

RECEIVED

APR 06 2023

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 87779**MINIMUM REQUIREMENTS CHECKLIST**
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Staker & Parson Companies, a Utah corporation**Check whether each item below is attached (Yes) or not applicable (N/A) for the proposed transfer.**Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <https://idwr.idaho.gov/water-rights/transfers/resources/>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☒ #10 Other. Please describe: Please see the attached Certificate of Merger or Consolidation, Articles of Merger, and Agreement and Plan of Merger

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 06 2023

Department of Water Resources
Eastern RegionAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Staker & Parson Companies, a Utah corporation Phone (208) 232-5796
 Mailing address 2350 S 1900 West, Ste 100, Ogden, Utah 84401 Email john.wilkes@idahomaterials.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

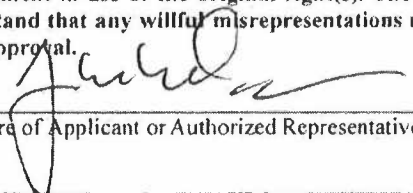
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Thomas J. Budge, Attorney Phone 208-232-6101
 Mailing address PO Box 1391, Pocatello, Idaho 83204-1391 Email tj@racineolson.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
 OR
☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
 OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


 Signature of Applicant or Authorized Representative

John Wilkes, General Manager
 Print Name and Title if applicable

4/3/23
 Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
☐ Change nature of use
 ☒ Add diversion point(s)
☐ Change period of use
 ☒ Change place of use
☐ Other _____
- Is this a transfer for changes pursuant to Idaho Code § 42-221 O.8?
 If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
Place of Use and Points of Diversion updated to reflect actual areas where water is diverted and used.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APR 14 2023

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

Department of Water Resources
Eastern Region

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

[illegible]

Total authorized under rights 0.13 cfs and/or 42 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.13 cubic feet per second and/or 42 acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

[illegible]

4. Place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

[illegible]

87779

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
Electric pumps capable of being locked.
-
- b. Who owns the property at the point(s) of diversion? Patton & Linton, Inc. and Bannock Paving Company
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Applicant was merged with Patton & Linton, Inc. and Bannock Paving Company November 25, 1996 and Bannock Paving Company is a DBA of the Applicant.
-
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____
-
- It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.
- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
N/A
-
- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
Water right no. 29-7437 is used for irrigation purposes on a portion of the place of use.
-
- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:
Yes No
- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

87779

Attachment 7a & 7b Transfer POU & POD



87779

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

11/14/2022
IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report
WATER RIGHT NO. 29-10994

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PATTON & LINTON INC ATTN MICHAEL R WOOD C/O BANNOCK PAVING CO PO BOX 4002 POCATELLO, ID 83202
Current Owner	PATTON & LINTON INC ATTN R FAY FACER C/O JACK B PARSON COMPANIES PO BOX 3429 OGDEN, UT 84409
Original Owner	PATTON & LINTON INC 13378 N PHILBIN RD POCATELLO, ID 83202 2082372842

Priority Date: 03/01/1956
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
INDUSTRIAL	01/01	12/31	0.13 CFS	42 AFA
Total Diversion			0.13 CFS	42 AFA

Location of Point(s) of Diversion:

GROUND WATER|NWNE|Sec. 17|Township 06S|Range 34E|BANNOCK County
Place(s) of use:

Place of Use Legal Description: INDUSTRIAL BANNOCK County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
06S	34E	17		NWNE										

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Dates:

Licensed Date:

Decreed Date: 03/22/2004

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

State of Idaho
Department of Water Resources

Water Right

29-10994

INDUSTRIAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 11/14/2022



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



WELL DRILLER'S REPORT

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

[illegible]

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

87779

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT 054480

Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
1/4 _____ 1/4 _____ 1/4 _____
Lat: _____ Long: _____

