1953	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1953	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1954	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1954	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1954	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1955	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1955	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1955	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1956	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1956	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1956	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1957	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1957	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1957	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1958	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1958	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1958	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1959	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1959	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1959	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1960	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1960	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1960	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1962	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1962	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1962	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1963	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1963	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1963	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1964	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1964	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1964	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1965	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1965	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1965	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1966	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1966	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1966	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1967	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1967	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1967	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1968	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1968	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1968	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1969	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1969	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1969	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1970	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1970	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1970	0.0	0.0	0.0	0.0	0.0	0.0	0.0

10/7/2018

C:\Users\lgullivan.BROCKWAY\Desktop\ESPA Model 3.2\Shower to PEP 21.9

C:\Users\gullivan.BROCKWAY\Desktop\ESPA Model 3.2\Shower to PEP 21.9

Steady State: 3 Part Test to Determine Whether Mitigation is Required for a Specific Reach

Permanent mitigation is required for a specific reach if...

1. The **depletional** hydrograph describing the total effects to the reach due to the transfer, is greater than 110% of the **depletional** hydrograph that describes the total effects to the reach without the transfer (i.e. 10% increase).
2. The **depletional** hydrograph describing the total effects to the reach due to the transfer, is at least 2 ac-ft/trimester greater than the **depletional** hydrograph that describes the total effects to the reach without the transfer.
3. The **modeled/predicted** depletion in the specific reach is greater than 10% of the total modeled/predicted depletion to all reaches of the Snake River, as a result of the conditions proposed by the transfer (i.e. 10% of total).

If all three conditions above are met, for any single hydraulically-connected reach of the Snake River, the applicant must fully mitigate the effects of the proposed transfer on that reach, as predicted by the ESPA Transfer Tool.

Transient State: 2 Part Test to Determine Whether Mitigation is Required for a Specific Reach

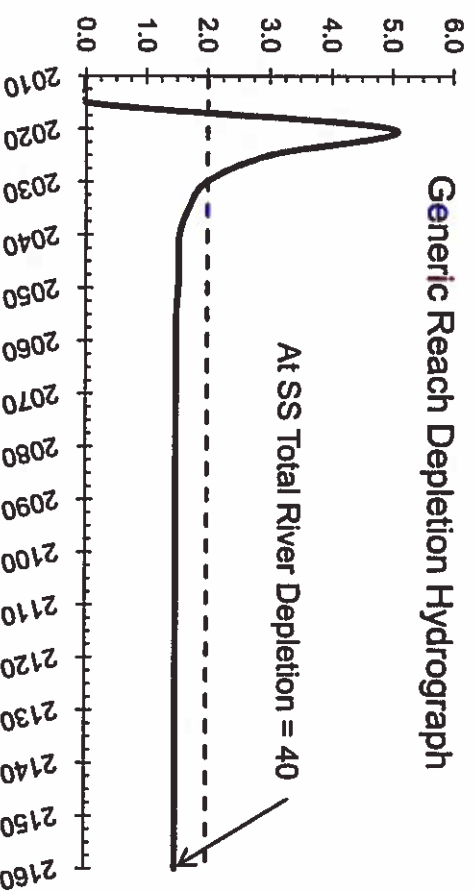
Temporary mitigation is required for a specific reach if...

1. For any given time step after the initiation of the transfer, the depletionary hydrograph describing the total effects to the reach due to the transfer, is greater than 110% of the depletionary hydrograph that describes the total effects to the reach without the transfer (i.e. 10% increase).
2. For any given time step after the initiation of the transfer, the depletionary hydrograph describing the total effects to the reach due to the transfer, is at least 2 ac-ft/trimester greater than the depletionary hydrograph that describes the total effects to the reach without the transfer.

If both conditions above are met, for any single hydraulically-connected reach of the Snake River, the applicant must fully mitigate the temporary effects of the proposed transfer on that reach, as predicted by the ESPA Transfer Tool.

