

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that American Fine Foods, Inc.

Twp. 7 N., Rge. 5 W., B.M. _____ in the County of Fayette

[illegible]

Total number of acres irrigated _____

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 26 day of

Stephen A. Weiss
Director

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

IDENT. NUMBER: 65-07759
DATE RECEIVED: 4/11/90
RECEIPT NO: 4999999
RECEIVED BY: BAE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: AMERICAN FINE FOODS INC.
ADDRESS: P. O. BOX 460
PAYETTE, ID 83661

2. DATE OF PRIORITY: NOV 22, 1976

3. SOURCE: GROUNDWATER TRIB. TO:

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
07N	05W	2	SW	SW	NW		PAYETTE

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
COMMERCIAL	01/01	12/31	0.100		3.00
DOMESTIC	01/01	12/31	0.100		3.00

7. TOTAL QUANTITY APPROPRIATED IS:
0.100 C.F.S. (AND/OR) 6.00 A.F.A.

8. TOTAL CONSUMPTIVE USE IS ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
07N	05W	2	SW	NW		DOMEST	

11. PLACE OF USE IN COUNTIES: PAYETTE, PAYETTE

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

15. BASIS OF CLAIM: DECREE
CASE NUMBER:
COURT :
DECREE DATE: 1/21/1986

STATE OF IDAHO
DECREE PLAINTIFF

A & C CORP., ET AL.
VS DECREE DEFENDANT

16. SIGNATURE(S)

(A.) BY SIGNING BELOW, I/WE ACKNOWLEDGE THAT I/WE HAVE RECEIVED, READ AND UNDERSTAND THE FORM ENTITLED "HOW YOU WILL RECEIVE NOTICE IN THE SNAKE RIVER BASIN ADJUDICATION." (B.) I/WE DO ____ DO NOT ____ WISH TO RECEIVE AND PAY A SMALL ANNUAL FEE FOR MONTHLY COPIES OF THE DOCKET SHEET.

NUMBER OF ATTACHMENTS: 0

FOR INDIVIDUALS:

I/WE DO SOLEMNLY SWEAR OR AFFIRM THAT THE STATEMENTS CONTAINED IN THE FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF CLAIMANT(S): _____ DATE: _____
_____ DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM Production Superintendent OF
American Fair Foods, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS Production Superintendent OF
American Fair Foods AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.
+ R. V. D. Dwyer
SIGNATURE OF AUTHORIZED AGENT
Prod. Supt. American Fair Foods
TITLE AND ORGANIZATION
4/11/95
DATE

STATE OF IDAHO)
COUNTY OF Ada) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 11 DAY
OF April 19 95
Bruce A. Schulz
NOTARY PUBLIC

RESIDING AT Boise Idaho

MY COMMISSION EXPIRES 4/11/95
DATE: 01/23/90 5966

65-07759

PAGE 3

MICROFILMED
SEP 23 1992

AJ0749NP
No. R65-07759

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/24/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	AMERICAN FINE FOODS INC P O BOX 460 PAYETTE ID 83661	11/22/1976	COMMERCIAL DOMESTIC	01-01 12-31 01-01 12-31	0.100 CFS 0.100 CFS	3.00 AFA 3.00 AFA
TOTAL DIVERSION:					0.100 CFS	6.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T07N R05W S02

SWNW

PAYETTE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
07N	05W	2	:																	:
								D												

Place of use location for COMMERCIAL is the same location as described for: DOMESTIC

POU County: PAYETTE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- 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.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

INDICATES TOTAL

SOURCE: GROUNDWATER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-7750	JENSEN, JAMES S. & DYER, WILEY D. 1721 NORTH 20TH, BOISE, IDAHO 83702 REMARKS: LOT 23, ALLENS 3RD SUBDIVISION. THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.	11/17/1976	DOMESTIC	1/ 1 12/31	2.40 AFA .08 CFS	LOT 7 S 3 T13N R 3E	LCT7 S 3 T13N R 3E	PERMIT
65-7751	LEHMAN, MAX & LEHMAN, ALICE & LEHMAN, KERWIN & LEHMAN, LEROY & LEHMAN, DARRELL BOX 1304, MC CALL, IDAHO 83638 REMARKS: THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.	11/17/1976	DOMESTIC	1/ 1 12/31	3.60 AFA .12 CFS	NWSE S 3 T18N R 3E	NWSE S 3 T18N R 3E	PERMIT
65-7749	PHIPPS, C. E. 2209 DOROTHY, BOISE, IDAHO 83706 REMARKS: LOTS 20, 21, 33, 34 & 35, BLOCK 2, WAGON WHEEL RANCH SUDD. #1. THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.	11/17/1976	DOMESTIC	1/ 1 12/31	6.00 AFA .20 CFS	SENE S28 T16N R 3E	SENE S28 T16N R 3E	PERMIT
65-7758	AMERICAN FINE FOODS, INC. P. O. BOX 460, PAYETTE, IDAHO 83661	11/22/1976	COMMERCIAL	1/ 1 12/31	3.00 AFA .10 CFS	SENE S31 T 8N R 4W	SAME AS OTHER USE	LICENSE
			DOMESTIC	1/ 1 12/31	3.00 AFA .10 CFS *6.00*AFA *.10*CFS		SENE S31 T 8N R 4W	
65-7759	AMERICAN FINE FOODS, INC. P. O. BOX 460, PAYETTE, IDAHO 83661	11/22/1976	COMMERCIAL	1/ 1 12/31	3.00 AFA .10 CFS	SWNW S 2 T 7N R 5W	SAME AS OTHER USE	LICENSE