1. WELL TAG NO. D 0011114
DRILLING PERMIT NO. 2999-E-0079-000
Other IDWR No. _____

2. OWNER:
Name WAYNE SMITH
Address 14371 W Hwy 30
City LOCATELLO State ID Zip 83201

3. LOCATION OF WELL by legal description:
Sketch map location must agree with written location.

North ☐ or South ☒
East ☒ or West ☐
Twp. 65 North ☐ or South ☒
Rge. 34 East ☒ or West ☐
Sec. 17 1/4 NW 1/4 NE 1/4
Gov't Lot _____ County B 10 acres 40 acres 160 acres
Lat: _____ Long: POWER CO.
Address of Well Site Tag Hee Rd
City Chubbick
(Give at least name of road + Distance to Road or Landmark)
Lt. _____ Blk. _____ Sub. Name _____

4. USE:
☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)
☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD
☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT		METHOD
Material	From	To	Sacks	Feet	
BENTONITE	5	20	7		DOWN BORE

Was drive shoe used? ☒ N Shoe Depth(s) _____
Was drive shoe seal tested? ☐ Yes ☒ No How? AIR

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6	+2	82'	250	STEEL	☒	☐	☒	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

Perforations _____ Method _____
Screens _____ Screen Type _____

From	To	Slot Size	Number	Diameter	Material

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

35 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or control devices: _____

11. WELL TESTS:

Yield gal./min.	Drawdown	Pumping Level	Time
200	80'	80	

Water Temp. _____ Bottom hole temp. _____
Water Quality test or comments: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
8	0	20'	GRAVEL		☒
6	20	30	GRAVEL		☒
	30	35	GRAVEL + CLAY		☒
	35	50	CLAY		☒
	50	56	CLAY		☒
	56	82	GRAVEL		☒

RECEIVED RECEIVED

OCT 29 1999 OCT 19 1999

Department of Water Resources Eastern Region

Completed Depth 82' (Measurable)
Date: Started 07/07/99 Completed 07/17/99

13. DRILLER'S CERTIFICATION

I/we certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name VOLLMEYER WELL DR Firm No. 383
Firm Official [Signature] Date 09/22/99
and
Driller or Operator Joe Vollmeyer Date 09/22/99
(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

CANCELLATION, CONTINUATION, OR AMENDMENT OF CERTIFICATE OF ASSUMED BUSINESS NAME

(Please type or print legibly)

To the SECRETARY OF STATE, STATE OF IDAHO

Pursuant to Section 53-507 and 53-508, Idaho Code, the undersigned gives notice of the action(s) indicated below:

1. The assumed business name is: Bannock Paving Company
2. The assumed business name was filed with the Secretary of State's Office on 05-03-01 as file number D45113.
3. ☐ Cancellation. The persons who filed the certificate no longer claim an interest in the above assumed business name and cancel the certificate in its entirety.
4. ☐ Continuation. The persons who filed the certificate continue use of the above assumed business name for another 5 years (may be filed up to 6 months prior to the lapse date).
5. ☐ The assumed business name is amended to: _____
6. ☒ The true names and business addresses of the entity or individuals doing business under the assumed business name are amended as follows:

Add:	Delete:	Name:	Address:
☒	☐	Staker & Parson Companies	2350 South 1900 West Ogden, UT 84401-3216
☐	☒	OldCastle MMG, Inc.	" "
☐	☐	_____	_____

7. ☐ The type of business is amended to read:
- | | | |
|--|--|--|
| ☐ Retail Trade | ☐ Manufacturing | ☐ Transportation and Public Utilities |
| ☐ Wholesale Trade | ☐ Agriculture | ☐ Finance, Insurance, and Real Estate |
| ☐ Services | ☐ Construction | ☐ Mining |
8. ☐ The name and address to which future correspondence should be addressed is changed to read: _____

9. Name and address for this acknowledgment copy is:

Douglas B. Petersonc/o Staker & Parson CompaniesP.O. Box 3429Ogden, UT 84409-1429Signature: *Douglas B. Peterson*Printed Name: DOUGLAS B. PETERSONCapacity: CFO - TREASURER

(see instruction # 10 on back of form)

Secretary of State use only

g:\corpforms\subforms\amendabn.pmf
Revised 01/2001

IDAHO SECRETARY OF STATE
05/06/2002 05:00
CK: 159577 CT: 159934 DH: 463721
1 @ 10.00 = 10.00 ASSUM AMEN # 5

C 23731

State of Idaho

Department of State

CERTIFICATE OF MERGER OR CONSOLIDATION

I, PETE T. CENARRUSA, Secretary of State of the State of Idaho, hereby certify that duplicate originals of Articles of Merger of BANNOCK PAVING COMPANY, INC.; IDAHO SAND & GRAVEL CO., INC.; and PATTON & LINTON, INC., all Idaho corporations, into JACK B PARSON COMPANIES, a Utah corporation, duly executed 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 certificate of merger, and attach hereto a duplicate original of the Articles of Merger.

