

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 06 2012

Notice of Change in Water Right Ownership

WATER RESOURCES
WESTERN REGION

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
PD 61-7189	Yes ☐		Yes ☐		Yes ☐
PD 61-2248B	Yes ☐		Yes ☐		Yes ☐
PM ~~61-7724~~	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Idaho Fresh Pak Inc
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Idaho Fresh Pak LLC
Name of each new owner as listed on the conveyance document
c/o Leo Herbert
New owner continued Name connector ☐ and ☐ or ☐ and/or
357 Constitution Way
Mailing address
Idaho Falls ID 83402-3538
City State ZIP
208-754-8194
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: March 3, 2012

6. This form must be signed and submitted with the following **REQUIRED** items:

- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

7. Signature: Leo Herbert Corporate Environmental Mgr. 5/29/12
Signature of new owner/claimant Title, if applicable Date

Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by RS Date 5-9-12 Receipt No. W040159 Receipt Amt. 75-
Approved by _____ Processed by RS Date 6-27-12

DEK

RECEIVED
MAY 09 2012
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

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Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
PD 61-71579	Yes ☐		Yes ☐		Yes ☐
PD 61-2248B	Yes ☐		Yes ☐		Yes ☐
PM 61-7724	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Idaho Fresh Pak Inc
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Idahoan Foods, LLC
Name of each new owner as listed on the conveyance document
c/o Leo Herbert
New owner continued ☐ Name connector ☐ and ☐ or ☐ and/or
PO Box 130
Mailing address
Lewisville ID 83431-0130
City State ZIP
208-754-8194
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: April 2, 2012

6. This form must be signed and submitted with the following **REQUIRED** items:

- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

7. Signature: Leo Herbert Corporate Environmental Manager 5/3/12
Signature of new owner/claimant Title, if applicable Date
- Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by RS Date 5-9-12 Receipt No. W040159 Receipt Amt. 75-
Approved by _____ Processed by _____ Date _____

GRANT DEED

FOR VALUE RECEIVED, **United II Potato Growers of Idaho, Inc.**, an Idaho agricultural cooperative with its principal place of business located at 3720 Crestwood Lane, Idaho Falls, ID 83404, hereinafter called "Grantor"; does hereby grant and convey, to **Idaho Fresh-Pak, LLC**, an Idaho limited liability company with its principal place of business located at 3720 Crestwood Lane, Idaho Falls, ID 83404, hereinafter called "Grantee".

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, and by these presents does grant and confirm unto the Grantees, and to Grantees' successors and assigns forever, in and to following described property located in Elmore County, State of Idaho, to-wit:

See Attached Exhibit "A"

Together with all water and water rights appurtenant thereto.

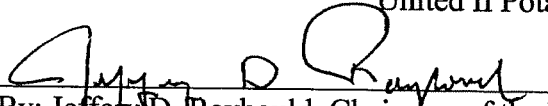
TOGETHER WITH any improvements and appurtenances thereto; rents, issues and profits thereof; and reversions and remainders.

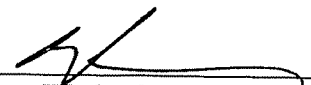
TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any remainders, and rents, issues and profits therefrom; and all estate, right, title and interest in and to said property, as well in law as in equity, of the Grantors.

~~TO HAVE AND TO HOLD, the premises and the appurtenances unto the Grantee, and to~~
Grantees' successors and assigns forever.

DATED This 30th day of March, 2012.

"United II Potato Growers of Idaho, Inc."

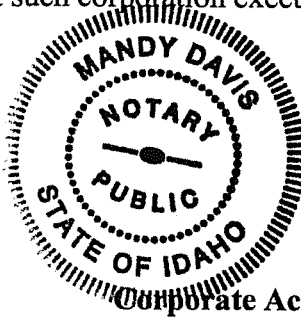

By: Jeffery D. Raybould, Chairman of the Board


By: Bryan Wada, Secretary

Corporate Acknowledgment

STATE OF IDAHO)
 ss.
County of Madison.)

On this 30th day of March, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared **Jeffery D. Raybould**, known to me to be the President of United II Potato Growers of Idaho, the corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

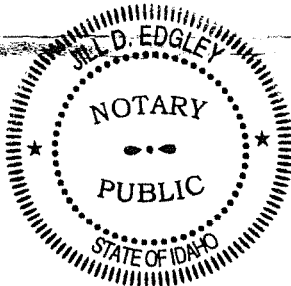


Mandy Davis
Notary Public for Idaho
Residing at: St. Anthony
My Commission expires: 6/24/17

Corporate Acknowledgment

STATE OF IDAHO)
 ss.
County of Bonneville

On this 30 day of March, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared **Bryan Wada**, known to me to be the Secretary of United II Potato Growers of Idaho, the corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.



Jill D. Edgley
Notary Public for Idaho
Residing at: _____
My Commission expires: _____

MY COMMISSION EXPIRES
MARCH 8TH 2016

EXHIBIT "A"

PARCEL 1:

ALL OF BLOCKS 28, 29 AND 30 OF GLENNS FERRY ORIGINAL TOWNSITE, ELMORE COUNTY, IDAHO, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF ELMORE COUNTY, IDAHO.