Transient State: 2 Part Test Caveat

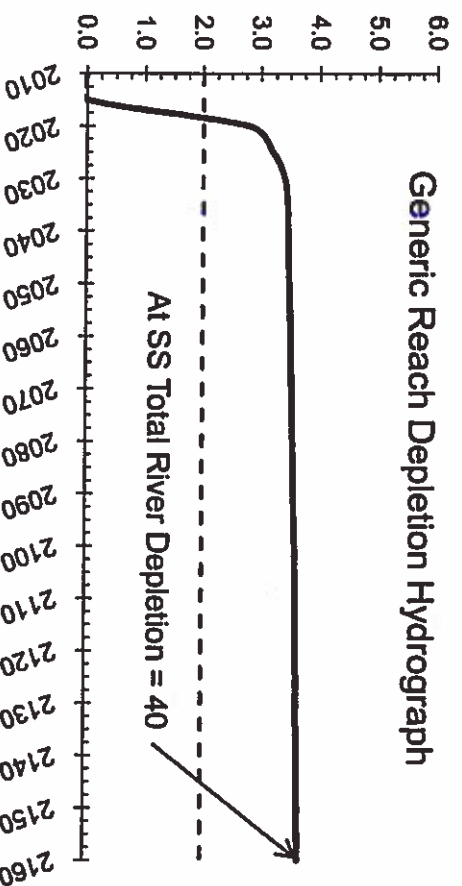
Mitigation during the transient state is not required, if mitigation is not required at steady state (last time step), and steady state depletions are greater than at any time during the transient state.



Step 1: >10%
Increase Check.

Step 2: 2 ac-ft
Check .

Step 3: 10% of Total
Check.



Steady State: 3 Part Test to Determine Whether Mitigation is Required for a Specific Reach

Permanent mitigation is required for a specific reach if...

1. The depletionary hydrograph describing the total effects to the reach due to the transfer, is greater than 110% of the depletionary hydrograph that describes the total effects to the reach without the transfer (i.e. 10% increase).
2. The depletionary hydrograph describing the total effects to the reach due to the transfer, is at least 2 ac-ft/trimester greater than the depletionary hydrograph that describes the total effects to the reach without the transfer.
3. The modeled/predicted depletion in the specific reach is greater than 10% of the total modeled/predicted depletion to all reaches of the Snake River, as a result of the conditions proposed by the transfer (i.e. 10% of total).

If all three conditions above are met, for any single hydraulically connected reach of the Snake River, the applicant must fully mitigate the effects of the proposed transfer on that reach, as predicted by the ESPA Transfer Tool.

7

Transient State: 2 Part Test to Determine Whether Mitigation is Required for a Specific Reach

Temporary mitigation is required for a specific reach if...

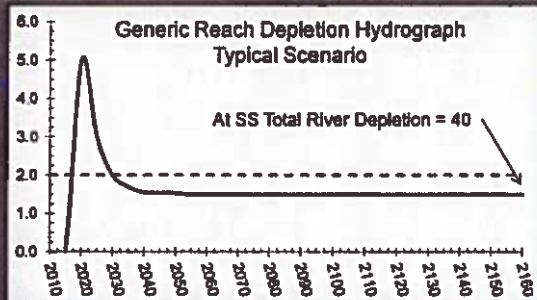
1. For any given time step after the initiation of the transfer, the depletionary hydrograph describing the total effects to the reach due to the transfer, is greater than 110% of the depletionary hydrograph that describes the total effects to the reach without the transfer (i.e. 10% increase).
2. For any given time step after the initiation of the transfer, the depletionary hydrograph describing the total effects to the reach due to the transfer, is at least 2 ac-ft/trimester greater than the depletionary hydrograph that describes the total effects to the reach without the transfer.

If both conditions above are met, for any single hydraulically connected reach of the Snake River, the applicant must fully mitigate the temporary effects of the proposed transfer on that reach, as predicted by the ESPA Transfer Tool.

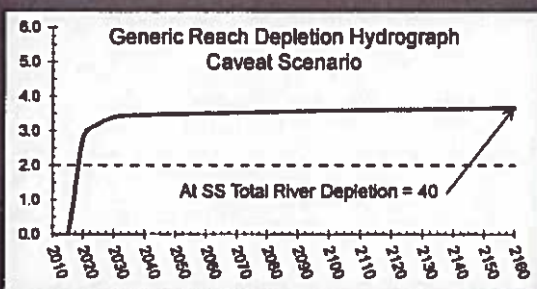
8

Transient State: 2 Part Test Caveat

Even when the transient 2 part test conditions are met, mitigation during the transient state is not required, if mitigation is not required at steady state (last time step), and steady state depletions are greater than at any time during the transient state.



