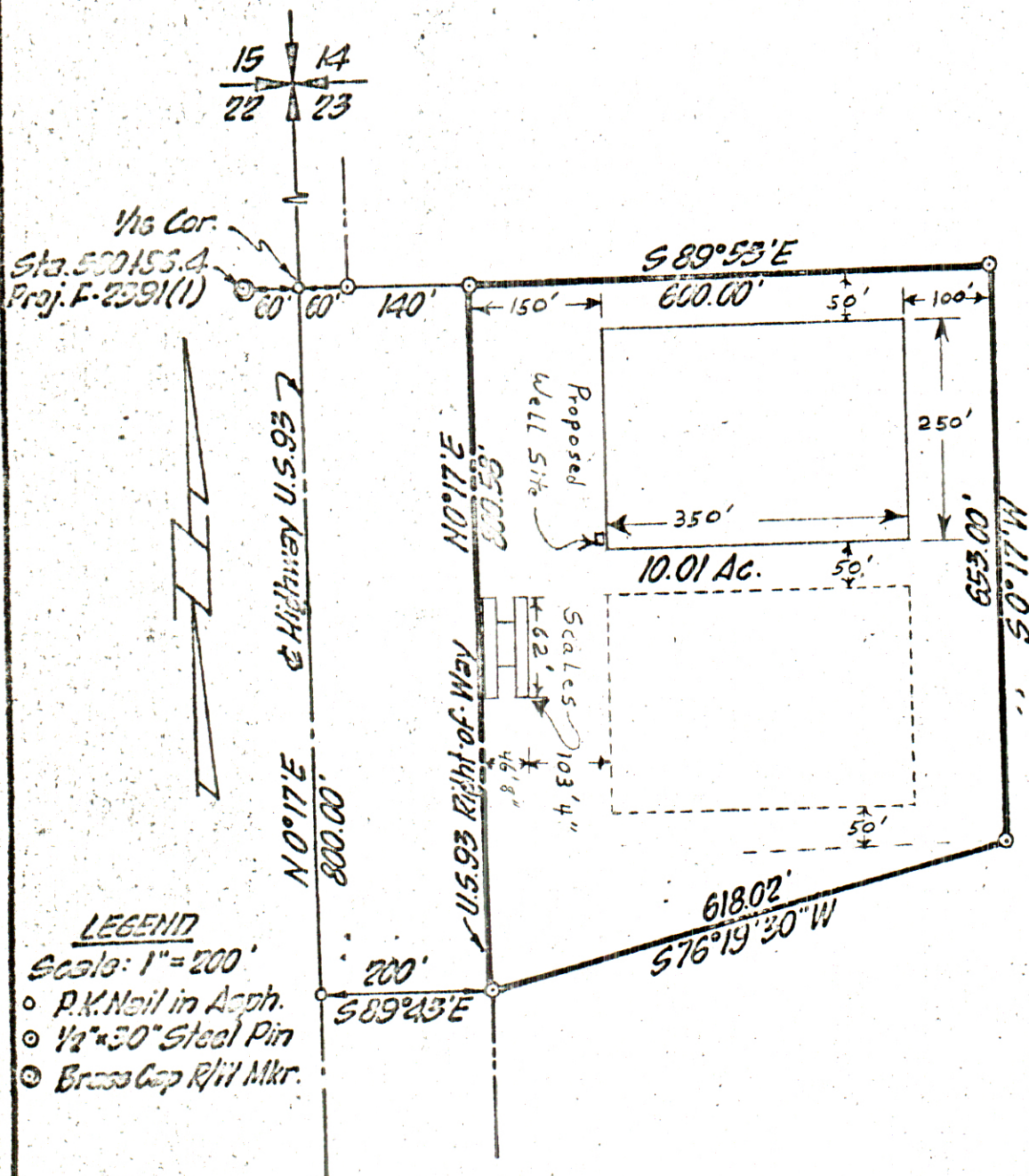


11. Map of proposed project:

Located in SW¹4NW⁴ Sec. 23, T.8S., R.17E., B.M.
Jerome County, Idaho
April 7, 1973



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

SIMPLOT INDUSTRIES, INC.

By: [Signature]
(Applicant) Its Vice President

AFFIDAVIT OF PUBLICATION

RECEIVED

JUN 4 1973

Department of Water Administration
Southern District Office

State of Idaho, }
County of Jerome } SS.

Alan P. Beecher

, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for two consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 17 day of May

1973, and the date of the last publication was on the 24

day of May, 1973

Alan P. Beecher

Subscribed and sworn to before me this 1st

day of June, 1973

(SEAL)

Darla Bratt

NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Lines in Notice 2

Number of Insertions 2

Lines tabular at 315c

34 Lines straight at 21c 7.14

34 Subsequent lines at 15c 5.10

TOTAL COST 12.24

COPY OF NOTICE

(Paste Here)

Notice of Application
TITLE OF NOTICE

36-7333

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. Water Administration
BILL TO

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Simplot Industries, Inc., Box 2777, Boise, ID has on April 27, 1973 submitted Application No. 36-7333 for a permit to appropriate .11 cubic feet per second of water from a groundwater source by means of well, pump, and pipeline within the SW¹/₄NW¹/₄, Sec. 23, T. 8S, R. 17E, B.M., Jerome County to be used from Jan. 1 to Dec. 31 for industrial purposes within the SW¹/₄NW¹/₄, Sec. 23, T. 8S, R. 17E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301 on or before May 29, 1973.