ALL OF BLOCK 21, ELMORE ADDITION TO GLENNS FERRY, ELMORE COUNTY, IDAHO AND A PORTION OF LOTS 1 AND 2 IN BLOCK 20 OF ELMORE ADDITION TO GLENNS FERRY, ELMORE COUNTY, IDAHO, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF ELMORE COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF BLOCK 28, (LOCATED IN THE SOUTH HALF OF SECTION 29, TOWNSHIP 5 SOUTH, RANGE 10 EAST, BOISE MERIDIAN) ALSO BEING OF THE ORIGINAL TOWNSITE OF THE CITY OF GLENNS FERRY, COUNTY OF ELMORE, STATE OF IDAHO, WHICH SHALL BE THE TRUE POINT OF BEGINNING; THENCE SOUTH 71°59' WEST ALONG THE NORTHERLY BOUNDARY OF HARRISON AVENUE FOR 870.0 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF ALTURAS STREET; THENCE NORTH 18°01' WEST ALONG SAID EASTERLY RIGHT-OF-WAY OF ALTURAS STREET FOR 88.92 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF RAILROAD STREET; THENCE NORTH 57°25' EAST FOR 92.27 FEET ALONG SAID RIGHT-OF-WAY TO A POINT; THENCE NORTH 18°01' WEST FOR 114.34 FEET TO A POINT; THENCE NORTH 61°57' EAST FOR 617.43 FEET TO A POINT; THENCE NORTH 72°02' EAST 882.88 FEET TO A POINT; THENCE SOUTH 18°01' EAST FOR 253.36 FEET TO A POINT; THENCE NORTH 71°59' EAST FOR 320.0 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF BLAINE STREET; THENCE SOUTH 18°01' EAST ALONG SAID EASTERLY RIGHT-OF-WAY OF BLAINE STREET FOR 110.0 FEET TO A POINT; THENCE SOUTH 71°59' WEST FOR 660.0 FEET TO THE SOUTHWEST CORNER OF LOT 2 OF BLOCK 20; THENCE NORTH 18°01' WEST FOR 30.0 FEET TO A POINT; THENCE SOUTH 71°59' WEST ALONG THE NORTHERLY BOUNDARY OF HARRISON AVENUE FOR 370.0 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH ALL PORTIONS OF VACATED HARRISON AVENUE ADJACENT TO SAID PARCEL 1.

PARCEL 2:

LOTS 3 AND 4 IN BLOCK 20 OF ELMORE ADDITION TO GLENNS FERRY, ELMORE COUNTY, IDAHO, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF ELMORE COUNTY, IDAHO.

PARCEL 3:

ALL OF LOT 1 AND A PORTION OF LOT 2 IN BLOCK 46 OF SOUTH ADDITION TO GLENNS FERRY, ELMORE COUNTY, IDAHO, ACCORDING TO THE OFFICIAL PLAT THEREOF NOW ON RECORD IN THE OFFICE OF THE COUNTY RECORDER OF ELMORE COUNTY, IDAHO.

PARCEL 4:

A PARCEL OF LAND SITUATE IN THE SE1/4 OF SECTION 29, TOWNSHIP 5 SOUTH, RANGE 10 EAST, BOISE MERIDIAN, GLENNS FERRY, ELMORE COUNTY, IDAHO BEING A PORTION OF LOT 1 OF BLOCK 20 OF THE ELMORE ADDITION TO GLENNS FERRY MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A ½" REBAR MARKING THE SOUTHWEST CORNER OF LOT 2 OF BLOCK 20 OF THE ELMORE ADDITION TO GLENNS FERRY AND RUNNING THENCE ALONG THE SOUTHEAST LINES OF SAID LOT 2, AND OF LOT 1 OF SAID BLOCK 20, AND ALONG THE NORTHEASTERLY EXTENSION THEREOF NORTH 71°42'47" EAST 660.05 FEET TO THE SOUTHWEST CORNER OF LOT 2 OF BLOCK 19 OF SAID ELMORE ADDITION TO GLENNS FERRY; THENCE ALONG THE EASTERN LINE OF VACATED BLAINE STREET NORTH 18°18'19" WEST 110.11 FEET TO A ½" REBAR MARKING THE INTERSECTION THEREOF WITH THE NORTH LINE OF THAT REAL PROPERTY DESCRIBED IN THE AFORESAID DEED RECORDED AS INSTRUMENT NO. 158927; THENCE ALONG SAID NORTH LINE SOUTH 71°42'47" WEST 180.34 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID NORTH LINE SOUTH 71°42'47" WEST 140.00 FEET TO A PK NAIL SET IN CONCRETE MARKING THE INTERSECTION THEREOF WITH THE EASTERN LINE OF SAID REAL PROPERTY DESCRIBED IN INSTRUMENT NO. 158927;