Typical Scenario: Transient depletions would require mitigation, even though no mitigation is required in the steady state.



Caveat Scenario: Transient depletions would not require mitigation, b/c mitigation is not required at steady state and depletions at steady state are greater than at any previous time.

9

Mitigation Evaluation Approach

1. Evaluate the impacts on reaches (increases and decreases or debits and credits) from each individual transfer separately (*one-way analysis of each proposed transfer*).
 - Reach impacts due to the transfer shall only be evaluated for the specific volume of water identified for modification by the transfer(s). Remaining or un-transferred volumes of water under the water right and/or un-transferred volumes of water from associated water rights not included in the transfer should not be included in mitigation analysis. This includes water lost due to changes in the consumptive volume component of a water right as a result of a transfer that proposes a change in the beneficial use.
2. Apply the appropriate mitigation requirement tests, as presented in *Transfer Processing Memo No. 24*, to each individual one-way transfer analysis. Mitigation is required for transfer approval when all of the following conditions are met in steady state and the first two conditions are met for transient state.
 - >10% increase
 - >2 ac-ft increase
 - 10% of total

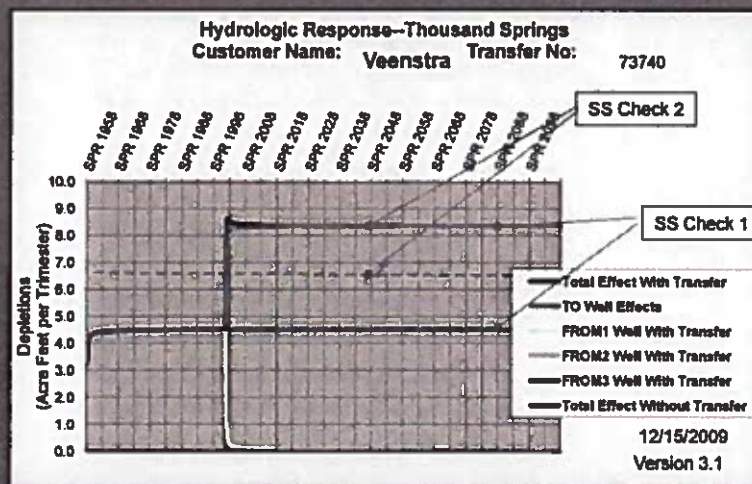
11

Mitigation Evaluation Approach Continued

- Sum the impacts to each reach from each individual one-way transfer analysis. Include in the summation reach gains and reach losses. For those reaches where the sum of all changes in depletion is positive, including depletions during the transient state, the combined depletion volume must be fully mitigated.
- If offsetting transfers do not fully mitigate reach depletions, evaluate the impact on reaches from *secondary proposed mitigation efforts* such as non-use of irrigated ground or release of storage water.
- Combine the effects of depletion impacts from step 3 with net mitigation efforts from step 4. If changes in depletion amounts for each reach are zero or less, mitigation is deemed adequate and the transfer is approvable. *If changes in depletion to any reach are greater than zero, then additional mitigation is required before the transfer can be approved by the Department.*

12

Steady State Analysis



Step 1: >10%
Increase Check:

$$100 \cdot (8.5 / 4.5 - 1) = 85\%$$

$$85\% > 10\%$$

mitigate

Step 2: 2 ac-ft
Check:

$$(8.4 - 4.5) = 3.8$$

$$3.8 > 2$$

mitigate

Step 3: 10% of Total
Check:

$$100 \cdot (8.4 / 18.1) = 46\%$$

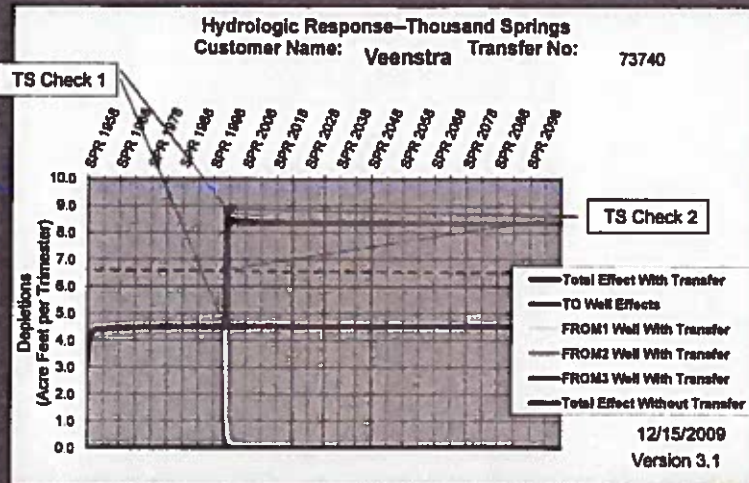
$$46\% > 10\%$$

mitigate

Conclusion: all mitigation conditions have been met in steady state, therefore mitigation to the "1000 Springs" reach is required.

19

Transient State Analysis



Step 1: >10%
Increase Check:

$$100 \times (8.6 / 4.5 - 1) = 91\%$$

91% > 10%, ∴ mitigate

Step 2: 2 ac-ft
Check :

$$(8.6 - 4.5) = 4.1$$

4.1 > 2, ∴ mitigate

Conclusion: both mitigation conditions have been met in transient state, therefore mitigation to the '1000 Springs' reach is required.

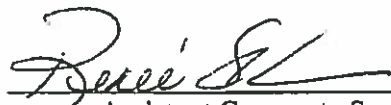
Assistant Secretary's Certificate
WESTCHESTER GROUP INVESTMENT MANAGEMENT, INC.

I certify that on May 28, 2013 the Board of Directors adopted a resolution appointing the following officers of Westchester Group Investment Management, Inc.

Randall E. Pope	President and CEO
H. Matthew Bull	Executive Vice President and CEO in Australia
J. Collins Hewes	Executive Vice President
Duane R. Nelson	Executive Vice President and CCLRO
Roderick T. Robertson	Executive Vice President
Kenny Traynom	Executive Vice President
Michael Robinson	Sr. Vice President and Controller
Patrick Trainor	Sr. Vice President
Renee Schum	Assistant Secretary

Such officers continue to hold their respective titles as of today and are authorized to execute documents for Global AG Properties USA LLC as its property manager under the Property Management Agreement dated May 1 2011 as amended by Assignment and Amendment No. 1 dated December 31, 2013.

Dated: March 1, 2015



Assistant Corporate Secretary

OFFICERS AND DIRECTORS

WESTCHESTER GROUP INVESTMENT MANAGEMENT, INC. (WGIM) 1/1/2015	
Minaya, Jose M.	Director & Chairman
Pope, Randall E.	Director, President & Chief Executive Officer
Davis, Heather L.	Director
Deckbar, Carol	Director
Forgione, William J.	Director
Mussa, Ricardo Del Aquila	Director
Weaver, Connie	Director
Traynom, Kenny	Executive Vice President & Chief Operating Officer (CEO US Row Crops)
Couchman, Mark E.	Executive Vice President & Chief Investment Officer (CEO Silverado)
Bull, R. Matthew H. (Matt)	Executive Vice President (CEO – Australia)
Davies, R. Martin	Executive Vice President (CEO Europe)
Hewes, J. Collins	Executive Vice President
Nelson, Duane R.	Executive Vice President & Chief Compliance, Legal & Risk Officer
Robertson, Roderick T.	Executive Vice President (CEO Horticultural Crops)
Robinson, Michael	Executive Vice President & Chief Financial Officer
Smith, Scott B.	Vice President (CFO Permanent Crops)
Trainor, Patrick	Executive Vice President
Collier, Stephen	Senior Vice President, Head of Tax-Finance
Baraks, Christopher	Vice President
McCarthy, Gerald	Vice President
Gutierrez, Jorge	Treasurer
Sisom, Jennifer	Assistant Treasurer
Pierre-Merritt, Marjorie	Secretary
Acosta, Janet	Assistant Secretary
Atkinson, Keith	Assistant Secretary
Hayn, Robert	Assistant Secretary
Medeiros, Ann	Assistant Secretary
Phillips, Michael	Assistant Secretary
Schum, Renee	Assistant Secretary
Cifelli, Nicholas	Assistant Secretary – Limited to Tax
Clinton, Gail	Assistant Secretary – Limited to Tax
Graham, Tracy	Assistant Secretary – Limited to Tax
Jenkins, Jamin	Assistant Secretary – Limited to Tax
Smith, Abigail	Assistant Secretary – Limited to Tax

