



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 3, 2017

PERFORMIX NUTRITION SYSTEMS
1555 SHORELINE DR STE 320
BOISE ID 83702

RESPONSE DEADLINE
2/1/2017

RE: Water Supply Bank Rental Fees for 2017 Rental Agreements

Dear Renter,

The following are your 2017 water rentals from the Water Supply Bank:

Rental	Start	End	Water Right	Rental Volume (AF)	Total Rental Fee	Owner Fee (90%)	Admin Fee (10%)	Rental Fee Due Date
1	2015	2018	36-2550	27.6	\$469.20	\$422.28	\$46.92	12/15/2016
1	2015	2018	36-8212	7	\$120.70	\$108.63	\$12.07	12/15/2016
			Total		\$589.90	\$530.91	\$58.99	12/15/2016

Our records indicate that payment has not yet been received for the above water right rentals.

If you have not already done so, please remit payment of **\$589.90** prior to the due dates above and enclose a copy of this letter with your payment.

If you have questions about your rental, you can contact me at 208-287-4918.

Regards,

Remington Buyer
Water Supply Bank Coordinator

RECEIVED

AUG 07 2015

DEPARTMENT OF
WATER RESOURCES

This is to certify that: **PERFORMIX NUTRITION SYSTEMS**
1555 SHORLINE DR STE 320
BOISE ID 83702
(509) 865-0626

filed an application to rent water from the Water Supply Bank ("Bank"). The Idaho Water Resource Board ("Board"), being authorized to operate a Bank and to contract by and through the Director of the Idaho Department of Water Resources ("Director, Department") for rental of water from the Bank, agrees to rent water as follows:

Summary of Water Rights or Portions Rented from the Bank

Water Right	Priority Date	Source	Tributary	Rented Rate	Annual Rented Volume	Acre Limit	Total Rented Acres
36-2550	8/27/1962	Ground Water	NA	0.13 cfs	27.6 af	NA	NA
36-8212	6/22/1983	Ground Water	NA	0.04 cfs	7.0 af	NA	NA
Total Annual Combined Limit				0.15 cfs	34.7 af	NA	NA

Annual Combined Rental Totals	0.15 cfs*	34.7 af*	NA	NA
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***This rental is limited to 17.0 af and 0.11 cfs for a change in the nature of use**

Term of Rental:	July 31, 2015 thru December 31, 2018		
Rental Fee:	Years	2015-2017	\$589.90 annually
	Year	2018	\$694.00 annually

The fee for rental of the above-described water is \$589.90 annually for years 2015-2017 and \$694.00 annually for years 2018-2019. Ten percent (\$58.99/\$69.40) will be retained by the Department to cover administrative costs and the remainder will be paid to the lessor(s). An annual payment shall be received by the Department prior to December 15 each year for the duration of the rental period. The agreement will be void if payment is not received prior to the due date in a given year. To terminate the agreement prior to the end of the rental period, written notice must be received by the Department at least 30 days prior to the rental fee due date. No rental fees will be refunded once the fee is collected and the start date for a Rental Agreement has passed.

Detailed water right conditions are attached.

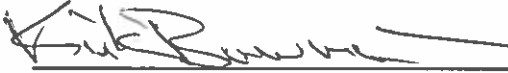
SUPPORT DATA

IN FILE # 36-2550

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT

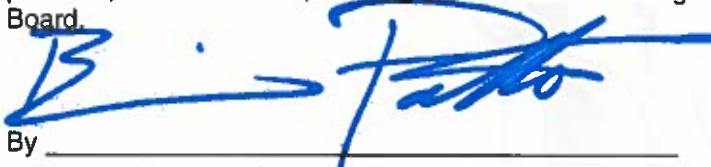
The undersigned renter agrees to use the water rented under this agreement in accordance with the Water Supply Bank rules and in compliance with the limitations and conditions of use described in this agreement:

 Kirk Bowman 8-7-15
Signature of Renter Printed Name and Title* Date
Director of Operations

Signature of Renter Printed Name and Title* Date

*Please provide title of signatory if signing on behalf of a company or organization or with power of attorney

Having determined that this agreement satisfied the provisions of Idaho Code § 42-1763 and IDAPA 37.02.03.030 (Water Supply Bank Rule 30), for the rental and use of water under the terms and condition herein provided, and none other, I hereby execute this Rental Agreement on behalf of the Idaho Water Resource Board.

 Brian Patton August 11, 2015
By Date
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER SUPPLY BANK RENTAL AGREEMENT

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25 Twp 09S Rge 23E MINIDOKA County

BENEFICIAL USE

COMMERCIAL

SEASON OF USE

01/01 TO 12/31

RENTER'S PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	23E	25													X	X			

CONDITIONS APPLICABLE TO ALL RENTED WATER RIGHTS

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
3. Use of water under this agreement does not constitute a dedication of the water to renter's place of use, and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.
4. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
5. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
6. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
7. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
8. Renter acknowledges and agrees that the Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
9. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
10. Upon specific notification of the Department, the renter shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
11. The water rented under this agreement is appurtenant to irrigation of 8.7 acres. 6.9 acres from 36-2550 and 1.8 acres from 36-8212.
12. This rental agreement does not authorize the construction of a well.

13. The renter must diligently pursue a permanent water right to provide for the uses authorized under this rental agreement.
14. Use of water under this agreement will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

JUN 12 2015

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: Performix Nutrition Systems, LLCIs this application being submitted with a lease application as a lease/rental package? Yes ☐ No ☒

An *Application to Rent Water from the Board's Water Supply Bank* must be completed in accordance with the minimum requirement checklist below to be acceptable for processing by the Idaho Department of Water Resources (IDWR). This checklist is part of the rental application and must be included with the rental application. Applications that do not meet the minimum requirements will not be placed in the processing queue and may be returned until all minimum requirements have been met.

