

05/17/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-21952

NAME AND ADDRESS: CON AGRA INC
DBA ARMOUR FRESH MEATS
C/O BRIAN SWEET
PO BOX 470
NAMPA ID 83651

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.240 CFS
20.700 AFY

PRIORITY DATE: 12/31/1950

POINT OF DIVERSION:

T03N R02W S36 NENW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.240 CFS 20.70 AFY

PLACE OF USE: STOCKWATER Within CANYON County

T03N R02W S36 NENW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is 1500 range cattle.

Right No. 63-31036 is also diverted through point of diversion described above.

MEMORANDUM TO CLAIM FILE

TO: CLAIM FILE NOS. 63-21949, 63-21952 AND 63-31036
FROM: VICKY L MUSIC, SR WATER RESOURCE AGENT, IDWR / WESTERN REGION
SUBJECT: CLAIM REVIEW – EVIDENCE OF PRIORITY, VOLUME, ETC
DATE: 5/17/2006
CC:

These 3 claims are for stockwater for a 1500 head feedlot. Con Agra is the claimant and is a subsidiary of Swift Foods. The property is being sold and the new owner will take possession May 27, 2006. I have had 2 conversations and numerous email exchanges with Tom Siegrist, Mgr of Env Eng for Swift. He is familiar with the general history of meatpacking/slaughterhouse uses of the site.

The claimant [Swift] provided some historical information in a statement in the claim file but the information is sketchy. Evidently, the site has operated as a slaughterhouse and meatpacking facility since about 1916 [King Packing Co]. The 1939 aerial shows considerable activity on the site consistent with the information provided by Swift. I conducted an internet search on meat packing in Nampa and though got no specific hits regarding King Packing Co, there was some information about meat packing in Nampa. The various business entities have been registered with the IDSOS since the 1940s. I think that if all information is considered, the Swift statement, the 1939 aerial and the internet information, it is sufficient to establish a historical use of stockwater on the site.

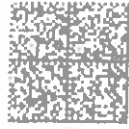
Mr Siegrist indicated that the plant has not been operational since about 2001. Consultants and contract employees have been on site circa 2001 to manage the wastewater and monitoring well issues. Mr Siegrist called them and they thought that only 3 wells were on site, the 2 licensed wells [63-3277 and 63-3570] and the 63-21049 well. He said that today the contractor is on site and he will have him attempt to verify whether the wells I have labeled on my maps as 63-31036, 63-21952 and 31951 – corrected are present.

The claimed priority dates of these 3 claims are in the early 1950s. IDWR does not have well logs on file. There is no reason to do field exams because the plant is not in service and there is no stock on site now. If the contractor cannot find wells casings for some of the wells, I will disallow those claims. I think that 62-31036 and 63-21952 may be the same well.

VLM

IDAHO
DEPT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED



FIRST CLASS



02 1A
0064310839 CCT 06
\$01.
MAILED FROM ZIP CODE

Govt
1470

GOH AGRA INC
DBA ARMAUR FRESH MEATS
C/O BRIAN SWEET
PO BOX 370
HAMPA ID 83451

RECEIVED

OCT 13 2006

WATER RESOURCES
WESTERN REGION

NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

63 21952
21949
31036
3277
3577



Music, Vicky

From: Siegrist, Thomas [Thomas.Siegrist@swiftbrands.com]
Sent: Thursday, May 04, 2006 1:03 PM
To: Music, Vicky
Subject: RE: Snake River Basin Adjudication claims

Vicky: Looking at the map you e-mailed me, it appears to me that the location of 21949 shown is consistent with the location shown on the map that you had included with the April 11 letter to the plant. The location of 21951 on the e-mailed map, east of 21949, looks like the same location that's labeled on the mailed map for 21952. The mailed map shows 21952 in two different locations – one at the north side of Swift's plant, in NENW, and another location for the same well in NWNE. I'm guessing that the NWNE location, marked as 21952, should actually be labeled as 21951.

I'm putting together what information we have concerning water use for 3570, 3277, and 21949, and I will get that to you next week.

Thanks for your help.

Tom Siegrist

From: Music, Vicky [mailto:Vicky.Music@idwr.idaho.gov]
Sent: Thursday, May 04, 2006 12:42 PM
To: Siegrist, Thomas
Subject: Snake River Basin Adjudication claims

Mr. Siegrist -

attached is a scanned copy of the original 63-21949 claim with map. Please call if you have questions.
<<63-21949.pdf>>

Vicky L. Music
Sr. Water Resource Agent
Adjudication Bureau
IDWR/Western Region
2735 Airport Way
Boise, Idaho 83705-5082
(208) 334-2190

Important Notice:

The contents of this electronic message and any attachments are intended only for the addressee and may contain confidential and privileged information. If you are not the addressee, you are notified that any transmission, distribution, downloading, printing or photocopying of the contents is strictly prohibited. If you have received this message in error, please notify the sender by return e-mail immediately and destroy all copies of the message and any attachments.

