

# Name Change Only

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FEB 02 2009

DEPARTMENT OF  
WATER RESOURCES

## STATE OF IDAHO DEPARTMENT OF WATER RESOURCES NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

*Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.*

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

| Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split(s) | Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split(s) |
|----------------------|-----------------------------|----------|----------------------|-----------------------------|----------|
| 22-2204              |                             |          | 27-4019              |                             |          |
| 22-7391              |                             |          | 27-7411              |                             |          |
| 22-7737              |                             |          | 35-2755              |                             |          |
| 22-10008             |                             |          | 35-2823              |                             |          |
| 22-11443             |                             |          | 35-7360              |                             |          |
| 22-13806             |                             |          | 35-9056              |                             |          |
| 22-13807             |                             |          | 35-11088             |                             |          |
| 27-2116              |                             |          | 35-11398             |                             |          |
|                      |                             |          |                      |                             |          |
|                      |                             |          |                      |                             |          |

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Basic American Foods

[Please see attached chart]

4. New Owner/Claimant(s)

Basic American, Inc.

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

600 Montgomery Street, 28th Floor

City, State and ZIP Code

San Francisco, CA 94111

New Telephone Number

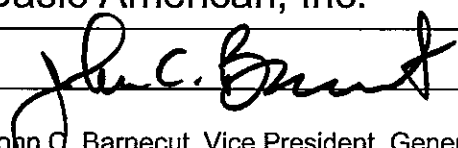
( ) (415) 705-5100 Email: jbarnecut@baf.com

5. Date you acquired the property \_\_\_\_\_

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right will not be split, skip this area and proceed to line 7) |                                                                            |                                                              |
|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Use                                                                                                            | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s) Basic American, Inc.  
  
 (title if applicable)  
 (title if applicable)  
 John C. Barnecut, Vice President, General Counsel and Secretary

**IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.**

**For IDWR Office Use Only:**

Received by SFP Date 2-2-09  
 Received by \_\_\_\_\_ Date 2-4-09  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_

Receipt Amt. 25.00  
 Receipt No. CD87984  
 WR \_\_\_\_\_ Date \_\_\_\_\_

# Basic American, Inc. Water Rights of record Jan. 2009

| WR #                   | Status                                    | Name                                       | Address                                                   | Notes                                                                    |
|------------------------|-------------------------------------------|--------------------------------------------|-----------------------------------------------------------|--------------------------------------------------------------------------|
| <b>Rexburg Plant</b>   |                                           |                                            |                                                           |                                                                          |
| 22-2204                | SRBA Partial Decree<br>June 12, 2008      | Basic American Foods<br>American Potato Co | 40 E 7 <sup>th</sup> N<br>Rexburg, ID 83440               |                                                                          |
| 22-7391                | SRBA Partial Decree<br>June 12, 2008      | Basic American Foods<br>American Potato Co | 40 E 7 <sup>th</sup> N<br>Rexburg, ID 83440               |                                                                          |
| 22-7737                | Application at IDWR<br>June 5, 1992       | Basic American Foods                       | 40 E 7 <sup>th</sup> N<br>Rexburg, ID 83440               | Drought well originally permitted as 22-7237<br>(1977), but then lapsed. |
| 22-10008               | SRBA Partial Decree<br>May 14, 2008       | Basic American Foods<br>American Potato Co | 40 E 7 <sup>th</sup> N<br>Rexburg, ID 83440               |                                                                          |
| 22-11443               | SRBA Partial Decree<br>August 18, 1999    | Basic American Foods                       | 245 W 1000 N<br>Rexburg, ID 83440                         |                                                                          |
| 22-13806               | SRBA Partial Decree<br>May 14, 2008       | Basic American Foods<br>American Potato Co | 40 E 7 <sup>th</sup> N<br>Rexburg, ID 83440               | Split of disallowed 22-4063                                              |
| 22-13807               | SRBA Partial Decree<br>May 14, 2008       | Basic American Foods<br>American Potato Co | 40 E 5 <sup>th</sup> N<br>Rexburg, ID 83440               | Split of disallowed 22-4063                                              |
| <b>Shelley Plant</b>   |                                           |                                            |                                                           |                                                                          |
| 27-2116                | SRBA Partial Decree<br>September 29, 2008 | Basic American Foods                       | 434 S Emerson MS CP 91<br>Shelley, ID 83274               |                                                                          |
| 27-4019                | SRBA Partial Decree<br>September 29, 2008 | Basic American Foods                       | 434 S Emerson MS CP 91<br>Shelley, ID 83274               |                                                                          |
| 27-7411                | SRBA Partial Decree<br>May 14, 2008       | Basic American Foods                       | 434 S Emerson MS CP 91<br>Shelley, ID 83274               |                                                                          |
| 27-11243               | SRBA Partial Decree<br>April 23, 1999     | <b>The Pillsbury Company Inc.</b>          | 434 S Emerson St<br>Shelley, ID 83274                     | Change of ownership is being filed<br>separately.                        |
| <b>Blackfoot Plant</b> |                                           |                                            |                                                           |                                                                          |
| 35-2755                | SRBA Partial Decree<br>January 31, 2002   | Basic American Foods                       | PO Box 592<br>Blackfoot, ID 83221                         |                                                                          |
| 35-2823                | SRBA Partial Decree<br>January 31, 2002   | Basic American Foods                       | PO Box 592<br>Blackfoot, ID 83221                         |                                                                          |
| 35-7360                | SRBA Partial Decree<br>January 31, 2002   | Basic American Foods                       | C/O Tom Owings<br>415 W Collins Rd<br>Blackfoot, ID 83221 |                                                                          |
| 35-9056                | Application at IDWR<br>May 8, 1996        | Basic American Foods                       | C/O Tom Owings<br>415 W Collins Rd<br>Blackfoot, ID 83221 |                                                                          |
| 35-11088               | SRBA Partial Decree<br>November 28, 1997  | Basic American Foods Inc.                  | C/O Tom Owings<br>415 W Collins Rd<br>Blackfoot, ID 83221 |                                                                          |
| 35-11398               | SRBA Partial Decree<br>November 28, 1997  | Basic American Foods                       | PO Box 592<br>Blackfoot, ID 83221                         |                                                                          |