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 730

INDICATES TOTAL

SOURCE: GROUNDWATER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
			DOMESTIC	1/ 1 12/31	3.00 AFA .10 CFS *6.00*AFA *.10*CFS		SWNW S 2 T 7N R 5W	
65-7756	COX, WILLIAM L. & GRIDDLE, DONALD E. BOX 82, DONNELLY, IDAHO 83615 REMARKS: LOT 1, EDWARDS RANCH SUBDIVISION #2. THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.	11/22/1976	DOMESTIC	1/ 1 12/31	2.40 AFA .08 CFS	NESE S20 T16N R 3E	NESE S20 T16N R 3E	PERMIT
65-7754	GRATTEN BARNARD WATER TRUST CHAIRMAN-GILBERT N. MARCUM, 2510 BANNOCK, BOISE, IDAHO 83706 REMARKS: PLACES OF USE IN WEST MOUNTAIN SUBDIVISION #1, #2, #3, #4 & #5 & GRATTEN-BARNARD SUBDIVISION #2 & #3. TWO WELLS. THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.	11/22/1976	DOMESTIC	1/ 1 12/31	30.00 AFA 1.00 CFS	NWSE S 3 T13N R 3E LOT 6 S 3 T13N R 3E	NESW NESE NWSE SWSE SESE LOT 6 S 3 T13N R 3E	PERMIT
65-7757	HAMILTON, PATRICIA E. & HAMILTON, SCOT R. EAST 3912 HARTSON, SPOKANE, WASHINGTON 99202 REMARKS: LOTS 38, 39, 40, 41 & 42, WAGON WHEEL SUBDIVISION #1. THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.	11/22/1976	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SENE S28 T16N R 3E	SENE S28 T16N R 3E	PERMIT

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 65-7759 Priority November 21, 1976 Amount 0.10 cfs

THIS IS TO CERTIFY, that American Fine Foods, Inc.
of Payette, Idaho, has complied with the terms and conditions of Permit
No. 65-7759 issued pursuant to Application for Permit dated November 22, 1976
and has submitted proof to the Department of Water Resources on December 15, 1977
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 0.10 cfs of water from a groundwater source
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
Commercial	from January 1 to December 31	0.10 cfs and	1.0 acre feet
Domestic	from January 1 to December 31	0.10 cfs and	1.2 acre feet
	from _____ to _____	_____ cfs and	_____ acre feet

(both dates inclusive)
Subject, however, to the condition that no more than 0.10 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 for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed

2.2 acre feet per year, said waters to be diverted within the SW-NE-1/4 Sec. 2
Twp. 7 N., Rge. 5 W., S.M. in the County of Payette

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				Total
			NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW	
7 N	5 W	2													

Total number of acres irrigated _____

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 26 day of

October

19 78

[Signature]
Director



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

29 September 1978

Re: Permit No. 65-7759

American Fine Foods, Inc.
P.O. Box 460
Payette ID 83661

Dear Sirs:

A representative of this Department made an examination of the works covered by your Permit No. 65-7759 on August 22, 1978, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 0.10 cfs Source: groundwater

The maximum quantity diverted shall not exceed 2.2 acre feet per year.

Point of diversion: SW 1/4, Sec. 2, Twp. 7N, Rge. 5W, E.M.

Beneficial use: Commercial and domestic use within the SW 1/4, Sec. 2, Twp. 7N, Rge. 5W, E.M.

Priority date established: November 22, 1976

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

WR0749NP
No. 65-07759

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/24/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD		DIVERSION RATE	DIVERSION VOLUME
				FROM	TO		
C	AMERICAN FINE FOODS INC. P. O. BOX 460 PAYETTE ID 83661	11/22/1976	COMMERCIAL	01/01	12/31	0.100 CFS	3.00 AFA
			DOMESTIC	01/01	12/31	0.100 CFS	3.00 AFA
			TOTAL DIVERSION:			0.100 CFS	6.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T07N R05W S02 SWNW PAYETTE County

Place of use Legal Description for: DOMESTIC

	NE					NW					SW					SE			
	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE
T R S	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	:	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	:	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	:	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac
07N 05W 2	:	:	:	:	:	:	:	D	:	:	:	:	:	:	:	:	:	:	:

Place of use location for COMMERCIAL is the same location as described for: DOMESTIC

Pou County: PAYETTE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

65-04152 65-04153 65-04154 65-04379 65-04626 65-05948 65-09133 65-09134

Other Water Rights Listing Overlapping Place(s) of use:

65-00066

Dates:	App. Received:	Priority Date:	11/22/1976
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT 06/16/89 CURTIS