Dated: November 25, 1996



Pete T. Cenarrusa
SECRETARY OF STATE

By

[Signature]

Nov 25 2 09 PM '96
SECRETARY OF STATE
STATE OF IDAHO

ARTICLES OF MERGER OF
BANNOCK PAVING COMPANY, IDAHO SAND & GRAVEL CO., INC., JBP
WYOMING, INC., EAST CARBON CONSTRUCTORS, INC., AND
PATTON & LINTON, INC.
WITH AND INTO
JACK B. PARSON COMPANIES

SECRETARY OF STATE
DATE 11/25/1996 0900 41774
CK #: 113044 JBP
MERGER 13941
30.00= 30.00
1@

#:

Pursuant to the provisions of sections 30-1-74 and 30-1-77 of the Idaho Business Corporation Act (the "Act"), Jack B. Parson Companies, a Utah corporation (the "Corporation") hereby adopts and files the following Articles of Merger relating to the merger of Bannock Paving Company, Inc., an Idaho corporation, Idaho Sand & Gravel Co., Inc., an Idaho corporation, JBP Wyoming, Inc., a Wyoming corporation, East Carbon Constructors, Inc., a Utah corporation and Patton & Linton, Inc., an Idaho corporation (individually, the "Subsidiary" and collectively, the "Subsidiaries") with and into the Corporation, with the Corporation being the surviving corporation.

FIRST: The name and place of incorporation of each corporation which is a party to this merger are as follows:

<u>Name of Corporation</u>	<u>Place of Incorporation</u>
Jack B. Parson Companies	Utah
Bannock Paving Company, Inc.	Idaho
Idaho Sand & Gravel Co, Inc.	Idaho
JBP Wyoming, Inc.	Wyoming
East Carbon Constructors, Inc.	Utah
Patton & Linton, Inc.	Idaho

SECOND: A true and correct copy of the Agreement and Plan of Merger between the Subsidiaries and the Corporation is attached hereto as Exhibit "A" (the "Plan"). Pursuant to the Plan, each Subsidiary will merge with and into the Corporation.

THIRD: Immediately prior to the merger, the Corporation owned 100% of the outstanding shares of each Subsidiary.

FOURTH: The Corporation is the surviving corporation of the merger and all the provisions of sections 30-1-75 and 30-1-77 of the Act were met with respect to the merger. Therefore, in accordance with section 30-1-73(d) of the Act, the shareholders of the Corporation and Subsidiaries are not required to vote on the Plan.

FIFTH: The effective date of the merger is ^{NOVEMBER 25} ~~October 25~~, 1996. The Corporation is the sole shareholder of each Subsidiary. Accordingly, the mailing requirements of section 30-1-75(c) of the Act are inapplicable and the effective date complies with section 31-1-76 of the Act.

IN WITNESS WHEREOF, the undersigned executed these Articles of Merger on this 22 day of ~~September~~, 1996.
^{NOVEMBER}

JACK B. PARSON COMPANIES

By:


Jack B. Parson, Jr.
President and
Chief Executive Officer

**AGREEMENT AND PLAN
OF MERGER OF
BANNOCK PAVING COMPANY, INC., IDAHO SAND & GRAVEL CO.,
JBP WYOMING, INC., EAST CARBON CONSTRUCTORS, INC.,
AND PATTON & LINTON, INC.,
WITH AND INTO
JACK B. PARSON COMPANIES**

This Agreement and Plan of Merger is dated September 30, 1996, by and between Jack B. Parson Companies, a Utah corporation ("JB Parson"), Bannock Paving Company, Inc., an Idaho corporation ("Bannock"), Idaho Sand & Gravel Co., Inc., an Idaho corporation ("Idaho S. & G."), JBP Wyoming, Inc., a Wyoming corporation ("JBP Wyoming"), East Carbon Constructors, Inc., a Utah corporation ("East Carbon"), and Patton & Linton, Inc., an Idaho corporation ("P. & L.") (Bannock, Idaho S. & G., JBP Wyoming, East Carbon and P. & L. may in the alternative be referenced individually as the "Subsidiary" or collectively as the "Subsidiaries") and is effective on November 25, 1996.