Applications to rent water should be submitted well in advance of the desired start date for the use of water. Rental applications may be submitted as early as November 1 of the year prior to the intended use of rental water. Rental applications submitted more than one year in advance of the proposed start date for water use will not be accepted and will be returned to applicants. Rental applications will not be processed if they are received after the end of the rental season of use.

One rental application per beneficial use of water. One rental application can be submitted if you propose to rent water from multiple sources. For multiple beneficial uses of water, individual rental requests should be submitted for each unique beneficial use of water.

For additional instructions on completing a rental application, visit the Department's website at www.idwr.idaho.gov.

Checked All Items as Either Attached (Yes) or Not Applicable (N/A)

YES

☒ Completed *Application to Rent Water from the Board's Water Supply Bank*

Attachment N/A YES

- | | | |
|----|-------------------------------------|--|
| 2 | ☒ | A map showing the proposed point(s) of diversion, place(s) of use, and water diversion and distribution systems proposed to be used with your rental request |
| 3A | ☐ | ☒ Detailed information on a proposed use of rental water |
| 3E | ☐ | ☒ Authorization from the owner/operator of the rental point(s) of diversion |
| 3G | ☐ | ☒ Water modeling to account for the impacts of the rental request |
| 3J | ☒ | ☐ Documents justifying a need to rent water for irrigation at a rate of flow greater than 0.02 cfs/acre |
| 3K | ☐ | ☒ Authorization from the owner/operator of the property at the proposed rental place(s) of use |
| 4B | ☐ | ☒ Explanation of how the rental water will sufficiently accomplish your rental purposes |
| 4C | ☐ | ☒ Explanation of consumptive use amounts for water rights experiencing a change in nature of use |

Department Use Only – Proposed Water Right(s)

36-2550

36-8212

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Performix Nutrition Systems, LLC

Mailing Address 1555 Shoreline Drive, Suite 320, Boise, ID 83702

Email Address dave.stiner@abfoodsusa.com

Phone Number 509-865-0626

B. Is this application being completed by an authorized representative on behalf of the applicant? Yes ☒ No ☐

If yes, representatives (includes company employees if the applicant is a corporation, as well as legal counsel or consultants) should provide their information below if they desire to be included on correspondence with the rental applicant.

Representative Chris M. Bromley

Professional Title Attorney at Law

Organization McHugh Bromley, PLLC

Relationship to Applicant Attorney

Mailing Address 380 S. 4th Street, Suite 103, Boise, ID 83702

Email Address cbromley@mchughbromley.com

Phone Number 208-287-0991

2. MAP

Create a map of the proposed point(s) of diversion, place(s) of use, and water diversion, delivery and distribution systems. Make sure the place of use is outlined with an obvious, bolded line. For irrigation purposes, note that the place of use outlined on your map cannot exceed the number of acres you are proposing to rent. Attach the map to this application and label it Attachment 2.

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

A. Describe the purpose of your rental request. Include any anticipated rates of water application, water use practices or number of stock (if any). If the proposed use is not for irrigation, please provide a detailed description of the proposed use and how you determined the amount of rental water required. Attach additional sheets if required and label it Attachment 3A:
Water will be used for a commercial facility that uses water to produce liquid feed supplements for animal feed.

The requested volume (17 acre-feet) is the amount necessary for commercial production at the facility.

B. Enter the desired and/or minimum necessary rates of flow, volume, or irrigable acres requested for your rental purposes:

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Acres (if applicable) (Acre)
CFS	17 AF	CFS	AF	AC

Sometimes water rights available for rent provide an exceptionally low rate per acre and/or low volume per acre. This section is meant to establish an acceptable range of water sufficient for your proposed water use. Please see question 4B and complete if necessary.

C. Enter the proposed start date and latest possible start date for using rental water. Also provide the number of years you would like to rent water:

Proposed Start Date (month/day/year)	Latest Possible Start (month/day/year)	* Proposed Rental Duration (Max 5 Years)	** For multi-year rentals, indicate whether you desire to rent water for remaining years if a rental request cannot be approved for the first year?	
10/01/2015	10/01/2015	12/31/2018	☐ Yes, approve rental for all remaining future years.	☒ No, return rental request if first year is unapprovable.

* The number of years permissible for a rental is subject to the lease contract duration for the water right(s) being rented.

** Subject to the availability of rentable water. A multi-year rental that cannot begin during the first year requested may be approved for some or all remaining years, depending on availability. Rental requests will be returned if no water is available to rent in the first and/or subsequent years of the rental request.

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

- D. Refer to the map you created in item 2 and specify the location of the point(s) of diversion (POD) from which rental water is proposed to be diverted:

Water Source	TWP	RGE	SEC	¼	¼	¼	County	Other water rights for the same purpose diverted from this POD
Ground Water	9S	23E	25	NE	SE		Minidoka	None

The entry in this grid must match the map from item 2 on the application.

- E. Do you own and/or possess the authority to divert water from the above POD(s)? Yes ☒ No ☐
If no, provide documentation from the owner/operator confirming your authorization to use the POD(s) and label it **Attachment 3E**.

- F. Do any POD(s) identified in Question 3D divert from a water source that may require water modeling? Yes ☒ No ☐
Refer to the Water Modeling Requirements Information Sheet to determine if a rental POD may require water modeling.

- G. Has water modeling been provided with your rental request? Yes ☒ No ☐

If yes, include as **Attachment 3G**. Otherwise please explain why modeling was not provided:

Water modeling is being completed by SPF Water Engineering, and will be provided as soon as it is completed,

which should be during the week of June 15, 2015.

Rental applications that require modeling will be returned if modeling is not provided.