R. KEITH HIGGINSON
Director

5-17-21c

7 pt. per line, tabular 315c
7 pt. per line, successive
insertions 15c

N^o 2097

36 7333

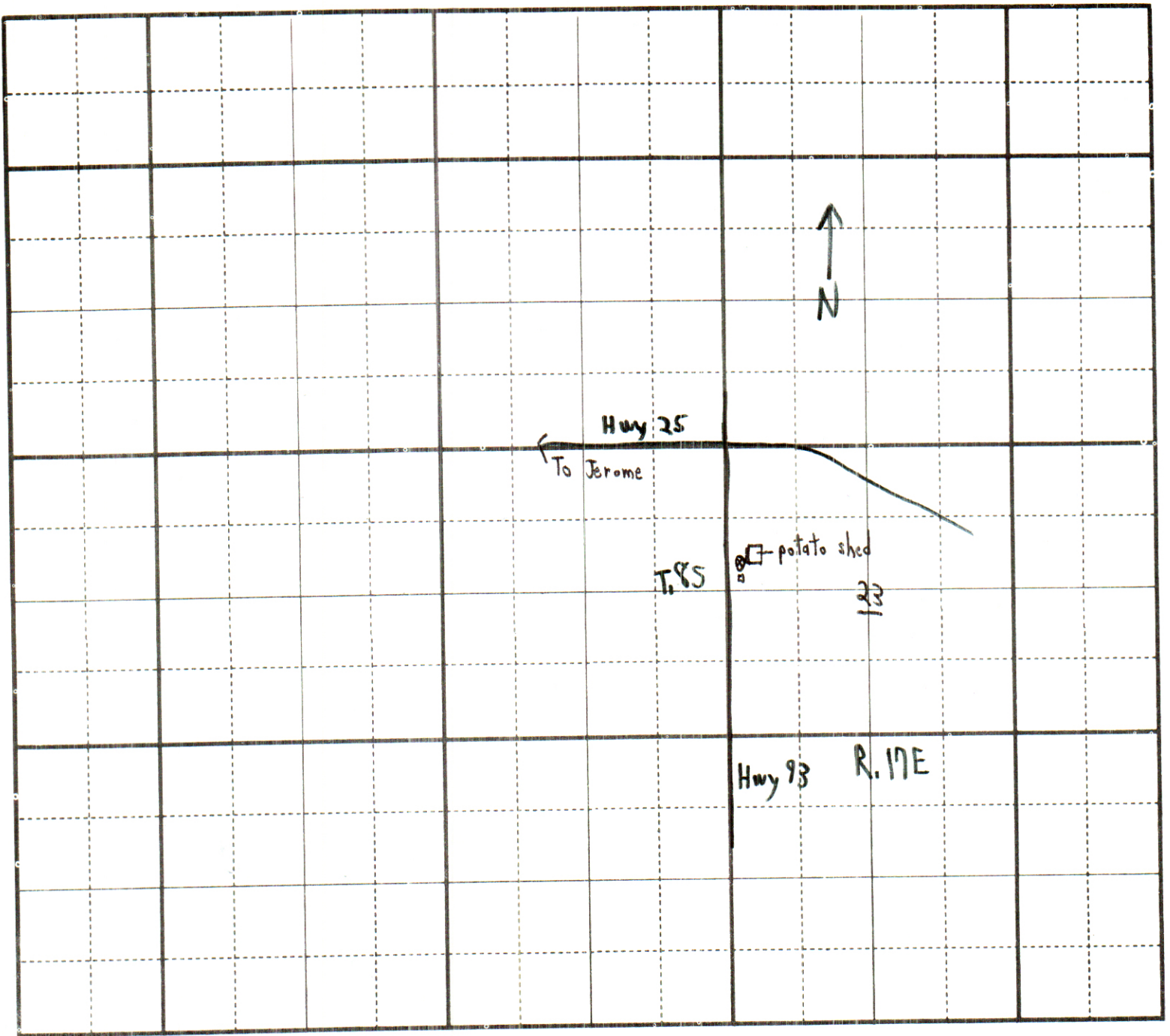


Diagram of System

OK also 5-7-73

jerome legal
(pull galley proof)

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Simplot Industries, Inc., Box 2777, Boise, ID has on April 27, 1973 submitted Application No. 36-7333 for a permit to appropriate .11 cubic feet per second of water from a groundwater source by means of well, pump, and pipeline within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T. 8S, R. 17E, B.M., Jerome County to be used from Jan. 1 to Dec. 31 for industrial purposes within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T. 8S, R. 17E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301 on or before May 29, 1973.

R. KEITH HIGGINSON
Director

5-10-2tc

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-7333 Priority April 27, 1973 Amount 0.04 cfs

THIS IS TO CERTIFY, that Simplot Industries, Inc.
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 36-7333 issued pursuant to Application for Permit dated April 27, 1973,
and has submitted proof to the Department of Water Resources on May 3, 1978,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.04 cfs of water from Groundwater,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Industrial	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>26.6</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
26.6 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, Twp. 8S,
Rge. 17E, B.M. in the County of Jerome

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
8S	17E	23						X											

Total number of acres irrigated _____

Remarks:

Industrial use for potato storage.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 21 day of
August, 19 79

Director

Identification No. _____

Application No. 36-7333

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Simplot Industries, Inc.
post office address Box 2777 Boise, Idaho 83707
2. Source of water supply Subterranean which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23 Township 8 S
Range 17 E B.M. Jerome County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into ground at a point in SW $\frac{1}{4}$
of NW $\frac{1}{4}$ of Section 23 Township 8 S Range 17 E B.M. _____
4. Water will be used for the following purposes:
Amount .11 for industrial purpose from January 1 to December 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. .11 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well, 500 feet deep, 6 inches
in diameter with 3 HP submerged pump. Two inch pipe running
100 feet from well to storage building and 200 feet to scale
house.
b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 6" inches; proposed depth of well is 500 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 15 years. 24
b. Estimated construction cost is \$ 5,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23 Township 8 S
Range 17 E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: Used for humidification of
controlled atmosphere potato storage and for drinking water.

36 7322

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes _____

9. a. Who owns the property at the point of diversion SIMPLOT INDUSTRIES, INC.