JB Parson is a corporation duly organized and existing under the laws of the state of Utah, having an authorized capital stock consisting of 1,000,000 shares of Series A common stock, 4,000,000 shares of Series B common stock, and 1,000,000 shares of preferred stock, all of which have a par value of \$1.00 per share, of which only one share of Series A common stock is issued and outstanding.

Bannock is a corporation duly organized and existing under the laws of the state of Idaho, having an authorized capital stock consisting of 1,000 shares of common stock, \$100.00 par value, of which 1,000 shares are issued and outstanding.

Idaho S. & G. is a corporation duly organized and existing under the laws of the state of Idaho, having an authorized capital stock consisting of 1,000 shares of common stock, no par value, of which 100 shares are issued and outstanding.

JBP Wyoming is a corporation duly organized and existing under the laws of the state of Wyoming, having an authorized capital stock consisting of 50,000 shares of common stock, no par value, of which 10,000 shares are issued and outstanding.

East Carbon is a corporation duly organized and existing under the laws of the state of Utah, having an authorized capital stock consisting of 50,000 shares of common stock, \$0.10 par value, of which 1,000 shares are issued and outstanding.

P. & L. is a corporation duly organized and existing under the laws of the state of Idaho, having an authorized capital stock consisting of 50,000 shares of common stock, \$100.00 par value, of which 1,000 shares are issued and outstanding.

WHEREAS, JB Parson owns each issued and outstanding share of the stock of each Subsidiary; and

WHEREAS, the Board of Directors of JB Parson deems it advisable, for the general welfare and advantage of JB Parson and each Subsidiary, that each Subsidiary merge with and into JB Parson;

NOW, THEREFORE, the parties agree, in accordance with the provisions of the Revised Business Corporation Act of the state of Utah, the Business Corporation Act of the state of Idaho, and the Business Corporation Act of the state of Wyoming, that each Subsidiary shall be, and hereby is, merged with and into JB Parson (the "Merger"), and that the terms and conditions of the Merger and the mode of carrying the Merger into effect and the manner of cancelling the shares of each of the Subsidiaries, shall be as set forth.

ARTICLE I

Corporate Existence of Surviving Corporation

Except as otherwise specifically set forth in this agreement, the identity, existence, purposes, powers, franchises, rights and immunities of JB Parson shall continue unaffected and unimpaired by the Merger, and the corporate identity, existence, purposes, powers, franchises, rights and immunities of each Subsidiary shall be merged into JB Parson and JB Parson shall become the "Surviving Corporation." The organization of each Subsidiary, except insofar as it may be continued by statute, shall cease on November 25, 1996.

ARTICLE II

Articles and Bylaws of Surviving Corporation

The Articles of Incorporation and bylaws of JB Parson, as they shall exist on November 25, 1996, shall be the Articles of Incorporation and bylaws of the Surviving Corporation until they shall be amended or repealed.

ARTICLE III

Directors and Officers of Surviving Corporation

The directors of JB Parson as of November 25, 1996 shall be the directors of the Surviving Corporation until their successors are elected and qualified.

The officers of JB Parson as of November 25, 1996 shall be the officers of the Surviving Corporation until their successors are appointed by the board of directors of the Surviving Corporation.

If on November 25, 1996 a vacancy shall exist in the board of directors of the Surviving Corporation, such vacancy may be filled in the manner provided by law and the bylaws of the Surviving Corporation.