- H. Specify the proposed beneficial use: ☐ Irrigation ☒ Commercial ☐ Industrial ☐ Municipal
☐ Groundwater Recharge ☐ Mining ☐ Stockwater ☐ Other: _____

- I. Refer to the map you created in item 2 and specify below the places you propose to use water. If for irrigation, specify the number of acres to be irrigated per ¼ ¼ tract. Otherwise indicate usage by marking the ¼ ¼ tracts with the first letter of your proposed use identified above:

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9S	23E	25													C	C			
The entry in this grid must match the map from item 2 on the application.																			Total Acres (for irrigation)
																			NA

- J. For irrigation uses, do you propose a water diversion rate greater than 0.02 cfs/acre? N/A ☒ Yes ☐ No ☐
If yes, explain the justification for this rate of flow and attach any supporting documents as **Attachment 3J**:

- K. Do you own the land at the proposed rental place of use (POU)? Yes ☒ No ☐
If no, attach documentation from the POU owner/operator confirming your authorization to use the POU and label it **Attachment 3K**.

- L. Describe your water distribution system and how water will be delivered from the POD(s) to the proposed POU(s):

Well, pump, and pipes into commercial facility.

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

M. List all other water rights and sources of water at the rental place of use for the same purpose and explain why additional water is required. Include privately owned water rights and water received from a municipal supplier, an irrigation district, a canal company, or any other water deliver entity:
None.

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights? Yes ☒ No ☐
If yes, specify below the water rights you are requesting to rent. Otherwise continue to Section 5 of this application form.

Please note: Diversion rates and volumes to be rented from a leased water right must be proportionate to the per acre diversion rates and per acre volume limits of the water right leased to the Bank. Applicants should query a water right's rental availability by reviewing active lease and rental documents, searchable via IDWR's website, to ensure all elements of a water right remain available in sufficient quantity to satisfy a rental request.

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany the rental request. **Rental requests for water rights not yet leased to the Bank will be returned if companion lease applications are not provided with the rental request.**

For leased rights with combined limits, applicants should request to rent against the combined limit diversion rate, volume or acre limits.

Elements of Water Rights Leased to the Bank (Contract Details)								Leased totals minus water actively engaged in rental agreement equals rental availability	Rental Request		
Water Right Number	Nature of Use	Water Source	Rate (CFS)	Volume (AF)	Acres (AC)	Start (year)	End (year)		Rate (CFS)	Vol. (AF)	Acres (AC)
36	2550	GW	1.20	260.8	65.2	2013	2018			260.8	
36	8212	GW	0.35	67.9	17.4	2013	2018			67.9	
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre that have been leased to the Water Supply Bank								TOTAL	CFS	AF	AC

Attach multiple copies of this page if space above is insufficient to list all water rights requested to be rented on this application.

B. If water right conditions, combined limits, or the sum of all water right elements being requested provide an unconventional duty of water (e.g., an unusually low rate per acre or volume per acre for irrigation use), explain how your proposed rental will sufficiently accomplish your intended purposes. Attach a separate page if space is insufficient and label it **Attachment 4B**:
N/A

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

- C. Does your rental request propose to change the nature of use for any water right(s) being requested? Yes ☒ No ☐
If yes, explain how the water right(s) will be converted to new uses. Include the historic, consumptive use amounts for the water right being rented, as well as the new consumptive use amount for your proposed beneficial use. Attach a separate page if space is insufficient and label it **Attachment 4C**:
Water will be used for a year-round commercial facility, with an annual volume requirement of 17 acre-feet.

5. ADDITIONAL INFORMATION

- A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☒ No ☐
If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

- B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental? Yes ☒ No ☐
If yes, describe: A permanent supply of water will eventually be needed for the facility, and is being investigated.

- C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? Yes ☐ No ☒
If yes, describe the date and location of the NOV.

DECLARATION

I hereby assert that 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. I understand that if this rental application is approved, it will be subject to the provisions of Section 42-1766, Idaho Code and all applicable state and federal laws.

Signature of Applicant

Printed Name of Applicant

Date


Signature of Representative

Chris M. Bromley
Printed Name of Representative

6/12/15
Date

Mail to:

Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

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JUL 22 2015

DEPARTMENT OF
WATER RESOURCES

SENW

SWNE

SENE

L2

NESW

NWSE

NESE

L3

25

113°42'35.724"W 42°36'33.667"N

30

9S 24E

9S 23E

SESW

SWSE

SESE

L4

NENW

NWNE

36

Performix Well Location

0 250 500
Feet



09S23E25SENE

09S23E25SWNE

3E25SESW

09S23E25NESE

09S23E25NWSE

3E25NESW

09S23E25SESE

09S23E25SWSE

3E25SESW



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JUL 22 2015

DEPARTMENT OF
WATER RESOURCES



Instrument # 531625

MINIDOKA COUNTY, RUPERT, IDAHO
06-20-2015 11:36:67 AM No. of Pages: 6
Recorded for: FIRST AMERICAN TITLE - BURLEY
PATTY TEMPLE Fee: \$22.00
Ex-Office Recorder Deputy Diana Wheeler
Electronically Recorded by Simplic

RECEIVED

JUL 22 2015

DEPARTMENT OF
WATER RESOURCES

ELECTRONICALLY RECORDED
DO NOT REMOVE THE COUNTY
STAMPED FIRST PAGE AS IT IS
NOW INCORPORATED AS PART
OF THE ORIGINAL DOCUMENT

When recorded, please return to:

PERFORMIX NUTRITION SYSTEMS, LLC
1811 E. Karcher Rd.
Nampa, Idaho, 83687

#54567DRD

Space Above Line for Recorder's Use Only

01604-63

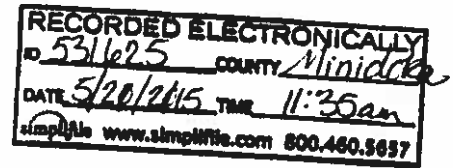
QUITCLAIM DEED

MISSOURI IMPROVEMENT COMPANY, a Missouri corporation ("Grantor"), in consideration of the sum of Ten Dollars (\$10.00), and other valuable consideration to it duly paid, the receipt whereof is hereby acknowledged, does hereby REMISE, RELEASE and forever QUITCLAIM unto **PERFORMIX NUTRITION SYSTEMS, LLC**, an Idaho limited liability company ("Grantee"), whose address is 1811 E. Karcher Rd., Nampa, Idaho, 83687, and unto its successors and assigns forever, all of Grantor's right, title, interest, estate, claim and demand, both at law and in equity, of, in, and to the real estate (hereinafter the "Property") situated in Minidoka County, State of Idaho, as more particularly described in **Exhibit A**, hereto attached and hereby made a part hereof.

EXCEPTING from this quitclaim and RESERVING unto Grantor, its successors and assigns, forever, all minerals and all mineral rights of every kind and character now known to exist or hereafter discovered underlying the Property, including without limiting the generality of the foregoing, oil and gas and rights thereto, together with the sole, exclusive and perpetual rights to explore for, remove and dispose of said minerals by any means or methods suitable to the Grantor, its successors and assigns, but without entering upon or using the surface of the Property, and in such manner as not to damage the surface of the Property, or to interfere with the use thereof by the Grantee, its successors and assigns.

The Property is quitclaimed by Grantor subject to the following covenant, condition and restriction which Grantee by the acceptance of this Deed covenants for itself, its successors and assigns, faithfully to keep, observe and perform:

Restriction on Use. The Property must not be used for (i) residential, (ii) lodgings or accommodations (including, without limitation, hotels, motels, boarding houses, dormitories, hospitals, nursing homes, or retirement centers), or (iii) educational or child-care facilities (including, without limitation, schools, kindergartens or day-care centers).



When recorded, please return to:

PERFORMIX NUTRITION SYSTEMS, LLC
1811 E. Karcher Rd.
Nampa, Idaho, 83687

#545670 RD

Space Above Line for Recorder's Use Only

01604-63

QUITCLAIM DEED

MISSOURI IMPROVEMENT COMPANY, a Missouri corporation ("Grantor"), in consideration of the sum of Ten Dollars (\$10.00), and other valuable consideration to it duly paid, the receipt whereof is hereby acknowledged, does hereby REMISE, RELEASE and forever QUITCLAIM unto **PERFORMIX NUTRITION SYSTEMS, LLC**, an Idaho limited liability company ("Grantee"), whose address is 1811 E. Karcher Rd., Nampa, Idaho, 83687, and unto its successors and assigns forever, all of Grantor's right, title, interest, estate, claim and demand, both at law and in equity, of, in, and to the real estate (hereinafter the "Property") situated in Minidoka County, State of Idaho, as more particularly described in **Exhibit A**, hereto attached and hereby made a part hereof.

EXCEPTING from this quitclaim and RESERVING unto Grantor, its successors and assigns, forever, all minerals and all mineral rights of every kind and character now known to exist or hereafter discovered underlying the Property, including without limiting the generality of the foregoing, oil and gas and rights thereto, together with the sole, exclusive and perpetual rights to explore for, remove and dispose of said minerals by any means or methods suitable to the Grantor, its successors and assigns, but without entering upon or using the surface of the Property, and in such manner as not to damage the surface of the Property, or to interfere with the use thereof by the Grantee, its successors and assigns.

The Property is quitclaimed by Grantor subject to the following covenant, condition and restriction which Grantee by the acceptance of this Deed covenants for itself, its successors and assigns, faithfully to keep, observe and perform:

Restriction on Use. The Property must not be used for (i) residential, (ii) lodgings or accommodations (including, without limitation, hotels, motels, boarding houses, dormitories, hospitals, nursing homes, or retirement centers), or (iii) educational or child-care facilities (including, without limitation, schools, kindergartens or day-care centers).

The foregoing covenant, condition and restriction shall run with the Property, and a breach of the foregoing covenant, condition and restriction, or the continuance thereof, may, at the option of Grantor, its successors or assigns, be enjoined, abated or remedied by appropriate proceedings.

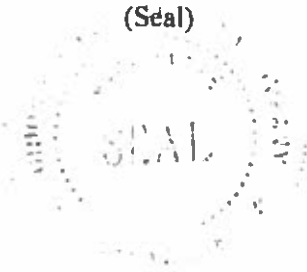
IN WITNESS WHEREOF, the Grantor has caused this deed to be duly executed as of the 18th day of May, 2015.

Attest:

MISSOURI IMPROVEMENT COMPANY,
a Missouri corporation

BQ Kubat
Assistant Secretary

By: Tony K. Love
Title: President



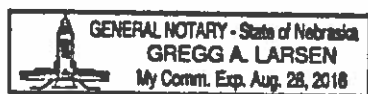
STATE OF NEBRASKA)

) SS.

COUNTY OF DOUGLAS)

On this 18th day of May, 2015, before me, Gregg A. Larsen, Notary Public in and for said County and State, personally appeared Tony K. Love and B.J. Kubak who are the President and the Assistant Secretary, respectively, of Missouri Improvement Company, a Missouri corporation, and who are personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to in the within instrument, and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.




Notary Public

(Seal)

Grantee hereby accepts this Deed and agrees for itself, its successors and assigns, to be bound by the covenants set forth herein.

Dated this 19 day of MAY, 2015.