Thank you.

5/15/2006

No Changes Necessary - per Agent review.

THOMPSON AND ASHCRAFT, L.L.P.

ATTORNEYS AND COUNSELORS AT LAW

161 E. Mallard Drive, Suite A

Post Office Box 699

Boise, Idaho 83701-0699

Telephone: (208) 344-9797

Facsimile: (208) 344-9737

E-mail: tab1@primenet.com

Kristen R. Thompson

Larry C. Ashcraft

Philip R. Miller

James A. Cook

Paralegal

Michelle M. Meyers

RECEIVED

DEC 21 1998

WATER RESOURCES
WESTERN REGION

Mountain Home Office

430 North 6th East

Post Office Box 506

Mountain Home, Idaho 83647-0506

Telephone: (208) 587-9797

Facsimile: (208) 587-7005

E-mail: tab@inhiconn.net

December 9, 1998

Judy Givens

State of Idaho, Department of Water Resources

1301 North Orchard Street

P.O. Box 83720

Boise, ID 83720-0098

Re: ConAgra Inc., dba Armour Fresh Meats, Inc.

TAB File No. 0091-01

Dear Ms. Givens:

This letter is in response to your June 24, 1998 letter sent by you to my client, ConAgra Inc. dba Armour Fresh Meats, Inc. In that letter you asked that my client complete Form 42-248/42-1409(6) entitled "Notice Of Change Of Water Right Ownership."

ConAgra wishes to take whatever steps necessary to resolve any confusion regarding its claimed water rights. However, ConAgra is not a new owner of the Armour Fresh Meats, Inc. facility in Nampa, Idaho, the business for which notices of claims to water rights numbers A63-03570, A63-03277, A63-21949, & A63-21952 were filed. The facility was operated as CAG Subsidiary until a name change to Armour Food Company on January 12, 1984. Armour Food Company and ConAgra Inc. merged on August 12, 1985. The facility has done business under the dba of Armour Fresh Meats Inc. since that time. All of the notice of claims identified in your June 24, 1998 letter were filed for ConAgra Inc., dba Armour Fresh Meats in 1992.

Recently, ConAgra responded to a letter from the Idaho Department of Water Resources dated June 22, 1998, a copy of which is enclosed. Along with that letter was enclosed a Confirmatory Deed and Assessor's Tax Number Lists Canyon County concerning ConAgra's Nampa, Idaho facility. The deed is between the Greyhound corporation and

Judy Givens
December 9, 1998
Page 2

Armour and Company. ConAgra is not specifically identified on the deed, as it bought Armour and Company and all of its assets, including the Nampa facility as explained above.

If you have any questions or concerns, feel free to contact me.

Sincerely,

THOMPSON AND ASHCRAFT, L.L.P.

Kristen R. Thompson

cc: Gene Gibson

THOMPSON AND ASHCRAFT, L.L.P.

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Larry C. Ashcraft

Philip R. Miller

James A. Cook

Paralegal

Michelle M. Meyers

December 1, 1998

Mountain Home Office

430 North 6th East

Post Office Box 506

Mountain Home, Idaho 83647-0506

Telephone: (208) 387-9797

Facsimile: (208) 387-7005

E-mail: tab@mhicomm.net

Judy Givens

State of Idaho, Department of Water Resources

1301 North Orchard Street

P.O. Box 83720

Boise, ID 83720-0098

Re: ConAgra Inc., dba Armour Fresh Meats, Inc.
TAB File No. 0091-01

Dear Ms. Givens:

I am writing in response to a letter dated June 22, 1998 sent by you to my client, ConAgra Inc. dba Armour Fresh Meats, Inc., requesting the legal description included on the Warranty Deed for ConAgra's Nampa, Idaho facility. Enclosed is a Confirmatory Deed and Assessor's Tax Number Lists Canyon County concerning ConAgra's Nampa, Idaho facility. Note that the deed is between the Greyhound corporation and Armour and Company. ConAgra is not specifically identified on the deed, as it later bought Armour and Company and all of its assets, including the Nampa facility.

If you have any questions or concerns, feel free to contact me.

Sincerely,

THOMPSON AND ASHCRAFT, L.L.P.

Kristen R. Thompson

KRT:ldg

Enclosure

cc: Gene Gibson

THOMPSON AND ASHCRAFT, L.L.P.

