

NO. 63-33702

[illegible]

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 63-33702

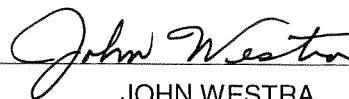
PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	04W	20					X	X											

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **December 01, 2012**.
2. Subject to all prior water rights.
3. This right does not grant any right-of-way or easement across the land of another.
4. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
7. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
8. Domestic and commercial uses are for a fertilizer plant facility.
9. Fire protection storage is a 30,000 gallon tank and 300,000 gallon lined pond with a total surface area of .20 acres.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 27th day of December, 2012.



JOHN WESTRA

Western Regional Manager



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

January 2, 2013

VALLEY AGRONOMICS LLC
PO BOX 365
RUPERT ID 83350

RE: Permit No.63-33702

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208)334-2190.

Sincerely,



For.

John Westra

Western Regional Manager

Enclosures

CERTIFICATE OF SERVICE

I hereby certify that on January 2, 2013 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

63-33702

**VALLEY AGRONOMICS LLC
PO BOX 365
RUPERT ID 83350**

A handwritten signature in black ink, reading "Rachel Sommer.", is written over a horizontal line.

**Rachel Sommer
Administrative Assistant I**

09/2010

Drilling Permit No.

Drilling Permit I.D. Tag No. D0064103

Water Right Permit No. 63-33702

Injection Permit No.

State of Idaho

Department of Water Resources

APPLICATION FOR DRILLING PERMIT

(FOR THE CONSTRUCTION OF A WELL)

1. Property Owner (please print): Valley Agronomics LLC.

2. Current Mailing Address: 20870 Van Slyke Rd.

City: Greenleaf State: Id. Zip Code: 83626 Telephone (208) 731-6108

3. Proposed Well Location: Twp. 4N, Rge. 4W, Sec. 20, 1/4 NW 1/4 NW 1/4

Gov't Lot No. County Canyon Lat. 43 40.512'N Long. 116 50.981'W

Street Address of Well Location Same City Greenleaf

Give at least name of road + Distance to Nearest Road or Landmark

Lot, block and subdivision

4. Proposed Use of Well: (Note: Any well drilled for a Public Water Supply requires prior DEQ approval.)

☐ DOMESTIC (42-111a): The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd.☐ DOMESTIC (42-111b): Any other use if the diversion rate does not exceed 0.04 cfs (18 gpm) and a diversion volume of 2500 gpd.

NON-DOMESTIC:

☐ Irrigation☐ Municipal☒ Industrial☐ Public Water Supply☒ Commercial☐ Other

(Describe)

☐ INJECTION☐ MONITORING: A well bore schematic and map is required. No. of proposed wells: _____

5. Well Construction Information:

A. ☒ New well ☐ Modify ☐ Deepening ☐ Replace Previous Well # _____

B. Proposed Casing Diameter 10" Proposed Maximum Depth 300'

C. Anticipated bottom hole temperature:

☒ 85°F or less☐ 85°F to 212°F☐ 212°F or more

(Cold Water Well)

(Low Temp. Geo. Well)

(Geothermal Well)

6. Construction Start Date: October 30, 2012

7. Drilling Company Name: Dennis Phipps Well Drilling Inc. Driller's Lic. No. 332

NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's Signature: [Signature] Date: October 30, 2012Title: Project Mgr.

Address (if different than owner): _____

City: _____ State: _____ Zip Code: _____ Telephone: _____

RECEIVED

OCT 31 2012

WATER RESOURCES
WESTERN REGION

APPROVED ACTS OF THE DEPARTMENT OF WATER RESOURCES

This Permit is _____ Date 12/6/12

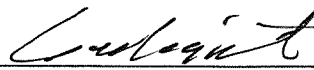
If approved, this permit authorizes the construction or modification of a well subject to the following conditions. **READ CAREFULLY!**

GENERAL CONDITIONS:

1. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one(1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare, which may be required before construction of the well. All wells must be drilled a minimum distance of 100 feet from a drain field. Domestic and Public Water Supply wells must be drilled a minimum of 50 feet and 100 feet respectively from a septic tank.
3. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit and the well ID tag at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state, or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho. If the well being drilled is associated with approved water right(s) use of the well must comply with conditions of said water right(s).
7. If the depth of this well exceeds 500 feet or the well is in an area known to have LTG water, bottom hole temperature must be measured and recorded on the Driller's Log, and reported on the Well Driller's Report.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller shall contact the Department immediately.
9. Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (DigLine is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "DigLine" Number for your area is 1-800-342-1585.
10. The stainless steel I. D. tag must be securely and permanently attached to the well casing by the Driller upon completion of the well, and prior to removing the drill rig from the drill site and must remain permanently attached above ground level for the life of the well. The well tag shall be attached by welding at least 3 sides or using four (4) stainless steel, closed-end pop rivets.
11. Any well being replaced by a new well shall be properly abandoned by the well driller prior to removing the drilling equipment, unless otherwise authorized by the department.

SPECIFIC CONDITIONS:


Signature of Authorized Department Representative


Title

Receipt No. _____ Received by _____ Fee _____ Date _____

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension expires: _____