PERFORMIX NUTRITION SYSTEMS, LLC,
an Idaho limited liability company

By: [Signature]

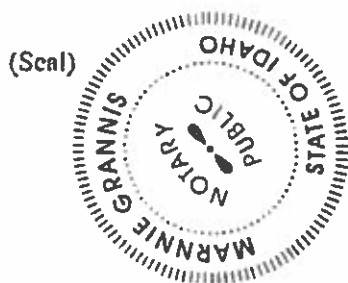
Title: President

STATE OF IDAHO)
COUNTY OF Ada) ss.

On this 19th day of May, 2015, before me, Marnie Grannis,
Notary Public in and for said County and State, personally appeared Jim Keppen
who is the President of Performix Nutrition Systems, LLC, an
Idaho limited liability company, and who is personally known to me (or proved to me on the
basis of satisfactory evidence) to be the person whose name is subscribed to in the within
instrument, and acknowledged to me that he/she executed the same in his/her authorized
capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of
which the person acted, executed the instrument.

WITNESS my hand and official seal.

[Signature]
Notary Public



Marnie Grannis
Residing: Boise, ID
Commission Expires
12/02/2017

Date: May 14, 2015

File No.: 545670RU (mkk)

EXHIBIT 'A'

LEGAL DESCRIPTION:

A parcel of land being all of Lots 3, 4, 5 and 6 of the Rupert Industrial Site, identified as such on a plat dedicated by Rupert Development Corporation on March 29, 1965, which plat was approved and accepted by the County Board of Commissioners of Minidoka County, Idaho, on April 12, 1965, and is recorded in the office of the County Recorder of Minidoka County, said real property being in the Southeast Quarter (SE¼) of Section 25, Township 9 South, Range 23 East, Boise Meridian.

EXCEPTING THEREFROM all that portion of said Lot 3 lying easterly of a line that is parallel with and 327.8 feet, normally distant westerly from the east line of said Lot 3.

RECEIVED

JUL 23 2015

ENHANCED GROUND-WATER

OF
RESOURCES

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH

Cells this color are
set up for user entries

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

TRANSFER NO:

Water Bank

YEAR

1962

TRANSFER NAME

SEASON

SUMMER

Performix

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	82	72	72	74
COLUMN	56	70	68	70

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 W
	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER
SUM 1962	0	2	2	2
WIN 1962	0	2	2	2
SPR 1963	0	2	2	2
SUM 1963	0	2	2	2
WIN 1963	0	2	2	2
SPR 1964	0	2	2	2
SUM 1964	0	2	2	2
WIN 1964	0	2	2	2
SPR 1965	0	2	2	2
SUM 1965	0	2	2	2
WIN 1965	0	2	2	2
SPR 1966	0	2	2	2
SUM 1966	0	2	2	2
WIN 1966	0	2	2	2
SPR 1967	0	2	2	2
SUM 1967	0	2	2	2
WIN 1967	0	2	2	2
SPR 1968	0	2	2	2
SUM 1968	0	2	2	2

WIN 1968	0	2	2	2
SPR 1969	0	2	2	2
SUM 1969	0	2	2	2
WIN 1969	0	2	2	2
SPR 1970	0	2	2	2
SUM 1970	0	2	2	2
WIN 1970	0	2	2	2
SPR 1971	0	2	2	2
SUM 1971	0	2	2	2
WIN 1971	0	2	2	2
SPR 1972	0	2	2	2
SUM 1972	0	2	2	2
WIN 1972	0	2	2	2
SPR 1973	0	2	2	2
SUM 1973	0	2	2	2
WIN 1973	0	2	2	2
SPR 1974	0	2	2	2
SUM 1974	0	2	2	2
WIN 1974	0	2	2	2
SPR 1975	0	2	2	2
SUM 1975	0	2	2	2
WIN 1975	0	2	2	2
SPR 1976	0	2	2	2
SUM 1976	0	2	2	2
WIN 1976	0	2	2	2
SPR 1977	0	2	2	2
SUM 1977	0	2	2	2
WIN 1977	0	2	2	2
SPR 1978	0	2	2	2
SUM 1978	0	2	2	2
WIN 1978	0	2	2	2
SPR 1979	0	2	2	2
SUM 1979	0	2	2	2
WIN 1979	0	2	2	2
SPR 1980	0	2	2	2
SUM 1980	0	2	2	2
WIN 1980	0	2	2	2
SPR 1981	0	2	2	2
SUM 1981	0	2	2	2
WIN 1981	0	2	2	2
SPR 1982	0	2	2	2
SUM 1982	0	2	2	2
WIN 1982	0	2	2	2
SPR 1983	0	2	2	2
SUM 1983	0	2	2	2

WIN 1983	0	2	2	2
SPR 1984	0	2	2	2
SUM 1984	0	2	2	2
WIN 1984	0	2	2	2
SPR 1985	0	2	2	2
SUM 1985	0	2	2	2
WIN 1985	0	2	2	2
SPR 1986	0	2	2	2
SUM 1986	0	2	2	2
WIN 1986	0	2	2	2
SPR 1987	0	2	2	2
SUM 1987	0	2	2	2
WIN 1987	0	2	2	2
SPR 1988	0	2	2	2
SUM 1988	0	2	2	2
WIN 1988	0	2	2	2
SPR 1989	0	2	2	2
SUM 1989	0	2	2	2
WIN 1989	0	2	2	2
SPR 1990	0	2	2	2
SUM 1990	0	2	2	2
WIN 1990	0	2	2	2
SPR 1991	0	2	2	2
SUM 1991	0	2	2	2
WIN 1991	0	2	2	2
SPR 1992	0	2	2	2
SUM 1992	0	2	2	2
WIN 1992	0	2	2	2
SPR 1993	0	2	2	2
SUM 1993	0	2	2	2
WIN 1993	0	2	2	2
SPR 1994	0	2	2	2
SUM 1994	0	2	2	2
WIN 1994	0	2	2	2
SPR 1995	0	2	2	2
SUM 1995	0	2	2	2
WIN 1995	0	2	2	2
SPR 1996	0	2	2	2
SUM 1996	0	2	2	2
WIN 1996	0	2	2	2
SPR 1997	0	2	2	2
SUM 1997	0	2	2	2
WIN 1997	0	2	2	2
SPR 1998	0	2	2	2
SUM 1998	0	2	2	2
WIN 1998	0	2	2	2
SPR 1999	0	2	2	2
SUM 1999	0	2	2	2
WIN 1999	0	2	2	2