No. W 157754		Due no later than Oct 31, 2016 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. GLOBAL AG PROPERTIES II USA LLC 2004 FOX DRIVE SUITE L CHAMPAIGN IL 61820		CORPORATION SERVICE COMPANY 12550 W EXPLORER DR STE 100 BOISE ID 83713		
				3. New 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
MANAGER	DAVID LOWER	2004 FOX DRIVE SUITE L	CHAMPAIGN	IL	USA	61820
MANAGER	REENA BHARDWAJ	2004 FOX DRIVE SUITE L	CHAMPAIGN	IL	USA	61820
MANAGER	TIAA-CREF ALTERNATIVES ADVISORS, LLC	C/O TIAA, 730 THIRD AVE 12TH FLOOR	NEW YORK	NY	USA	10017
5. Organized Under the Laws of: DE W 157754		6. Annual Report must be signed.* Signature: Marjorie Pierre-Merritt Name (type or print): Marjorie Pierre-Merritt Date: 09/29/2016 Title: Secretary				
Processed 09/29/2016		* Electronically provided signatures are accepted as original signatures.				

Idaho Department of Water Resources



Quick Search:

[For assistance, email WMIS Info](#)

Search Method: WMIS Number

WMIS Number 500888

Search

You are logged in as Guest

- Point Of Diversion PCC Flow Meter Time Clock Alternate Contacts Data Summary
- Other Logout

Data Summary

You are viewing 500888; 40016408

Report Year	Alternate	FM	PCC	Time Clock
2015				
2014			373.40	
2013			498.14	
2012			387.86	
2011			271.00	
2010			411.00	
2009			287.59	
2008			341.16	
2007			432.12	
2006			322.92	
2005			391.91	
2004				
2003				
2002				
2001				
2000				
1999				

When recorded return to:

Carolyn Fisher
Westchester Group Investment Management, Inc.
2004 Fox Drive, Suite L
Champaign, IL 61820

Mail Tax Statements to:
Westchester Group Investment Management, Inc.
2004 Fox Drive, Suite L
Champaign, IL 61820

WARRANTY DEED

FOR VALUE RECEIVED, ROBERT W. SHAWVER and PEGGY SHAWVER, husband and wife ("*Grantor*") hereby grants, bargains, sells and conveys unto GLOBAL AG PROPERTIES II USA LLC, a Delaware limited liability company ("*Grantee*"), the real property located in Bingham County, Idaho and legally described on Exhibit A attached hereto.

Grantor conveys said property, with all water rights and other appurtenances thereto, to Grantee and to its successors and assigns to have and to hold forever, including, without limitation, the Water Rights listed on Exhibit B attached hereto. Grantor does hereby covenant to and with Grantee that Grantor owns said premises in fee simple, that the premises are free from all encumbrances, except for the Permitted Exceptions set out on Exhibit C attached hereto.

DATED as of October 21st 2016.

Grantor



ROBERT W. SHAWVER



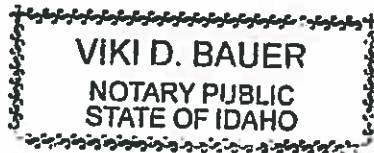
PEGGY SHAWVER

STATE OF IDAHO)
)
) :SS.
COUNTY OF Bingham)

On this 26 day of October, 2016, before me, personally appeared ROBERT W. SHAWVER and PEGGY SHAWVER, known or identified to me to be the persons who executed the foregoing instrument.