ARTICLE IV

Manner of Converting Shares of the Subsidiary Corporations into Shares of the Surviving Corporation

JB Parson waives any right to receive shares of common stock of the Surviving Corporation in substitution or exchange for shares of common stock of each Subsidiary owned by JB Parson. Accordingly, the Surviving Corporation shall not issue its common stock in substitution or exchange for any shares of common stock of each Subsidiary owned by JB Parson on the effective date of this agreement and plan. The shares of each Subsidiary held by JB Parson shall be cancelled on November 25, 1996.

ARTICLE V

MISCELLANEOUS PROVISIONS

A. In accordance with the provisions of Section 16-10a-1104 of the Revised Business Corporation Act of the state of Utah and applicable foreign statutes, JB Parson shall not submit this agreement and plan to the respective shareholders of the Constituent Corporations. The President of JB Parson shall sign, acknowledge, file and record this agreement and plan, in accordance with the Revised Business Corporation Act of the state of Utah, the Business Corporation Act of the state of Idaho, and the Business Corporation Act of the state of Wyoming. This agreement and plan shall take effect and be deemed and taken to be the agreement and act of Merger of JB Parson and each Subsidiary and the Merger shall be and become effective immediately upon the start of business on November 25, 1996, every shareholder having duly waived the mailing requirement of Section 16-10a-1104(5) of the Business Corporation Act of the state of Utah.

B. Anything in this agreement or elsewhere to the contrary notwithstanding, this agreement may be abandoned at any time prior to its filing and recording by the resolution under the authority of the board of directors or executive committee of JB Parson.

C. If at any time the Surviving Corporation shall deem or be advised that any further assignments or assurances in law or things are necessary or desirable to vest or to perfect or confirm, of record or otherwise, in the Surviving Corporation the title to any property of the Subsidiaries acquired or to be acquired by reason of or as a result of the Merger, each Subsidiary and its proper officers and directors shall and will execute and deliver any and all such proper deeds, assignments and assurances in law and do all things necessary or proper so to vest, perfect or confirm title to such property in the Surviving Corporation and otherwise to carry out the purposes of this agreement.

D. The Surviving Corporation hereby appoints J. Rocky Woodruff of Ogden, Weber County, Utah, a natural person and resident of said county, being the county in which the principal office of the Surviving Corporation is located, as the person upon whom process, tax notices and demands against the Subsidiaries or the Surviving Corporation may be served.

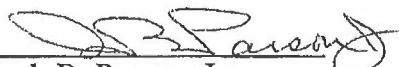
E. The Surviving Corporation agrees that it may be served with process in the states of Idaho and Wyoming in any proceeding for enforcement of any obligation of a Subsidiary or for enforcement of any obligation of the Surviving Corporation arising from the Merger, and appoints the respective Secretaries of State of the states of Idaho and Wyoming as its agent to accept service of process in any such suit or other proceeding. The address to which a copy of such process shall be mailed by said Secretary of State is 2350 South 1000 West, P.O. Box 3429, Ogden, Utah 84409.

F. The Surviving Corporation shall pay all the expenses of carrying this agreement into effect and of accomplishing the Merger.

G. For the convenience of the parties and to facilitate the filing or recording of this agreement, any number of counterparts may be executed, and each such executed counterpart shall be deemed to be an original instrument.

The board of directors of JB Parson has duly caused this agreement to be signed by its President and attested by its secretary.

JB Parson Companies



Jack B. Parson, Jr.
President

Attest: 

Glenn Culpepper
Secretary

State of Idaho

Office of the Secretary of State

**CERTIFICATE OF AUTHORITY
OF
OLDCASTLE MMG, INC.**

File Number C 138911

I PETE T. CENARRUSA, Secretary of State of the State of Idaho, hereby certify that an Application for Certificate of Authority, duly executed pursuant to the provisions of the Idaho Business Corporation Act, has been received in this office and is found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Certificate of Authority to transact business in this State and attach hereto a duplicate of the application for such certificate.