SPR 2000	0	2	2	2
SUM 2000	0	2	2	2
WIN 2000	0	2	2	2
SPR 2001	0	2	2	2
SUM 2001	0	2	2	2
WIN 2001	0	2	2	2
SPR 2002	0	2	2	2
SUM 2002	0	2	2	2
WIN 2002	0	2	2	2
SPR 2003	0	2	2	2
SUM 2003	0	2	2	2
WIN 2003	0	2	2	2
SPR 2004	0	2	2	2
SUM 2004	0	2	2	2
WIN 2004	0	2	2	2
SPR 2005	0	2	2	2
SUM 2005	0	2	2	2
WIN 2005	0	2	2	2
SPR 2006	0	2	2	2
SUM 2006	0	2	2	2
WIN 2006	0	2	2	2
SPR 2007	0	2	2	2
SUM 2007	0	2	2	2
WIN 2007	0	2	2	2
SPR 2008	0	2	2	2
SUM 2008	0	2	2	2
WIN 2008	0	2	2	2
SPR 2009	0	2	2	2
SUM 2009	0	2	2	2
WIN 2009	0	2	2	2
SPR 2010	0	2	2	2
SUM 2010	0	2	2	2
WIN 2010	0	2	2	2
SPR 2011	0	2	2	2
SUM 2011	0	2	2	2
WIN 2011	0	2	2	2
SPR 2012	0	2	2	2
SUM 2012	0	2	2	2
WIN 2012	0	2	2	2
SPR 2013	0	2	2	2
SUM 2013	0	0	0	0
WIN 2013	0	0	0	0
SPR 2014	0	0	0	0
SUM 2014	0	0	0	0
WIN 2014	0	0	0	0
SPR 2015	0	0	0	0
SUM 2015	6	0	0	0
WIN 2015	6	0	0	0
SPR 2016	6	0	0	0

SUM 2016	6	0	0	0
WIN 2016	6	0	0	0
SPR 2017	6	0	0	0
SUM 2017	6	0	0	0
WIN 2017	6	0	0	0
SPR 2018	6	0	0	0
SUM 2018	6	0	0	0
WIN 2018	6	0	0	0
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SUM 2019	0	2	2	2
WIN 2019	0	2	2	2
SPR 2020	0	2	2	2
SUM 2020	0	2	2	2
WIN 2020	0	2	2	2
SPR 2021	0	2	2	2
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WIN 2021	0	2	2	2
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SUM 2022	0	2	2	2
WIN 2022	0	2	2	2
SPR 2023	0	2	2	2
SUM 2023	0	2	2	2
WIN 2023	0	2	2	2
SPR 2024	0	2	2	2
SUM 2024	0	2	2	2
WIN 2024	0	2	2	2
SPR 2025	0	2	2	2
SUM 2025	0	2	2	2
WIN 2025	0	2	2	2
SPR 2026	0	2	2	2
SUM 2026	0	2	2	2
WIN 2026	0	2	2	2
SPR 2027	0	2	2	2
SUM 2027	0	2	2	2
WIN 2027	0	2	2	2
SPR 2028	0	2	2	2
SUM 2028	0	2	2	2
WIN 2028	0	2	2	2
SPR 2029	0	2	2	2
SUM 2029	0	2	2	2
WIN 2029	0	2	2	2
SPR 2030	0	2	2	2
SUM 2030	0	2	2	2
WIN 2030	0	2	2	2
SPR 2031	0	2	2	2
SUM 2031	0	2	2	2
WIN 2031	0	2	2	2
SPR 2032	0	2	2	2
SUM 2032	0	2	2	2

WIN 2032	0	2	2	2
SPR 2033	0	2	2	2
SUM 2033	0	2	2	2
WIN 2033	0	2	2	2
SPR 2034	0	2	2	2
SUM 2034	0	2	2	2
WIN 2034	0	2	2	2
SPR 2035	0	2	2	2
SUM 2035	0	2	2	2
WIN 2035	0	2	2	2
SPR 2036	0	2	2	2
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SUM 2037	0	2	2	2
WIN 2037	0	2	2	2
SPR 2038	0	2	2	2
SUM 2038	0	2	2	2
WIN 2038	0	2	2	2
SPR 2039	0	2	2	2
SUM 2039	0	2	2	2
WIN 2039	0	2	2	2
SPR 2040	0	2	2	2
SUM 2040	0	2	2	2
WIN 2040	0	2	2	2
SPR 2041	0	2	2	2
SUM 2041	0	2	2	2
WIN 2041	0	2	2	2
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WIN 2042	0	2	2	2
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WIN 2043	0	2	2	2
SPR 2044	0	2	2	2
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WIN 2044	0	2	2	2
SPR 2045	0	2	2	2
SUM 2045	0	2	2	2
WIN 2045	0	2	2	2
SPR 2046	0	2	2	2
SUM 2046	0	2	2	2
WIN 2046	0	2	2	2
SPR 2047	0	2	2	2
SUM 2047	0	2	2	2
WIN 2047	0	2	2	2
SPR 2048	0	2	2	2
SUM 2048	0	2	2	2
WIN 2048	0	2	2	2