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

(SEAL)



Viki D. Bauer
NOTARY PUBLIC
Residing at: Blackfoot, ID
Commission expires: 3-29-20

EXHIBIT A

LEGAL DESCRIPTION

Real property in the County of Bingham, State of Idaho, described as follows:

PARCEL 2:

A PARCEL OF LAND LOCATED IN A PORTION OF THE EAST ½ OF THE NORTHEAST ¼ OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 33 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST ¼ CORNER OF SAID SECTION 12, MARKED BY A RAILROAD SPIKE, SEE CORNER PERPETUATION INST. NO. 625750, 412024 AND 345444; THENCE NORTH 89°21'49" WEST, ALONG THE LATITUDINAL CENTERLINE OF SAID SECTION 12, (BASIS OF BEARING PER CENTRAL MERIDIAN OF EAST ZONE OF IDAHO STATE PLANE COORDINATE SYSTEM), A DISTANCE OF 1287.00 FEET TO THE SOUTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 462559; THENCE NORTH 00°15'20" EAST, ALONG THE EAST BOUNDARY LINE OF SAID PARCEL OF LAND A DISTANCE OF 2652.13 FEET TO A POINT ON THE NORTH BOUNDARY LINE OF SAID SECTION 12; THENCE SOUTH 89°21'26" EAST, ALONG THE NORTH BOUNDARY LINE OF SAID SECTION 12, A DISTANCE OF 863.80 FEET TO THE NORTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 659196; THENCE SOUTH 00°15'17" WEST ALONG THE WEST BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 167.00 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL OF LAND; THENCE SOUTH 89°21'26" EAST, ALONG THE SOUTH BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 160.70 FEET TO A POINT ON THE WESTERLY BOUNDARY LINE OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 245648 AND 659193; THENCE SOUTH 00°15'20" WEST, ALONG THE WEST BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 281.02 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL OF LAND; THENCE SOUTH 89°21'42" EAST, ALONG THE SOUTH BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 262.50 FEET TO A POINT ON THE EAST BOUNDARY LINE OF SAID SECTION 12; THENCE SOUTH 00°15'20" WEST, ALONG THE EAST BOUNDARY LINE OF SAID SECTION 12, A DISTANCE OF 2203.99 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