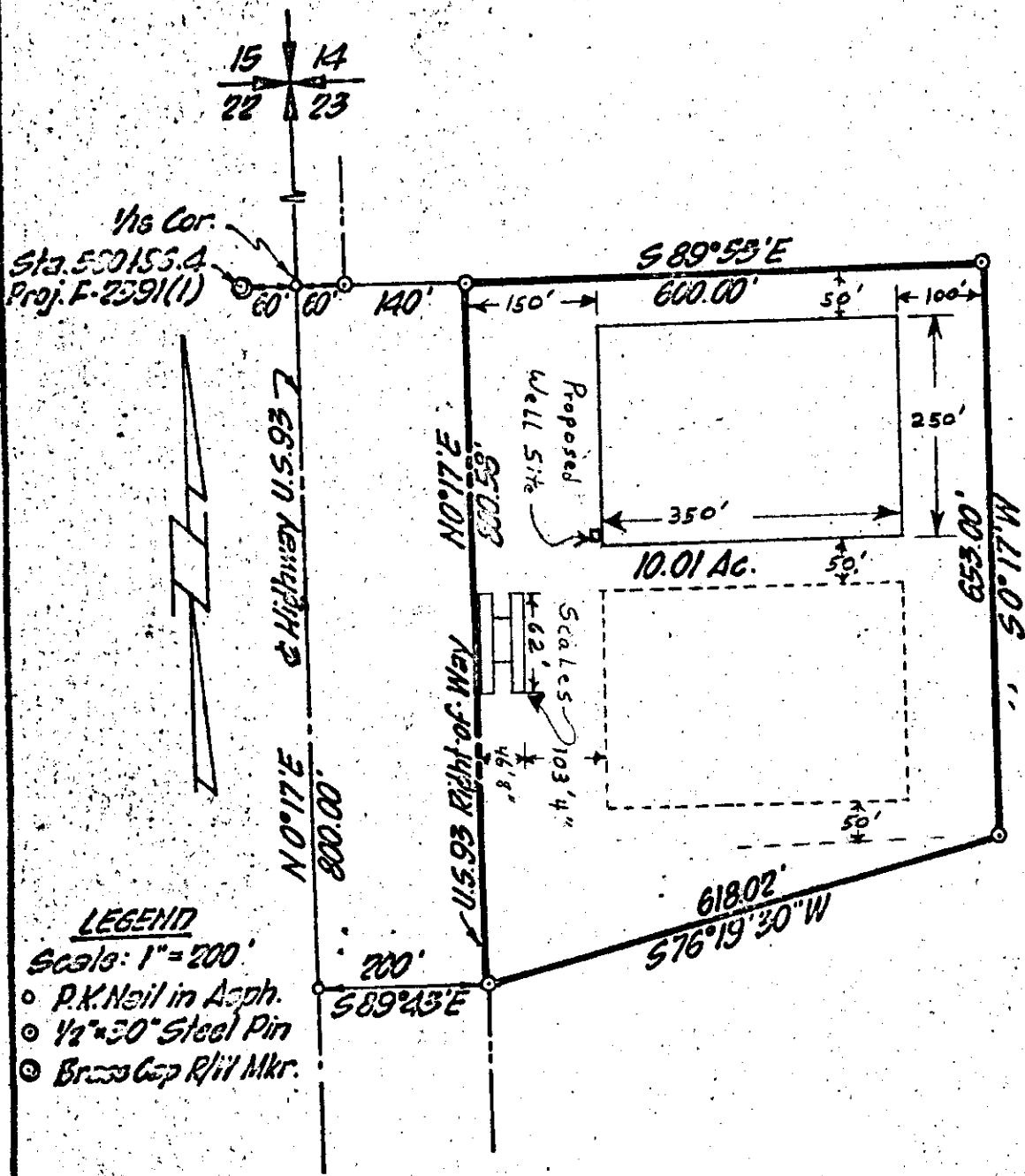
b. Who owns the land to be irrigated or place of use SIMPLOT INDUSTRIES, INC.

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

11. Map of proposed project:

Located in SW1/4 NW1/4 Sec. 23, T.8S., R.17E., B.M.
Jerome County, Idaho
April 7, 1973



LEGEND
Scale: 1" = 200'
○ P.K. Nail in Apph.
○ 1/2" x 30" Steel Pin
● Brass Cap Rivet Mkr.

Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

SIMPLOT INDUSTRIES, INC.

By: [Signature]
(Applicant) Its Vice President

Received by ej Date 4/27/73 Time 9:00 APreliminary check by CS Fee \$ 10.00Received by ej Date 4-27-73Publication prepared by alw Date 5-3-73Published in North Side News, Jerome, IDPublication dates 5-10 & 5-17-73Publication approved jmm Date 6-4-73Priority ~~reduced to~~ 4-27-73 Reason _____

Protests filed by: _____

Copies of protests forwarded by: _____

Hearing held by: _____ Date _____

Recommended for (approval) denial by de BDF

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 36-7333, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 78.

c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 11th day of June 1973.

L. Keith Higgins
Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>KDF</u>	<u>4-30-73</u>	Application No. <u>36-7333</u> Name <u>Simplex Industries Inc</u>
(2)	<u>KDF</u>	<u>4-30-73</u>	Check: ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use or Acres Irrigated ☒ Map ☒ Signature ☒ Fee
(3)			Send copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)			☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M. ☐ Request Information from Applicant
(5)	<u>KDF</u>	<u>4-30-73</u>	In form for advertising
(6)	<u>jmm</u>	<u>6-4-73</u>	Affidavit of Publication received <u>Mo</u>
(7)			Final date for protests <u>May 29, 1973</u> Protests received: yes ☐ no ☒
(8)			Date and Place of hearing Decision reached at hearing
(9)			Located within Water District No.
(10)	<u>mls</u>	<u>6-4-73</u>	Critical groundwater area: yes ☐ no ☒
(11)	<u>mls</u>	<u>6-4-73</u>	Groundwater levels: ☐ Decline (comment) ☒ Stable (comment) ☐ Increasing (comment)
(12)			All requested information received from agencies or applicant yes ☐ no ☐
(13)			Comments:
(14)	<u>mls</u>	<u>6-4-73</u>	Action recommended: ☒ Approve Priority ☐ Deny Reason for Reduction <u>mls</u> <u>6-4-73</u> See attached sheet for conditions of approval ☐ No conditions for approval
(15)			District <u>Southern</u> By <u>Michael Stule</u> Date <u>6-4-73</u> Title <u>Res Director</u>

36 7333

JUN 6 1973

Department of Water Administration

RECOMMENDED

CONDITIONS OF APPROVAL

- ☒ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.
- ☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.
- ☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.
- ☐ Maximum rate of diversion shall not exceed _____ c.f.s.
- ☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.
- ☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.
- ☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.
- ☐ The proposed well shall not be drilled within _____ feet of another well.
- ☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.
- ☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.
- ☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.
- ☐ Other: _____

AFFIDAVIT OF PUBLICATION

State of Idaho, }
County of Jerome } SS.