THENCE ALONG SAID EASTERN LINE NORTH 18°18'19" WEST 253.31 FEET TO A 1/2" REBAR MARKING THE NORTHERN TERMINUS OF SAID EAST LINE, BEING ALSO THE SOUTHERN TERMINUS OF THE EASTERN LINE OF THAT REAL PROPERTY DESCRIBED IN THE QUITCLAIM DEED (C.D. NO. 52639-3) FROM UNION PACIFIC RAILROAD COMPANY TO MAGIC WEST, INC., RECORDED JULY 12, 1974 AS INSTRUMENT NO. 158924, ELMORE COUNTY RECORDS;

THENCE ALONG LAST SAID EASTERN LINE NORTH 18°18'19" WEST 3.50 FEET TO THE INTERSECTION THEREOF WITH THE NORTHERN LINE OF SAID LOT 1 OF BLOCK 20 OF THE ELMORE ADDITION TO GLENNS FERRY, BEING ALSO THE SOUTHERN LINE OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY;

THENCE ALONG LAST SAID SOUTHERN LINE NORTH 71°41'30" EAST 140.00 FEET;

THENCE LEAVING SAID SOUTHERN LINE SOUTH 18°18'19" EAST 256.86 FEET TO THE TRUE POINT OF BEGINNING.

THIS DOCUMENT IS RE-RECORDED TO CORRECT THE LEGAL DESCRIPTION - Exhibit A

AFTER RECORDING, MAIL TO:

Randon W. Wilson, Esq.
JONES WALDO HOLBROOK &
McDONOUGH PC
170 South Main Street, Suite 1500
Salt Lake City, Utah 84101

Instrument # 415368
ELMORE COUNTY

1:13:52 pm Jul 12, 2010
For: JONES WALDO HOLBROOK & MCD
No. of Pages: 3 Fee: \$ 16.00
MARSA PLUMMER Recorder
DELLIS Deputy

Space above for Recorder's Use

WARRANTY DEED

IDAHO FRESH-PAK, INC., a corporation organized and existing under the laws of the State of Idaho, with its principal office at 529 North 3500 East, Lewisville, Idaho 83431, Grantor, hereby CONVEYS, GRANTS and WARRANTS to UNITED II POTATO GROWERS OF IDAHO, INC., an Idaho agricultural cooperative, Grantee, whose current address is 3720 Crestwood Lane, Idaho Falls, ID 83404, the following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee and its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT: Subject to all existing leases, management agreements, deeds of trust and mortgages appearing of record, patent reservations, easements, rights of way, protective covenants, zoning ordinances, applicable building codes, laws and regulations, and general taxes and assessments for the current year, which are not due and payable; and that it will warrant and defend the same from all lawful claims whatsoever.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the Grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the Grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 8 day of JUNE, 2010.

RE-RECORDED

Instrument # 418285 # Pages: 5
ELMORE COUNTY, Idaho
Dec 10, 2010 11:58:14 am Fee: \$ 22.00
For: ALLIANCE TITLE & ESCROW- MH
MARSA PLUMMER Recorder
DELLIS, Deputy

IDAHO FRESH-PAK, INC., an Idaho corporation

By: William Schow
Name: William Schow
Its Chief Executive Officer

STATE OF Idaho)
COUNTY OF Bannock) : ss

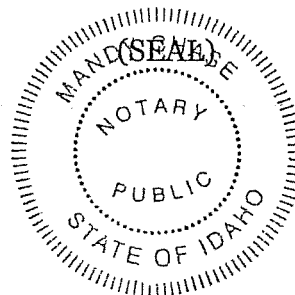
On this 8th day of June, 2010, before me, the undersigned, a Notary Public, in and for said State, personally appeared William Schow, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person who subscribed to the within instrument, who duly acknowledged to me that, as of the Effective Date, he is the President of Idaho Fresh-Pak, Inc., and acknowledged to me that he executed the same in his capacity as President and on behalf of said corporation by authority.

WITNESS MY HAND AND OFFICIAL SEAL.

Mandy Chase
Notary Public

Residing at Porter 110

Commission Expires: 5.8.2012



The Grantor has caused its corporate name to be hereunto affixed by its duly authorized officer this 25 day of November, 2010, intending that this document be re-recorded in order to correct the legal description of the conveyed premises.

IDAHO FRESH-PAK, INC., an Idaho corporation

By: William Schow
Name: William Schow
Its Chief Executive Officer

STATE OF IDAHO)
COUNTY OF Minidoka) : ss

On this 26th day of November, 2010, before me, the undersigned, a Notary Public, in and for said State, personally appeared William Schow, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person who subscribed to the within instrument, who duly acknowledged to me that, as of the Effective Date, he is the Chief Executive Officer of Idaho Fresh-Pak, Inc., and acknowledged to me that he executed the same in his capacity as President and on behalf of said corporation by authority.

WITNESS MY HAND AND OFFICIAL SEAL.

Ron G. Clawson
Notary Public
Residing at Presidingt Report
Commission Expires: 6-24-2010

(SEAL)



**CORRECTED LEGAL DESCRIPTION
EXHIBIT "A"**

PARCEL 1:

ALL OF BLOCKS 28, 29 AND 30 OF GLENNS FERRY ORIGINAL TOWNSITE, ELMORE COUNTY, IDAHO, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF ELMORE COUNTY, IDAHO.

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