**Department of State.**

**AMENDED CERTIFICATE OF AUTHORITY  
OF**

**BASIC AMERICAN FOODS, INC.**

I, PETE T. CENARRUSA, Secretary of State of the State of Idaho, hereby certify that duplicate originals of an Application of BASIC AMERICAN, INC.

\_\_\_\_\_ for an Amended Certificate of Authority to transact business in this State, duly signed and verified pursuant to the provisions of the Idaho Business Corporation Act, have been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Amended Certificate of Authority to BASIC AMERICAN, INC.

\_\_\_\_\_ to transact business in this State under the name \_\_\_\_\_  
BASIC AMERICAN, INC. and attach hereto a duplicate  
original of the Application for such Amended Certificate.

Dated August 27, 19 90



*Robert C. Anderson*  
SECRETARY OF STATE

Corporation Clerk

APPLICATION FOR AMENDED CERTIFICATE  
OF AUTHORITY

To the Secretary of State of the State of Idaho:

Pursuant to Section 30-1-118, Idaho Code, the undersigned corporation hereby applies for an amended certificate of authority to transact business in the State of Idaho and for that purpose submits the following statement.

1. A Certificate of Authority was issued to the corporation by your office on 30 AUG 27 AM 9 March 9.

19 87, authorizing it to transact business in the State of Idaho under the name of \_\_\_\_\_

BASIC AMERICAN FOODS, INC.

2. Its corporate name has been changed to BASIC AMERICAN, INC.

(Note: If the corporation name has not been changed, insert "No change.")

3. The name which it shall use hereafter in the State of Idaho is \_\_\_\_\_

BASIC AMERICAN, INC.

Note: If the corporate name has been changed and the new name of the corporation does not contain the word "corporation," "company," "incorporated," or "limited," or any abbreviation of one of such words, insert the name of the corporation with the word or abbreviation which it elects to add thereto for use in Idaho. If a professional service corporation, add the appropriate word in place of those listed above.)

4. It desires to pursue in the transaction of business in the State of Idaho purposes other than or in addition to those set forth in its prior application for certificate of authority, as follows:

No change

(Note: If no additional purposes are proposed, insert "No change.")

Dated July 30, 19 90

By D.A. Britt  
D.A. Britt  
Its Vice President

And John C. Barnecut  
John C. Barnecut  
Its XX Secretary

STATE OF California,  
COUNTY OF San Francisco, ss:

I, Christine M. Staw, a notary public, do hereby certify that on this  
30th day of July, 19 90, personally appeared

(continued on reverse)

before me D. A. Britt, who being by me first duly sworn,  
declared that he is the Vice President of Basic American, Inc.

that he signed the foregoing document as Vice President of the corporation and  
that the statements therein contained are true.

Christine M. Shaw

Notary Public