Alan P. Wheeler, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for Two consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 17 day of May, 1973, and the date of the last publication was on the 24 day of May, 1973

Subscribed and sworn to before me this 1st day of June, 1973
(SEAL)

Darla Bratt
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Lines in Notice
Number of Insertions 2
Lines tabular at 315c
34 Lines straight at 21c 7.14
34 Subsequent lines at 15c 5.10
TOTAL COST 12.24

COPY OF NOTICE

(Paste Here)

Notice of Application
TITLE & NOTICE 36-7333

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. Water Administration
BILL TO

NOTICE FOR WATER PERMIT

Notice is hereby given that Simplot Industries, Inc., Box 2777, Boise, ID has on April 27, 1973 submitted Application No. 36-7333 for a permit to appropriate 1.4 cubic feet per second of water from a groundwater source by means of well, pump, and pipeline within the SW 1/4 NW 1/4, Sec. 23, T. 8S, R. 17E, B.M., Jerome County to be used from Jan. 1 to Dec. 31 for industrial purposes within the SW 1/4 NW 1/4, Sec. 23, T. 8S, R. 17E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301 on or before May 29, 1973.

R. KEITH HIGGINSON
Director

TOTAL 5-17-73c
7 pt. per line, tabular 315c
7 pt. per line, successive insertions 15c

Nº 2097

36 7333



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

November 25, 1985

RE: Water Rights in the name of "Simplot Industries, Inc."

J. R. Simplot Company
P.O. Box 27
Boise, ID 83707

Gentlemen:

Please be advised that we are in receipt of the Certificate of Ownership and Merger, merging Simplot Industries, Inc. into J. R. Simplot Company. We have corrected our water right records to show this merger on the below listed water rights.

01-4058	43-4194	65-11119	65-6638	29-7036	43-2575
01-7082	43-4196	65-11120	65-6639	33-7007	43-7056
33-2125	43-4197	65-11121	65-6640	33-7053	43-7068
35-4189	43-4198	65-11122	65-6641	33-7061	45-2746
36-4179	43-4201	65-11123	65-7376	35-8114	51-2160
36-4180	43-7145	65-11124	65-0786	<u>36-7333</u>	61-7067
36-4181	45-4167	65-11125	02-7040	37-0465	63-5273
36-4182	63-9335	65-2477	02-7396	37-0692	63-5274
36-8153	65-10426	65-6063	22-7423	43-2519	63-5286
36-8154	65-10428	65-6637	29-4088	43-2569	63-5297
02-0006	02-0015	02-0076	02-2053	02-2118	02-2139
02-2166	02-2220	02-2221	02-2222	02-2409	
33-2119	65-2805				

We have placed a copy of the merger in all of the files above. If you have any questions regarding this matter, please feel free to contact our office.

Sincerely,

KAY WALKER
Technical Records Specialist

KW:k

MICROFILMED

FILED
IN THE OFFICE OF THE
SECRETARY OF STATE OF
STATE OF NEVADA

CERTIFICATE OF OWNERSHIP AND MERGER
INCLUDING ARTICLES OF MERGER

RECEIVED
AUG 1 1985

Department of Water Resources

FEB 27 1985

Merging

SIMPLOT INDUSTRIES, INC.

into

J. R. SIMPLOT COMPANY

36-7333

(Pursuant to Section 78.486 of the Nevada Revised Statutes
and 16-10-70 of the Utah Business Corporation Act.)

J. R. SIMPLOT COMPANY, a corporation organized and
existing under the laws of Nevada, the parent corporation, does
hereby certify:

FIRST: That this corporation was incorporated on the
28th day of June, 1955, pursuant to the laws of the State of
Nevada.

SECOND: The number of outstanding shares of each
class of SIMPLOT INDUSTRIES, INC., a Utah corporation, and the
number of shares of each class owned by J. R. SIMPLOT COMPANY
are as follows:

<u>Names of Subsidiary</u>	<u>Number of Shares Outstanding</u>	<u>Designation of Class</u>	<u>Number of Shares Owned by J. R. Simplot Company</u>
Simplot Industries, Inc.	10	Common	10

THIRD: That this corporation, by resolution of its
board of directors, duly adopted the following Plan of Merger,
at a meeting held on the 15th day of February, 1985, and deter-
mined to merge into itself said SIMPLOT INDUSTRIES, INC. at the
Effective Time which resolution is in the following words
to-wit:

NOW, THEREFORE, be it resolved that J. R. SIMPLOT COMPANY
merge, and it hereby does merge into itself said SIMPLOT
INDUSTRIES, INC. and assumes all of its obligations, at the
Effective Time; under the following terms and conditions:

A. BE IT RESOLVED that effective as of the close of busi-
ness on the 28th day of February, 1985, (the Effective
Time), SIMPLOT INDUSTRIES, INC. shall be and it is hereby
merged into J. R. SIMPLOT COMPANY, with the effect and
result that the existence of SIMPLOT INDUSTRIES, INC. shall

MICROFILMED

cease and J. R. SIMPLOT COMPANY shall continue in existence as the surviving corporation.

B. BE IT RESOLVED that all of the provisions contained in the Articles of Incorporation, as amended, and the By-Laws of J. R. SIMPLOT COMPANY shall remain in force and effect and shall not be deemed altered or amended hereby, and that the laws of the State of Nevada shall continue to govern the surviving corporation.