Dated: May 3, 2001



Pete T. Cenarrusa
SECRETARY OF STATE

By *[Signature]*

87779



APPLICATION FOR CERTIFICATE OF AUTHORITY (For Profit)

(Instructions on Back of Application)

FILED
01 MAY -3 AM 10:24
SECRETARY OF STATE
STATE OF IDAHO

The undersigned Corporation applies for a Certificate of Authority and states as follows:

1. The name of the corporation is: OldCastle MMG, Inc.
 2. The name which it shall use in Idaho is: Same as No. 1
 3. It is incorporated under the laws of: Utah
 4. Its date of incorporation is: 4-18-01
 5. The address of its principal office is: 2350 South 1900 West, Ogden, UT 84401-3216
 6. The address to which correspondence should be addressed, if different from item 5, is:
Same as No. 5
 7. The street address of its registered office in Idaho is: 5527 Kendall St. Boise, ID 83706
_____, and its registered agent in Idaho at that address is: National Corporate Research, LTD.
 8. The names and respective business addresses of its directors and officers are:
- | Name | Office | Address |
|--------------------------|------------------------------|--|
| <u>S. Val Staker</u> | <u>President</u> | <u>1000 West Center Street
North Salt Lake, UT 84054</u> |
| <u>John W. Parson</u> | <u>Vice President</u> | <u>2350 South 1900 West, Ogden, UT 84401-3216</u> |
| <u>Lloyd M. LeFevre</u> | <u>Vice President</u> | <u>1000 West Center Street
North Salt Lake, UT 84054</u> |
| <u>J. Rocky Woodruff</u> | <u>Secretary / Treasurer</u> | <u>2350 South 1900 West, Ogden, UT 84401-3216</u> |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

Dated: 5/2/01

Signature: *Douglas B. Peterson*

Typed Name: Douglas B. Peterson

Capacity: VP - Finance
(801) 409-2400

Customer Acct # :

(if using pre-paid account)

Secretary of State use only

IDAHO SECRETARY OF STATE

05/04/2001 09:00
CK: 111620 CT: 93581 BH: 395281

1 @ 100.00 = 100.00 AUTH PRO # 2

C 138911

g:\corpforms\corp
forms\appforce/ta/authority_profil.pmf
Revised 01/2001



Utah Department of Commerce
Division of Corporations & Commercial Code
160 East 300 South, 2nd Floor, Box 146705
Salt Lake City, UT 84114-6705
Service Center: (801) 530-4849
Toll Free: (877) 526-3994 Utah Residents
Fax: (801) 530-6438
Web site: <http://www.commerce.state.ut.us>

May 3, 2001

CERTIFICATE OF EXISTENCE

Registration Number: 4910822-0142
Business Name: OLDCASTLE MMG, INC.
Registered Date: APRIL 18, 2001
Entity Type: CORPORATION DOMESTIC PROFIT
Current Status: GOOD STANDING

The Division of Corporations and Commercial Code of the State of Utah, custodian of the records of business registrations, certifies that the business entity on this certificate is authorized to transact business and was duly registered under the laws of the State of Utah.



Kathy Berg
Director
Division of Corporations and Commercial Code

Dept. of Professional Licensing
(801) 530-6628

Real Estate
(801) 530-6747

Public Utilities
(801) 530-6651

Securities
(801) 530-6600

Consumer Protection
(801) 530-6601

**ACTION BY WRITTEN CONSENT
IN LIEU OF AN ANNUAL MEETING OF
THE BOARD OF DIRECTORS
OF
STAKER & PARSON COMPANIES**

The undersigned, being all of the members of the Board of Directors of Staker & Parson Companies, a Utah corporation (the "**Corporation**"), do hereby, pursuant to §16-10a-821 of the Utah Revised Business Corporation Act, give this written consent (a) to the dispensation of an annual meeting of the Board of Directors of the Corporation, and (b) to the taking of the following actions, such actions to have the same force and effect had a meeting been duly called and held:

I. ELECTION OF OFFICERS

RESOLVED, that effective February 4, 2016 all previous elections of officers are terminated, and the following persons be, and hereby are, elected to serve as officers of the Corporation (each individually, an "**Officer**" and collectively, the "**Officers**") in the capacities set forth opposite their respective names until such time as their successors shall be elected and qualified:

Scott W. Parson	President & CEO
Jared Hyde	CFO, Treasurer & Secretary
Scott Hinerman	Corporate Controller and Assistant Secretary
Randy Anderson	Region President – Staker Parson North Region
Mike Kurz	Region President – Staker Parson South Region
Bob Rowberry	Region President – Staker Parson JBP Region
John W. Parson	Assistant Secretary
Jeff Schaffer	Assistant Secretary

FURTHER RESOLVED, that the Officers be, and each of them hereby is, authorized to execute and deliver agreements, contracts, documents, certificates, and other instruments, under the seal of the Corporation if required, for the purpose of conducting the Corporation's business, including without limitation, selling products and securing construction work, and to take such other action, as they may deem necessary, advisable, convenient, or appropriate to carry out and fully perform duties incident to the office or offices so appointed, and such other duties as may be prescribed by the Board of Directors from time to time;

FURTHER RESOLVED, that the following persons are hereby designated officers solely for the purpose of attesting signatures of other officers on behalf of the Corporation, and

for executing and attesting various corporate documents, tax returns, affidavits, and similar such instruments as may be necessary from time to time:

Charles Brown	Assistant Secretary	David C. Lewis	Assistant Secretary
William B. Miller	Assistant Secretary	Michael F. Deaton	Assistant Secretary
M. Craig Hall	Assistant Secretary	Gary P. Hickman	Assistant Secretary
David M. Toolan	Assistant Secretary	Michael G. O'Driscoll	Assistant Secretary

FURTHER RESOLVED, that the President of the Corporation may, from time to time, without further action by the Board of Directors, appoint other persons to serve as authorized employees, or remove any individuals from this capacity, and to direct those appointed to take such action, as he may deem necessary, advisable, convenient or appropriate to carry out and fully perform the duties incident to the office of President.

II. AUTHORIZATION OF TRADE AND DIVISIONAL NAMES

RESOLVED, that the activities and operations of the Corporation may be carried on in any of the following manners or styles as may from time-to-time be deemed necessary or appropriate:

**Staker Parson Companies
Burdick Materials
Hales Sand & Gravel
Idaho Concrete Company
Idaho Sand & Gravel
Idaho Materials & Construction
International Stone
Jack B. Parson Companies
Nielson Construction & Materials
Reynolds Excavation, Demolition and Utilities
Staker Paving and Construction Company
Western Rock Products**

FURTHER RESOLVED, that the President of the Corporation may, from time to time, without further action by the Board of Directors, authorize the use of additional trade names, and to deem unauthorized any trade name previously authorized, as he may deem necessary, advisable, convenient or appropriate.

III. MISCELLANEOUS

FURTHER RESOLVED, that all actions previously taken by any Officer of the Corporation appointed hereunder in his/her capacity as such Officer be, and each of them hereby is, adopted, ratified, confirmed and approved in all respects as the authorized acts and deeds of the Corporation;

FURTHER RESOLVED, that each undersigned agrees that electronic signatures, whether digital or encrypted, of the Board of Directors are intended to authenticate this consent and to have the same force and effect as manual signatures. As used in the previous sentence, the term "electronic signatures" means any electronic sound, symbol or process attached to or logically associated with this consent and executed and adopted by a member of the Board of Directors with the intent to sign such consent, including, but not limited to, e-mail electronic signatures executed through Adobe® eSign Services; and

FURTHER RESOLVED, that this Consent, following execution by the Board of Directors, be filed in appropriate order in the minute book of the Corporation.

Signature: John Parson
John Parson (Feb 5, 2016)

Email: john.parson@oldcastlematerials.com

Signature: Scott W Parson
Scott Parson (Feb 5, 2016)

Email: scott.parson@oldcastlematerials.com

Signature: Randy G. Lake
Randy G. Lake (Feb 19, 2016)

Email: randy.lake@oldcastlematerials.com

Signature: Michael G O'Driscoll
Michael G O'Driscoll (Feb 19, 2016)

Email: michael.o'driscoll@oldcastle.com



RECEIVED

APR 06 2023

Department of Water Resources
Eastern Region

April 4, 2023

Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718

Re: Application for Transfer (WR 29-10994)

To whom it may concern:

Enclosed please find the original and one copy of an Application for Transfer of water right no. 29-10994, together with a check in the amount of \$200 for the filing fee. Please file the original and conform stamp and return the copy in the enclosed return envelope.