SPR 2049	0	2	2	2
SUM 2049	0	2	2	2
WIN 2049	0	2	2	2
SPR 2050	0	2	2	2
SUM 2050	0	2	2	2
WIN 2050	0	2	2	2
SPR 2051	0	2	2	2
SUM 2051	0	2	2	2
WIN 2051	0	2	2	2
SPR 2052	0	2	2	2
SUM 2052	0	2	2	2
WIN 2052	0	2	2	2
SPR 2053	0	2	2	2
SUM 2053	0	2	2	2
WIN 2053	0	2	2	2
SPR 2054	0	2	2	2
SUM 2054	0	2	2	2
WIN 2054	0	2	2	2
SPR 2055	0	2	2	2
SUM 2055	0	2	2	2
WIN 2055	0	2	2	2
SPR 2056	0	2	2	2
SUM 2056	0	2	2	2
WIN 2056	0	2	2	2
SPR 2057	0	2	2	2
SUM 2057	0	2	2	2
WIN 2057	0	2	2	2
SPR 2058	0	2	2	2
SUM 2058	0	2	2	2
WIN 2058	0	2	2	2
SPR 2059	0	2	2	2
SUM 2059	0	2	2	2
WIN 2059	0	2	2	2
SPR 2060	0	2	2	2
SUM 2060	0	2	2	2
WIN 2060	0	2	2	2
SPR 2061	0	2	2	2
SUM 2061	0	2	2	2
WIN 2061	0	2	2	2
SPR 2062	0	2	2	2
SUM 2062	0	2	2	2
WIN 2062	0	2	2	2
SPR 2063	0	2	2	2
SUM 2063	0	2	2	2
WIN 2063	0	2	2	2
SPR 2064	0	2	2	2
SUM 2064	0	2	2	2
WIN 2064	0	2	2	2
SPR 2065	0	2	2	2

SUM 2065	0	2	2	2
WIN 2065	0	2	2	2
SPR 2066	0	2	2	2
SUM 2066	0	2	2	2
WIN 2066	0	2	2	2
SPR 2067	0	2	2	2
SUM 2067	0	2	2	2
WIN 2067	0	2	2	2
SPR 2068	0	2	2	2
SUM 2068	0	2	2	2
WIN 2068	0	2	2	2
SPR 2069	0	2	2	2
SUM 2069	0	2	2	2
WIN 2069	0	2	2	2
SPR 2070	0	2	2	2
SUM 2070	0	2	2	2
WIN 2070	0	2	2	2
SPR 2071	0	2	2	2
SUM 2071	0	2	2	2
WIN 2071	0	2	2	2
SPR 2072	0	2	2	2
SUM 2072	0	2	2	2
WIN 2072	0	2	2	2
SPR 2073	0	2	2	2
SUM 2073	0	2	2	2
WIN 2073	0	2	2	2
SPR 2074	0	2	2	2
SUM 2074	0	2	2	2
WIN 2074	0	2	2	2
SPR 2075	0	2	2	2
SUM 2075	0	2	2	2
WIN 2075	0	2	2	2
SPR 2076	0	2	2	2
SUM 2076	0	2	2	2
WIN 2076	0	2	2	2
SPR 2077	0	2	2	2
SUM 2077	0	2	2	2
WIN 2077	0	2	2	2
SPR 2078	0	2	2	2
SUM 2078	0	2	2	2
WIN 2078	0	2	2	2
SPR 2079	0	2	2	2
SUM 2079	0	2	2	2
WIN 2079	0	2	2	2
SPR 2080	0	2	2	2
SUM 2080	0	2	2	2
WIN 2080	0	2	2	2
SPR 2081	0	2	2	2
SUM 2081	0	2	2	2

WIN 2081	0	2	2	2
SPR 2082	0	2	2	2
SUM 2082	0	2	2	2
WIN 2082	0	2	2	2
SPR 2083	0	2	2	2
SUM 2083	0	2	2	2
WIN 2083	0	2	2	2
SPR 2084	0	2	2	2
SUM 2084	0	2	2	2
WIN 2084	0	2	2	2
SPR 2085	0	2	2	2
SUM 2085	0	2	2	2
WIN 2085	0	2	2	2
SPR 2086	0	2	2	2
SUM 2086	0	2	2	2
WIN 2086	0	2	2	2
SPR 2087	0	2	2	2
SUM 2087	0	2	2	2
WIN 2087	0	2	2	2
SPR 2088	0	2	2	2
SUM 2088	0	2	2	2
WIN 2088	0	2	2	2
SPR 2089	0	2	2	2
SUM 2089	0	2	2	2
WIN 2089	0	2	2	2
SPR 2090	0	2	2	2
SUM 2090	0	2	2	2
WIN 2090	0	2	2	2
SPR 2091	0	2	2	2
SUM 2091	0	2	2	2
WIN 2091	0	2	2	2
SPR 2092	0	2	2	2
SUM 2092	0	2	2	2
WIN 2092	0	2	2	2
SPR 2093	0	2	2	2
SUM 2093	0	2	2	2
WIN 2093	0	2	2	2
SPR 2094	0	2	2	2
SUM 2094	0	2	2	2
WIN 2094	0	2	2	2
SPR 2095	0	2	2	2
SUM 2095	0	2	2	2
WIN 2095	0	2	2	2
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SUM 2096	0	2	2	2
WIN 2096	0	2	2	2
SPR 2097	0	2	2	2
SUM 2097	0	2	2	2
WIN 2097	0	2	2	2