C. BE IT RESOLVED that the present members of the Board of Directors of J. R. SIMPLOT COMPANY shall continue to hold office during the remainder of the term to which they are elected and until their successors are elected and duly qualified.

D. BE IT RESOLVED that at the Effective Time, all of the property, real, personal or mixed, and all of the assets of SIMPLOT INDUSTRIES, INC. wherever located, shall be deemed automatically transferred to and become vested in J. R. SIMPLOT COMPANY as the surviving corporation, without any further act or deed or instrument of transfer of conveyance for the accomplishment thereof; and whereupon, further, J. R. SIMPLOT COMPANY shall assume and become liable for payment of all of the existing indebtedness and obligations of SIMPLOT INDUSTRIES, INC., including the obligations to perform existing agreements without any special act or assumption of liability for those obligations.

E. BE IT RESOLVED that in as much as SIMPLOT INDUSTRIES, INC. is a wholly-owned subsidiary of J. R. SIMPLOT COMPANY and is being merged into its parent corporation, no additional capital stock of J. R. SIMPLOT COMPANY will be issued upon or as a part of said merger; and after the Effective Time each certificate or certificates theretofore representing issued and outstanding shares of the Capital Stock of SIMPLOT INDUSTRIES, INC. shall be deemed cancelled.

F. BE IT RESOLVED that notwithstanding any action taken with respect to the merger by the Directors of J. R. SIMPLOT COMPANY or SIMPLOT INDUSTRIES, INC. or both, and notwithstanding anything herein or elsewhere to the contrary, the merger may be abandoned at any time prior to the filing thereof by the adoption of a resolution providing for such abandonment by the Board of Directors of J. R. SIMPLOT COMPANY.

G. BE IT RESOLVED that the Executive Vice President and Secretary of this corporation be and they hereby are directed to make and execute, under the corporate seal of this corporation, a certificate of ownership and merger setting forth a copy of the resolution to merge said SIMPLOT INDUSTRIES, INC. and assume its liabilities and obligations, and to file the same in the office of the Secretary of State of Nevada and the Secretary of State of Utah; and

H. BE IT FURTHER RESOLVED that the officers of this corporation be and they hereby are authorized and directed to do all acts and things whatsoever, whether within or without the States of Nevada and Utah which may be necessary or proper to effect said merger.

MICROFILMED

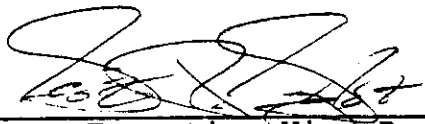
FOURTH: That this corporation survive the merger and may be served with process in the States of Nevada and Utah in any proceeding for enforcement of any obligation of SIMPLOT INDUSTRIES, INC. as well as for enforcement of any obligation of the surviving corporation arising from the merger.

FIFTH: The undersigned corporation hereby (a) agrees that it may be served with process in the State of Utah in any proceeding for the enforcement of the rights of a dissenting shareholder of the above-mentioned subsidiary corporation against the surviving corporation; (b) irrevocably appoints the Secretary of State of Utah as its agent to accept service of process in any such proceeding; and (c) agrees that it will promptly pay to the dissenting shareholders of such domestic corporation the amount, if any, to which they shall be entitled under the provisions of the Utah Business Corporation Act with respect to the rights of dissenting shareholders.

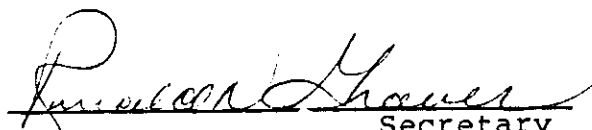
SIXTH: The mailing of Notice of said Plan and Agreement of Merger was waived by the shareholders of SIMPLOT INDUSTRIES, INC. on February 15, 1985.

IN WITNESS WHEREOF, said J. R. SIMPLOT COMPANY has caused its corporate seal to be affixed and this certificate to be signed by Scott R. Simplot, its Executive Vice President and Ronald N. Graves, its Secretary this 15th day of February, 1985.

J. R. SIMPLOT COMPANY

By 
Its Executive Vice President

ATTEST:


Secretary

MICROFILMED

STATE OF IDAHO)
) ss
County of Ada)

I, Laurel J. Walker, a notary public, do hereby certify that on this 15th day of February, 1985, personally appeared before me Scott R. Simplot, who, being by me first duly sworn, declared that he is the Executive Vice President of J. R. SIMPLOT COMPANY, that he signed the foregoing document as Executive Vice President of the Corporation, and that the statements therein contained are true.

Laurel J. Walker
Notary Public for Idaho
Residing at Boise, Idaho
My Commission Expires: 5/30/87

MICROFILMED

WATER RIGHT NUMBER 36-7333

VERIFIED RDH
4/4/85

OWNER LAST NAME - SIMPLOT INDUSTRIES INC.

FIRST NAME - ORIG OWNER -

ADDRESS LINE 1 - P.O. BOX 277

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - BOISE

SOURCE - GROUNDWATER

TRIBUTARY OF -

STATE - ID ZIP CODE - 83701

STAGE - LICENSE

STATUS -

PRIORITY - 04-27-1973 COUNTY - JEROME

TOTAL DIV. RATE - .0400 -CFS

TOTAL DIV. VOLUME -

26.60 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SWNW 23 08S 17E LOT

REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - 01-01 TO - 12-31 USE - INDUSTRIAL

USE DIV. RATE -

.0400 CFS

USE DIV. VOLUME -

26.60 AFA

USE - INDUSTRIAL

PLACE OF USE - TWN 08S RNG 17E SEC 23 TRACT SWNW LOT

AC

DECREE NAME -

DATE -

TOTAL ACRES

0

REMARKS -

NON IRRIG USE - I/POTATO STORAGE.

OTHER RIGHTS FOR SAME USE -

PROOF DUE - 06-01-1978 PERMIT/DENIED - 06-11-1973 PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - P FLD EXAM - F COND. OF APPROVAL -

DIVERSION MEANS - WELL, PUMP & PIPELINES.