Thank you for your assistance. Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. J. Budge', with a stylized flourish at the end.

T. J. BUDGE



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

April 26, 2023

STAKER & PARSON COMPANIES
2350 S 1900 W STE 100
OGDEN, UT 84401-3481

RE: Transfer No. 87779
Water Right No(s). 29-10994

Dear Applicant:

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the IDAHO STATE JOURNAL on 5/3/2023 and 5/10/2023. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Christina Henman
Administrative Assistant

CC:
THOMAS J BUDGE
201 E CENTER ST
PO BOX 1391
POCATELLO, ID 83204-1391

Henman, Christina

From: Henman, Christina
Sent: Wednesday, April 26, 2023 12:25 PM
To: legalnotices@postregister.com
Subject: Legal Notice for Idaho State Journal
Attachments: 29-14509, 87779, 87816, 87811 Idaho State Journal.docx

LEGAL NOTICE DEPARTMENT
IDAHO STATE JOURNAL
PO BOX 431
POCATELLO, ID 83204-0431

RE: Application for Permit No. 29-14509, Transfer Nos. 87779, 87816, 87811

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 5/22/2023. Your cooperation is appreciated.

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

29-14509

STAKER & PARSON COMPANIES, 2350 S 1900 W STE 100, OGDEN, UT 84401-3481

Point of Diversion NWNE S17 T06S R34E BANNOCK County

Source GROUND WATER Tributary

Point of Diversion L4(NWNW) S8 T06S R34E BANNOCK County

Source GROUND WATER Tributary

Use: INDUSTRIAL

01/01 to 12/31

0.4 CFS

Total Diversion:

0.4 CFS

Date Filed: 04-21-2023

Place Of Use: INDUSTRIAL

T06S R34E S17

L1(NENE),NWNW

Place Of Use: INDUSTRIAL

T06S R34E S8

L3(NENW),L11(NESW),L9(NESE),L4(NWNW),L10(NWSE),L5(SWNW),L15(SWSE),L6(SENW),L14(SESSE),L16(SESE)

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Eastern office at (208)525-7161; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>.

Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 5/22/2023. The protestant must also send a copy of the protest to the applicant.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 87779

STAKER & PARSON COMPANIES, 2350 S 1900 W STE 100, OGDEN, UT 84401-3481 has filed Application No. 87779 for changes to the following water rights within BANNOCK County(s): Right No(s). 29-10994; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: add point of diversion and change place of use. Proposed points of diversion are in NWNE Sec 17 and Lot 4 (NWNW) Sec 8 (new), T06S R34E for 0.13 cfs from ground water. Proposed place of use is Sec 8 and 17 T06S R34E for industrial purposes.

TRANSFER NO. 87811

RALPH WHEATLEY, PO BOX 116, MCCAMMON, ID 83250-0116 has filed Application No. 87811 for changes to the following water rights within BANNOCK County(s): Right No(s). 29-11458, 29-2365B; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: add points of diversion and change place of use. Proposed points of diversion are in Lot 1 (NWSW), Lot 1 (NWSW), and SWNW Sec 14, and Lot 4 (SESE) and Lot 8 (SESE) Sec 10, T09S R36E for 5.88 cfs from Marsh Creek and an unnamed stream tributary to Marsh Creek. Proposed place of use is in Sec 10, 11, 14 and 15 T09S R36E for 297 acres.

TRANSFER NO. 87816

MEADOWBROOK LAND & CATTLE CO LLC, PO BOX 162, MCCAMMON, ID 83250-0162 has filed Application No. 87816 for changes to the following water rights within BANNOCK County(s): Right No(s). 29-13896, 29-13898, 29-8020; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion, place of use, and period of use. Proposed point of diversion is in NWNW Sec 35 T10S R36E for 2.95 cfs from ground water. Proposed place of use is in Sec 26 and 35 T10S R36E for 235 acres. Proposed period of use is 4/1 to 10/31.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 5/22/2023. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/3/2023 and 5/10/2023