A PARCEL OF LAND LOCATED IN A PORTION OF THE NORTHWEST ¼ OF SECTION 7, TOWNSHIP 3 SOUTH, RANGE 34 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 7, MARKED BY A 1.5 INCH ALUMINUM CAP, SEE CORNER PERPETUATION INST. NO. 625749, 455765 AND 312619; THENCE SOUTH 89°28'38" EAST, ALONG THE NORTH BOUNDARY LINE OF SAID SECTION 7, (BASIS OF BEARING PER CENTRAL MERIDIAN OF EAST ZONE OF IDAHO STATE PLANE COORDINATE SYSTEM), A DISTANCE OF 165.50 FEET TO THE NORTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 673655; THENCE FOLLOWING ALONG THE BOUNDARY LINE OF SAID PARCEL OF LAND FOR THE NEXT FIVE (5) COURSES: (1) SOUTH 00°15'27" WEST A DISTANCE OF 256.00 FEET; (2) SOUTH 89°28'38" EAST A DISTANCE OF 84.00 FEET; (3) NORTH 65°56'33" EAST A DISTANCE OF 162.00 FEET; (4) NORTH 38°25'07" EAST A DISTANCE OF 54.00 FEET; (5) NORTH 00°15'27" EAST A DISTANCE OF 146.00 FEET TO A POINT ON THE NORTH BOUNDARY LINE OF SAID SECTION 7; THENCE SOUTH 89°28'38" EAST, ALONG THE NORTH BOUNDARY LINE OF SAID SECTION 7, A DISTANCE OF 649.54 FEET; THENCE SOUTH 00°31'22" WEST A DISTANCE OF 25.00 FEET TO THE NORTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 185271; THENCE CONTINUING SOUTH 00°31'22" WEST, ALONG THE WEST BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 208.70 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL OF LAND; THENCE SOUTH 89°28'38" EAST, ALONG THE SOUTH BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 208.70 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL OF LAND; THENCE NORTH 00°31'22" EAST, ALONG THE EAST BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 208.70 FEET TO THE NORTHEAST CORNER OF SAID PARCEL OF LAND; THENCE CONTINUING NORTH 00°31'22" EAST A DISTANCE OF 25.00 FEET TO A POINT ON THE NORTH BOUNDARY LINE OF SAID SECTION 7; THENCE SOUTH 89°28'38" EAST, ALONG THE NORTH BOUNDARY LINE OF SAID SECTION 7, A DISTANCE OF 1333.41 FEET TO THE NORTH ¼ CORNER OF SAID SECTION 7; THENCE SOUTH 00°08'36" WEST, ALONG THE MERIDIONAL CENTERLINE OF SAID SECTION 7, A DISTANCE OF 2645.45 FEET TO THE CENTER ¼ CORNER OF SAID SECTION 7; THENCE NORTH 89°37'14" WEST, ALONG THE LATITUDINAL CENTERLINE OF SAID SECTION 7, A DISTANCE OF 2192.31 FEET TO THE SOUTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 673261; THENCE FOLLOWING ALONG THE BOUNDARY LINE OF SAID PARCEL OF LAND FOR THE NEXT FIVE (5) COURSES: (1) NORTH 00°15'20" EAST A DISTANCE OF 78.00 FEET; (2) NORTH 55°08'26" WEST A DISTANCE OF 141.00 FEET; (3) NORTH 66°48'25" WEST A DISTANCE OF 83.00 FEET; (4) NORTH 00°15'20" EAST A DISTANCE OF 200.00 FEET; (5) NORTH 89°37'15" WEST A DISTANCE OF 242.50 FEET TO A POINT ON THE WEST BOUNDARY LINE OF SAID SECTION 7; THENCE NORTH 00°15'20" EAST, ALONG THE WEST BOUNDARY LINE OF SAID SECTION 7, A DISTANCE OF 2261.99 FEET TO THE POINT OF BEGINNING.

EXHIBIT B

LIST OF WATER RIGHTS

Water Right 35-7168

EXHIBIT C

PERMITTED EXCEPTIONS

1. Taxes, including any assessments collected therewith, for the year 2016 which are a lien not yet due and payable.
2. Non-delinquent levies and assessments of the Bingham Ground Water District.
3. Easement granted to Idaho Power Co., recorded September 1, 1920, in Book E of Miscellaneous, page 143.
4. Right-of-way granted to Mountain States Telephone and Telegraph Company, recorded in Book I of Miscellaneous, Page 447.
5. Easement granted to Idaho Power Co., recorded September 9, 1971, as Instrument No. 164024.
6. Right-of-way or easement of Peoples Canal.
7. Reservations in United States Patent.

When recorded return to:

Carolyn Fisher
Westchester Group Investment Management, Inc.
2004 Fox Drive, Suite L
Champaign, IL 61820

Mail Tax Statements to:
Westchester Group Investment Management, Inc.
2004 Fox Drive, Suite L
Champaign, IL 61820

WARRANTY DEED

FOR VALUE RECEIVED, K & R FARMS, INC., an Idaho corporation ("*Grantor*") hereby grants, bargains, sells and conveys unto GLOBAL AG PROPERTIES II USA LLC, a Delaware limited liability company ("*Grantee*"), the real property located in Bingham County, Idaho and legally described on Exhibit A attached hereto.

Grantor conveys said property, with all water rights and other appurtenances thereto, to Grantee and to its successors and assigns to have and to hold forever, including, without limitation, the Water Rights listed on Exhibit B attached hereto. Grantor does hereby covenant to and with Grantee that Grantor owns said premises in fee simple, that the premises are free from all encumbrances, except for the Permitted Exceptions set out on Exhibit C attached hereto.

DATED as of October 26 2016.