IDENT. NO. 36-7333

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

August 28, 1979

Simplot Industries, Inc.

Box 277

Boise, Idaho 83701

Dear Sirs,

RE: Permit No. 36-7333

Enclosed is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JAN GROVER
JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

August 9, 1979

Simplot Industries, Inc.
Box 277
Boise, ID 83707

Gentlemen:

A representative of this Department made an examination of the works covered by your Permit No. **36-7333** on **October 2, 1978**, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: **0.04 cfs** Source: **groundwater**

The maximum quantity diverted shall not exceed **26.6** acre feet per
year.

Point of diversion: **SW 1/4, Sec. 23, Twp. 8S, Rge. 17E, B.M.**

Beneficial use: **Industrial use for potato storage within the SW 1/4,
Sec. 23, Twp. 8S, Rge. 17E, B.M.**

Priority date established: **April 27, 1973**

If you do not concur with these findings please contact us within 10 days, otherwise a
water license will be issued as set forth above.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw

MICROFILMED

SIMPLOT INDUSTRIES, INC. / ONE CAPITAL CENTER / 999 MAIN STREET / SUITE 1300
P.O. BOX 27 / BOISE, IDAHO 83707 / (208) 336-2110 / TELEX 368432

July 13, 1979

RECEIVED

JUL 16 1979

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

Department of Water Resources

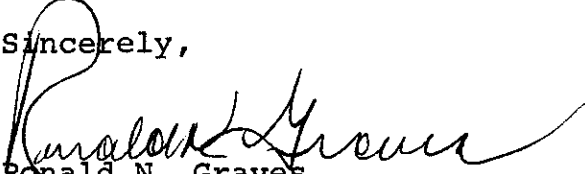
Re: Water Permit No. 36-7333

Attention: Jan Grover

Gentlemen:

We would appreciate your expediting the issuance of the License under the above referenced water permit. It is our understanding that the field examination has been completed, that everything appears to be in order, and that the file is currently being held in the Twin Falls Office for transmittal to your Boise Office. Your immediate attention to the foregoing would be appreciated.

Sincerely,


Ronald N. Graves
Corporate Counsel

RNG/vk

MICROFILMED

ROUTING SLIP

DATE _____		TIME <u>1</u>
TO: <u>File</u>		REF. No. (if any) _____
FROM: (show title) <u>Jan 9</u>		_____
FOR YOUR: ☐ Information ☐ Approval ☐ Signature	REVIEW AND: ☐ Call Me ☐ See Me ☐ Comment & Return ☐ Take Proper Action ☐ Draft a Reply for Me	PER: ☐ Our Conversation ☐ Your Request ☐ Boss's Request

Returned field
 exam to Jim
 Stanton for
 corrections
 1/31/79

TO _____
DATE _____
M _____
OF _____
PHONE: _____
AREA CODE _____ NUMBER _____ EXT. _____
☐ Telephoned ☐ Returned Your Call ☐ Will Call Again
☐ Please Call ☐ Called to See You

26-2110
~~Ron Graves~~

RECEIVED

MAY 11 1978

Department of Water Resources
Southern District Office

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

RECEIVED

Name of permit holder Simplot Industries, Inc.
Post office address P.O. Box 27, Boise, ID 83701
Person to contact _____

Phone _____
FEB 1 1979
Phone _____
Department of Water Resources
Southern District Office
(name spring, stream, etc.)

2. Source of water supply: Groundwater ☒ Surface water ☐
Tributary to _____

3. Water will be used for the following purposes:

Amount 0.11 c.f.s. for Industrial
AF/Annum (nature of use)

Period of Use: from 1/01 to 12/31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 36-7333
Examination for 6/14

4. Total amount to be appropriated:

Max Rate of Diversion 0.11 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 8S N/S, Range 17E E/W, B.M., Section 23, Subdivision Sw 1/4 Nw 1/4 Jerome County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County