ATTORNEYS AND COUNSELORS AT LAW

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E-mail: tab1@primenet.com

Kristen R. Thompson

Larry C. Ashcraft

Philip R. Miller

James A. Cook

Paralegal

Michelle M. Meyers

September 11, 1998

RECEIVED

SEP 14 1998

Department of Water Resources

Mountain Home Office

430 North 6th East

Post Office Box 506

Mountain Home, Idaho 83647-0506

Telephone: (208) 587-9797

Facsimile: (208) 587-7005

E-mail: tab@mhiconn.net

Judy Givens

State of Idaho, Department of Water Resources

1301 North Orchard Street

P.O. Box 83720

Boise, ID 83720-0098

RECEIVED

DEC 08 1998

WATER RESOURCES
WESTERN REGION

Re: ConAgra Inc., dba Armour Fresh Meats, Inc.
TAB File No. 0091-01

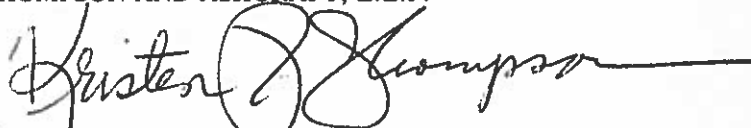
Dear Ms. Givens:

I am writing in response to two letters sent by you to my client, ConAgra Inc. dba Armour Fresh Meats, Inc., dated June 22, 1998 and June 24, 1998. In the letter of June 22, 1998 you asked for the legal description included on the Warranty Deed for ConAgra's Nampa, Idaho facility. In the letter of June 24, 1998 you requested my client complete and return to you Form 42-248/42-1409(6).

I am currently gathering information responsive to both requests and hope to have that to you shortly. If you have any questions or concerns, feel free to contact me.

Sincerely,

THOMPSON AND ASHCRAFT, L.L.P.


Kristen R. Thompson

cc: Gene Gibson

THOMPSON AND ASHCRAFT, L.L.P.

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December 1, 1998

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DEC 03 1998

Department of Water Resources

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430 North 6th East

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Mountain Home, Idaho 83647-0506

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Boise, ID 83720-0098

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TAB File No. 0091-01

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DEC 08 1998

WATER RESOURCES
WESTERN REGION

Dear Ms. Givens:

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If you have any questions or concerns, feel free to contact me.

Sincerely,

THOMPSON AND ASHCRAFT, L.L.P.

Kristen R. Thompson

KRT:ldg

Enclosure

cc: Gene Gibson

ATTN: KEN M. BUVALA
3033 N. Central Ave., Ste 100
Phoenix, AZ 85012

INSTRUMENT NO. 967871

CONFIRMATORY DEED

THIS DEED is made this 2nd day of February 1983, by and between ARMOUR AND COMPANY, a Delaware corporation, ARMOUR AND COMPANY, an Arizona corporation, and THE GREYHOUND CORPORATION, an Arizona corporation, each having its principal office at 111 West Clarendon Avenue, Phoenix, Maricopa County, Arizona, hereinafter referred to as "Grantors", and ARMOUR FOOD COMPANY, an Arizona corporation, having its principal office at 111 West Clarendon Avenue, Phoenix, Maricopa County, Arizona, hereinafter referred to as "Grantee",

Grantors, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable considerations in hand paid by Grantee, the receipt whereof is hereby acknowledged, by these presents do hereby grant, bargain, sell, remise, release, convey, enfeoff, alien and confirm unto Grantee, its successors and assigns, forever, the premises described on attached Exhibit A.

TOGETHER with all and singular the easements appurtenant to or beneficial to the said premises, hereditaments and appurtenances thereunto belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim or demand whatsoever of the Grantors, either in law or equity, of, in and to the said premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises, with the appurtenances, unto Grantee, its successors and assigns, forever.

IN WITNESS WHEREOF, each of the Grantors has caused these presents to be signed by one of its Vice Presidents, and its corporate seal hereunto affixed and attested by one of its Assistant Secretaries, the day and year first above written.

ATTEST:

By Carol Kotek
Carol Kotek
Assistant Secretary
(SEAL)

ARMOUR AND COMPANY

By Gene Lemon
Gene Lemon
Vice President

ATTEST:

By Carol Kotek
Carol Kotek
Assistant Secretary
(SEAL)

ARMOUR AND COMPANY

By R. P. Jones
R. P. Jones
Vice President

ATTEST:

By Carol Kotek
Carol Kotek
Assistant Secretary
(SEAL)

THE GREYHOUND CORPORATION

By Armen Ervanian
Armen Ervanian
Vice President

EXHIBIT "A"

Page 1 of 2

All those certain lots, pieces or parcels of land situate in the City ofampa, County of Canyon and State of Idaho, known and described as follows, to-wit:

Parcel No. 1: Lots 3, 4, 5, 6 and 7, Block 1, Gateway Park Subdivision of the $N\frac{1}{2}$ of the $NW\frac{1}{4}$ of Section 36, Township 3 N.R. 2 W.B.M., according to the plat filed in Book 2 of Plats, Page 21, records of said County.

Parcel No. 2: The $NE\frac{1}{4}$ of the $NE\frac{1}{4}$ of Section 36, Township 3 N.R. 2 W.B.M.