SPR 2098	0	2	2	2
SUM 2098	0	2	2	2
WIN 2098	0	2	2	2
SPR 2099	0	2	2	2
SUM 2099	0	2	2	2
WIN 2099	0	2	2	2
SPR 2100	0	2	2	2
SUM 2100	0	2	2	2
WIN 2100	0	2	2	2
SPR 2101	0	2	2	2
SUM 2101	0	2	2	2
WIN 2101	0	2	2	2
SPR 2102	0	2	2	2
SUM 2102	0	2	2	2
WIN 2102	0	2	2	2
SPR 2103	0	2	2	2
SUM 2103	0	2	2	2
WIN 2103	0	2	2	2
SPR 2104	0	2	2	2
SUM 2104	0	2	2	2
WIN 2104	0	2	2	2
SPR 2105	0	2	2	2
SUM 2105	0	2	2	2
WIN 2105	0	2	2	2
SPR 2106	0	2	2	2
SUM 2106	0	2	2	2
WIN 2106	0	2	2	2
SPR 2107	0	2	2	2
SUM 2107	0	2	2	2
WIN 2107	0	2	2	2
SPR 2108	0	2	2	2
SUM 2108	0	2	2	2
WIN 2108	0	2	2	2
SPR 2109	0	2	2	2
SUM 2109	0	2	2	2
WIN 2109	0	2	2	2
SPR 2110	0	2	2	2
SUM 2110	0	2	2	2
WIN 2110	0	2	2	2
SPR 2111	0	2	2	2
SUM 2111	0	2	2	2
WIN 2111	0	2	2	2
SPR 2112	0	2	2	2

Diagram showing three rectangular blocks labeled 2, 3, and 4. Block 2 is a small square, block 3 is a rectangle, and block 4 is a long horizontal rectangle. They are arranged with 2 and 3 on top of 4.

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

JUN 25 2015

DEPARTMENT OF
WATER RESOURCES**ENHANCED GROUND-WATER RIGHTS TRANSFER**

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

IDAHO DEPARTMENT OF WATER RESOURCES

Cells this color are
set up for user entriesENTER STARTING DATE FOR
SIMULATION. THEN PUSH
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TRANSFER NO:

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ENTER CELL LOCATIONS:

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TRIMESTER OF ACTIVITY	TO WELL Protected Use AF/TRIMESTER	FROM1 WELL		FROM2 WELL		FROM3 WELL	
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SUM 2015	6	0	2	0	2	0	2
WIN 2015	6	0	2	0	2	0	2
SPR 2016	6	0	2	0	2	0	2
SUM 2016	6	0	2	0	2	0	2
WIN 2016	6	0	2	0	2	0	2
SPR 2017	6	0	2	0	2	0	2
SUM 2017	6	0	2	0	2	0	2
WIN 2017	6	0	2	0	2	0	2
SPR 2018	6	0	2	0	2	0	2
SUM 2018	6	0	2	0	2	0	2
WIN 2018	6	0	2	0	2	0	2
SPR 2019	6	0	2	0	2	0	2
SUM 2019	6	0	2	0	2	0	2
WIN 2019	6	0	2	0	2	0	2
SPR 2020	6	0	2	0	2	0	2
SUM 2020	6	0	2	0	2	0	2
WIN 2020	6	0	2	0	2	0	2
SPR 2021	6	0	2	0	2	0	2
SUM 2021	6	0	2	0	2	0	2
WIN 2021	6	0	2	0	2	0	2
SPR 2022	6	0	2	0	2	0	2
SUM 2022	6	0	2	0	2	0	2
WIN 2022	6	0	2	0	2	0	2
SPR 2023	6	0	2	0	2	0	2
SUM 2023	6	0	2	0	2	0	2
WIN 2023	6	0	2	0	2	0	2
SPR 2024	6	0	2	0	2	0	2
SUM 2024	6	0	2	0	2	0	2
WIN 2024	6	0	2	0	2	0	2
SPR 2025	6	0	2	0	2	0	2
SUM 2025	6	0	2	0	2	0	2
WIN 2025	6	0	2	0	2	0	2
SPR 2026	6	0	2	0	2	0	2
SUM 2026	6	0	2	0	2	0	2
WIN 2026	6	0	2	0	2	0	2
SPR 2027	6	0	2	0	2	0	2
SUM 2027	6	0	2	0	2	0	2
WIN 2027	6	0	2	0	2	0	2
SPR 2028	6	0	2	0	2	0	2
SUM 2028	6	0	2	0	2	0	2
WIN 2028	6	0	2	0	2	0	2

SPR 2029	6	0	2	0	2	0	2
SUM 2029	6	0	2	0	2	0	2
WIN 2029	6	0	2	0	2	0	2
SPR 2030	6	0	2	0	2	0	2
SUM 2030	6	0	2	0	2	0	2
WIN 2030	6	0	2	0	2	0	2
SPR 2031	6	0	2	0	2	0	2
SUM 2031	6	0	2	0	2	0	2
WIN 2031	6	0	2	0	2	0	2
SPR 2032	6	0	2	0	2	0	2
SUM 2032	6	0	2	0	2	0	2
WIN 2032	6	0	2	0	2	0	2
SPR 2033	6	0	2	0	2	0	2
SUM 2033	6	0	2	0	2	0	2
WIN 2033	6	0	2	0	2	0	2
SPR 2034	6	0	2	0	2	0	2
SUM 2034	6	0	2	0	2	0	2
WIN 2034	6	0	2	0	2	0	2
SPR 2035	6	0	2	0	2	0	2
SUM 2035	6	0	2	0	2	0	2
WIN 2035	6	0	2	0	2	0	2
SPR 2036	6	0	2	0	2	0	2
SUM 2036	6	0	2	0	2	0	2
WIN 2036	6	0	2	0	2	0	2
SPR 2037	6	0	2	0	2	0	2
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WIN 2037	6	0	2	0	2	0	2
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WIN 2039	6	0	2	0	2	0	2
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WIN 2040	6	0	2	0	2	0	2
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SUM 2041	6	0	2	0	2	0	2
WIN 2041	6	0	2	0	2	0	2
SPR 2042	6	0	2	0	2	0	2
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WIN 2163	6	0	2	0	2	0	2
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