Other Points of Diversions: _____

Description of diverting works: 3hp pump, 6" x 527' well

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8S	17E	23						X											

MICROFILMED

TOTAL ACREAGE _____

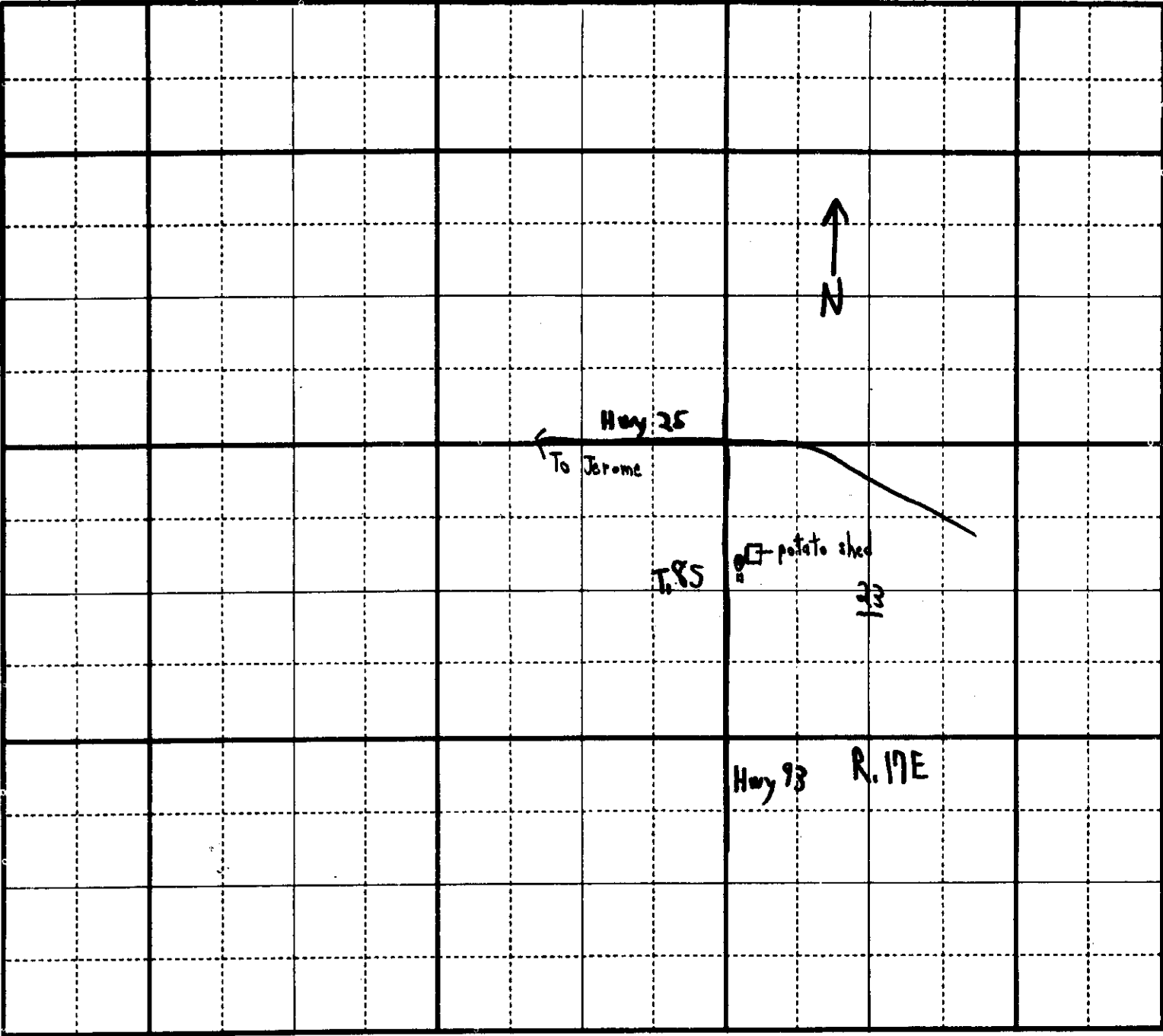


Diagram of System

DATE OF EXAM October 2, 1978

ACREAGE

Found	N/A
Recommended	N/A

Irrigation Requirement _____ -- _____ Ac Ft/Ac

USE

Irrigation Q=_____c.f.s. V=_____ AF/Ann. from _____ to _____
Domestic Q=_____c.f.s. V=_____ AF/Ann. from _____ to _____
Livestock Q=_____c.f.s. V=_____ AF/Ann. from _____ to _____
Industrial 0.04 cfs ~~_____~~ Jan 1 Dec 31

26.6 ac ft

Is water co-mingled? yes _____ no X

Name source: _____
 twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
 _____ County

Exchange? yes_____ no X

Name source exchanged with: _____
 twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
 County _____

Point of injection: twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured N/A Method of measurement N/A

Total Q recommended 0.04cfs Meter No. - Type - Condition -

Total V recommended ~~26.6~~ 26.6 ac ft

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

5 hp pump pumping from 530' with 1150 gal/hr capacity = 0.04 cfs (data from Smith Pump Co., Jerome, Id.)

$$1.98 \times 330 \text{ days} \times 0.04 \text{ cfs} = 26 \text{ acft} + 0.6 \text{ (drinking water)}$$

$$= 26.6 \text{ acft} \quad 8/8/17$$

SYSTEM DESCRIPTION:

SYSTEM DESCRIPTION:

Well, 5 hp Red Jacket submersible pump, 2" lines to potato-storage shed for cooling and drinking water. 100-gallon holding tank to pressurize system.

REMARKS:

Insufficient data to determine meaningful annual volume.

Called Ron Graves & he stated that the humidification of the cells goes on 11 mths 24 hrs a day.

Examiner's Signature *D. Stanton* Date 10-2-78

Checked by Wm D. H. H. H. Date 10-13-78

Approved by _____ Date _____

State of Idaho
Department of Water Administration
WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Administration within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name J. R. Simplot Co
Address Burley Idaho
Owner's Permit No. _____

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning)

3. PROPOSED USE

☒ Domestic ☐ Irrigation ☐ Test ☐ Other (specify type)
☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

4. METHOD DRILLED

☐ Cable ☒ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 6 inches Total depth 580 feet
Casing schedule: ☐ Steel ☐ Concrete
Thickness _____ Diameter _____ From _____ To _____
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet

Was a packer or seal used? ☐ Yes ☐ No
Perforated? ☐ Yes ☐ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation _____ inches by _____ inches
Number _____ From _____ To _____
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet

Well screen installed? ☐ Yes ☐ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☐ No Size of gravel _____
Placed from _____ feet to _____ feet

Surface seal depth 18 Material used in seal ☐ Cement grout
☐ Puddling clay ☒ Well cuttings
Sealing procedure used ☐ Sherry pit ☐ Temporary surface casing
☒ Overbore to seal depth

6. LOCATION OF WELL

Sketch map location must agree with written location.

36
N
W E S
Subdivision Name _____
Lot No. _____ Block No. _____
County Jerome
NW 1/4 SE 1/4 Sec. 23 T. 8 N. R. 17 E/W

7. WATER LEVEL

Static water level 467 feet below land surface
Flowing? ☐ Yes ☐ No G.P.M. flow _____
Temperature _____ ° F. Quality _____
Artesian closed-in pressure _____ p.s.i.
Controlled by ☐ Valve ☐ Cap ☐ Plug

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Other
Discharge G.P.M. _____ Draw Down _____ Hours Pumped _____

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
0	4		Top Soil		
4	6.5		Gravel		
6.5	18.2		Brick Layer		
18.2	24.1		Loose fillings		
24.1	29.5		Soft Rock		
29.5	31.1		Loose Rock		
31.1	44.2		Hard Rock		
44.2	51.4		Soft Rock		
51.4	580		Loose Rock Broken		

10. Work started 8/7/73 finished 8/9/73

11. DRILLERS CERTIFICATION

Firm Name Elgin Well Drilling Firm No. 31
Address Box 219 Twin Falls Date 7/2/74
Signed by (Firm Official) Arnold Elgin
and
(Operator) Arnold Elgin

May 9, 1978

Simplot Industries, Inc.
Box 277
Boise, ID 83707

RE: 36-7333

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Twin Falls, Idaho.