Grantor

K & R FARMS, INC., an Idaho corporation

By:

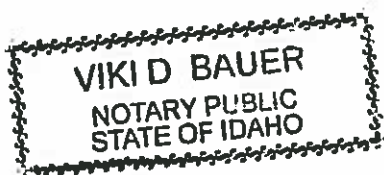

Kim Shawver, President

STATE OF IDAHO)
)
 :ss.
COUNTY OF Bingham)

On this 26 day of October, 2016, before me, personally appeared Kim Shawver, known or identified to me to be the person who executed the instrument on behalf of K & R FARMS, INC., an Idaho corporation and acknowledged to me that such corporation executed the same.

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

(SEAL)



Viki D Bauer
NOTARY PUBLIC
Residing at: Blackfoot ID
Commission expires: 3-29-20

EXHIBIT A

LEGAL DESCRIPTION

Real property in the County of Bingham, State of Idaho, described as follows:

PARCEL 1:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST $\frac{1}{4}$ AND THE WEST $\frac{1}{2}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 33 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 4, MARKED BY A $\frac{1}{2}$ INCH REBAR (NO CAP), SEE CORNER PERPETUATION INST. NO. 513511 & 166691; THENCE NORTH $00^{\circ}40'38''$ EAST, ALONG THE WEST BOUNDARY LINE OF SAID SECTION 4, (BASIS OF BEARING PER CENTRAL MERIDIAN OF EAST ZONE OF IDAHO STATE PLANE COORDINATE SYSTEM), A DISTANCE OF 2597.24 FEET TO THE WEST $\frac{1}{4}$ CORNER OF SAID SECTION 4; THENCE SOUTH $89^{\circ}36'42''$ EAST, ALONG THE LATITUDINAL CENTERLINE OF SAID SECTION 4, A DISTANCE OF 2644.67 FEET TO THE CENTER $\frac{1}{4}$ CORNER OF SAID SECTION 4; THENCE CONTINUING SOUTH $89^{\circ}36'42''$ EAST, ALONG THE LATITUDINAL CENTERLINE OF SAID SECTION 4, A DISTANCE OF 1322.32 FEET TO THE CENTER-EAST $\frac{1}{16}$ CORNER OF SAID SECTION 4; THENCE SOUTH $00^{\circ}32'39''$ WEST, ALONG THE EAST $\frac{1}{16}$ LINE OF SAID SECTION 4, A DISTANCE OF 2214.62 FEET TO THE NORTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 441503; THENCE FOLLOWING ALONG THE BOUNDARY LINE OF SAID PARCEL OF LAND FOR THE NEXT FOUR (4) COURSES: (1) NORTH $89^{\circ}21'38''$ WEST A DISTANCE OF 300.00 FEET; (2) SOUTH $47^{\circ}22'27''$ WEST A DISTANCE OF 149.00 FEET; (3) SOUTH $38^{\circ}20'53''$ WEST A DISTANCE OF 149.00 FEET; (4) SOUTH $00^{\circ}32'39''$ WEST A DISTANCE OF 180.00 FEET TO A POINT ON THE SOUTH BOUNDARY LINE OF SAID SECTION 4; THENCE NORTH $89^{\circ}21'38''$ WEST, ALONG THE SOUTH BOUNDARY LINE OF SAID SECTION 4, A DISTANCE OF 824.34 FEET TO THE SOUTH $\frac{1}{4}$ CORNER OF SAID SECTION 4; THENCE CONTINUING NORTH $89^{\circ}21'38''$ WEST, ALONG THE SOUTH BOUNDARY LINE OF SAID SECTION 4, A DISTANCE OF 2648.68 FEET TO THE POINT OF BEGINNING.

EXHIBIT B

LIST OF WATER RIGHTS

Water Right 35-2171D

EXHIBIT C

PERMITTED EXCEPTIONS

1. Taxes, including any assessments collected therewith, for the year 2016 which are a lien not yet due and payable.
2. Non-delinquent levies and assessments of the Bingham Ground Water District.
3. Right-of-way or easement of 100 South, 1200 West, and 1600 West.
4. Easement granted to Idaho Power Company, recorded September 7, 1951 in Book Q of Misc., page 491.
5. Easement granted to Idaho Power Company, recorded December 1, 1976 as Instrument No. 218952.
6. Right-of-way or easement of Peoples Canal.
7. Reservations in United States Patent.