Sincerely,

JANICE RENK
Water Rights

MICROFILMED

RECEIVED

Identification No. _____

MAY 3 1978 Permit No. _____

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder SIMPLIT INDUSTRIES, INC.
b) Post Office Address P. O. Box 27, Boise, Idaho 83707
2. Permit Number 36-7333
3. Date of Priority that you are prepared to establish April 27, 1973
4. a) Source from which water was appropriated subterranean
b) Location of the point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23
Township 8 South, Range 17 East Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount .11 cfs for industrial purposes from January 1 to December 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated .11 cfs cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: 2" Aqua metro ZFT meter - Jerry Anderson
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Pump size 3 HP Well casing 6" depth of well 527 feet

b) Describe the type and size of measuring device which you have installed at your point of diversion: 2" Aqua metro ZFT meter

c) Give well driller's name and address and the date the well was completed:
Elsing Well Drilling Company, Twin Falls, Idaho
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
Used for humidification of controlled atmosphere potato storage
Exam typed 5/10/78 by [signature]

MICROFILMED

RECEIVED

SIMPLIOT INDUSTRIES, INC. / ONE CAPITAL CENTER / 999 MAIN STREET / SUITE 4300
P.O. BOX 27 / BOISE, IDAHO 83707 / (208) 336-2110 / TELEX 368432

MAY 3 1978

Department of Water Resources

May 1, 1978

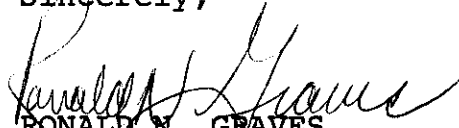
State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

RE: Permit No. 36-7333

Gentlemen:

Simpliot Industries, Inc. has completed the enclosed Proof of Application of Water to Beneficial Use as requested in your letter of March 31, 1978. If you need anything further in this regard, please feel free to contact the undersigned.

Sincerely,



RONALD N. GRAVES
Associate General Counsel

jw

Enclosure

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

March 31, 1978

CERTIFIED MAIL

130623

Re: Permit No. 36-7333

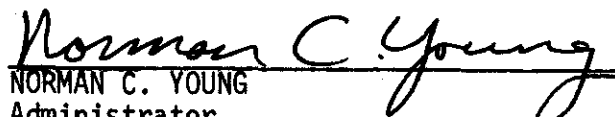
Simplot Industries, Inc.
Box 2777
Boise, Idaho 83701

Gentlemen:

One of the conditions of approval of your water Permit No. 36-7333 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before June 1, 1978. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.


NORMAN C. YOUNG
Administrator,
Resources Administration Division

NCY:jfr

Encl: Proof affidavit

RECEIVED

June 12, 1973

Re: Permit No. 36-7333

Simplot Industries, Inc.
Box 2777
Boise, ID 83701

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 36-7333 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:cd

Enclosures

36 7333

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
SOUTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

1041 Blue Lakes Boulevard North
Twin Falls, Idaho 83301
(208) 734-3578

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

May ²⁹ 30, 1973

RE: Application Nos. 36-7327 - Eldred Atwood
36-7333 - Simplot Industries Inc.

North Side News
Box 89
Jerome, ID 83338

Gentlemen:

Would you please submit affidavits of publication and certified bills in connection with the above referenced items. The legal notices were to have been published in your paper May 10 and May 17, 1973.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:jmm

36 7333

May 3, 1973

RE: Application No. 36-7333 - Simplot Industries Inc.

North Side News
Box 89
Jerome, ID 83338

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

36 7333

Bob Haynes
District Engineer
Southern District

BH:alw

Enc: Legal Notice

Bill submitted 6-4-73 by jmm

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Simplot Industries, Inc.

Box 2777, Boise, ID

has on April 27, 1973 submitted Application No. 36-7333
for a permit to appropriate .11 cubic feet per second ~~above 1000 per annum~~
of water from a groundwater source
by means of well, pump, and pipeline
within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T. 8S, R. 17E, B.M., Jerome County

to be used from Jan. 1 to Dec. 31
for industrial purposes

within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T. 8S, R. 17E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301 on or before May 29, 1973.

R. KEITH HIGGINSON

Director

Published in the North Side News, Jerome, ID
on May 10 and May 17, 1973

36 7333

Jerome, Idaho
(public use permit)

**NOTICE OF APPLICATION
FOR A PUBLIC USE PERMIT**

Notice is hereby given that
Simplo Industries, Inc., Box
2777, Boise, Idaho, on April 27,
1973, submitted application No.
36-7333 for a permit to take
appropriate cubic feet per
second of water from a
groundwater source by means
of well, pump and pipeline
within the SW 1/4 NW 1/4, Sec. 23,
T. 8S, R. 17E, B.M. Jerome,
County to be used from Jan. 1 to
Dec. 31 for industrial purposes
within the SW 1/4 NW 1/4, Sec. 23,
T. 8S, R. 17E, B.M.

If issued, this permit will be
subject to all prior water rights.
Protests or objections to the
permit may be filed with the
Idaho Department of Water
Administration, Blue
Lakes, Idaho, or with the
Falls and 3330, or before
May 29, 1973.

PAUL K. HARRISON
Director

5-10-2tc

RECEIVED

APR 30 1973

Department of Water Administration
Southern District Office

SIMPLOT INDUSTRIES, INC.

805 IDAHO STREET

P. O. BOX 2777 - BOISE, IDAHO

83701

RECEIVED

APR 26 1973

April 26, 1973 Department of Water Administration

State of Idaho
Department of Water Administration
Statehouse Annex
Boise, Idaho 83701

Gentlemen:

Enclosed is Simplot Industries, Inc.'s, Application for Permit to Appropriate Water, together with a check in the amount of \$10.00, covering the filing fee. As soon as this permit has been approved will you please submit it to this office.

Sincerely,


RONALD N. GRAVES
Assistant General Counsel

RNG:rb

enclosures as stated

36 7333