Parcel No. 3: Commencing at the point on Section line 759.32 feet East of the NW corner of the $NW\frac{1}{4}$ of the $NE\frac{1}{4}$, Section 36, Twp. 3 N.R. 2 W.B.M., Canyon County, Idaho, and running thence South parallel to the quarter section line a distance of 1150 feet to the center of Indian Creek; thence SErly along the center of said Indian Creek to the South line of the said $NW\frac{1}{4}$ of the $NE\frac{1}{4}$, Section 36; thence East 420 feet more or less to the SE corner of said $NW\frac{1}{4}$ $NE\frac{1}{4}$ Section 36; thence North 1320 feet, more or less to the NE corner of the $NW\frac{1}{4}$ $NE\frac{1}{4}$, Section 36; thence West 560.68 feet, more or less to the point of beginning.

Parcel No. 4: Beginning at the point of intersection of the half section line of Section 36, Township 3 N.R. 2 W.B.M. and the center line of Indian Creek, which point is 718 feet, more or less, South of the Northwest corner of the $NE\frac{1}{4}$ of said Section 36; running thence South on said half section line to the Southwest corner of the $NW\frac{1}{4}$ of the $NE\frac{1}{4}$ of said Section 36; thence East 900 feet to the center of Indian Creek; thence in a Northwesterly direction following the center of the Creek to the place of beginning.

Parcel No. 5: All of the $SE\frac{1}{4}$ of the $NW\frac{1}{4}$, North of the Oregon Short Line Railroad right-of-way in Section 36, Township 3 N.R. 2 W.B.M.

Parcel No. 6: Commencing 1 rod East of the North Quarter corner of Section 36, Township 3 North, Range 2 W.B.M., in Canyon County, Idaho; thence East 298 feet; thence South 790 feet to the center of Indian Creek; thence NWrly on the center of said Indian Creek, 318 feet to a point lying 1 rod East of the West line of the $NE\frac{1}{4}$ of said Section 36; thence North 718 feet to the point of beginning.

Parcel No. 7: Beginning at the Northwest corner of the $NE\frac{1}{4}$ of said Section 36, Township 3 N.R. 2 W.B.M.; running thence Easterly along said Section line 164 feet to a point; thence Southerly and at right angles a distance of 718 feet to Indian Creek; thence Westerly along said Indian Creek, 164 feet to the Section line; thence Northerly 718 feet to the point of beginning.

Signed, Sealed and Delivered
in the Presence of:

This instrument was drafted by
Susan M. Mann, Attorney-at-Law
The Grayhound Corporation
Grayhound Tower, Phoenix, AZ

J. J. Nygren
J. J. Nygren

Susan M. Mann
Susan M. Mann

Being all or part of the same property conveyed by Deed recorded
Instrument Nos. 495882, 518520, 664101, 683827.

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

I, Marjorie Cessna, a notary public in and for said County, in the State aforesaid, residing in the City of Phoenix, in said County and State, DO HEREBY CERTIFY that L. Gene Lamon, R. P. Jones and Armen Ervanian, personally known to me to be Vice Presidents of Armour and Company, a Delaware corporation, Armour and Company, an Arizona corporation, and The Grayhound Corporation, an Arizona corporation, respectively, and Carol Kotek, personally known to me to be an Assistant Secretary of each corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Vice Presidents and Assistant Secretary, they signed and delivered the said instrument as Vice Presidents and Assistant Secretary of the respective corporations, and caused the corporate seal of the respective corporations to be affixed thereto, pursuant to authority, given by the Boards of Directors of the respective corporations as their free and voluntary acts, and as the free and voluntary acts and deeds of the respective corporations, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 2nd day of
February, A.D. 1983.

Marjorie Cessna
Notary Public within and for
the County of Maricopa and
State of Arizona

My commission expires:

January 24, 1986.

Send tax bills to:
Armour Food Company
111 W. Clarendon Avenue
Phoenix, AZ 85077

120766 TTS-HH

EXHIBIT "A"

Page 2 of 2

ALSO:

All that part of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 36, Township 3 North, Range 2 West B.M., lying South of the Oregon Short Line Railroad Company right of way, together with all water rights, ditches and rights of way for ditches thereto belonging or used in connection therewith.

ALSO:

That certain 6" strip of land, being the Westerlymost 6" of Tax Lot No. 7, situate in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 36, Township 3 North, Range 2 W.B.M.

ALSO:

A tract of land situated in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 36 Twp. 3 N., R. 2 W.B.M., in Canyon County, Idaho, particularly bounded and described as follows:

Beginning at a point on the section line which bears E. 314.82 feet from a Brass Cap Monument marking the quarter-section corner common to Sections 25 and 36; Twp. 3 N., R. 2 W. B.M., Canyon County, Idaho; thence S. 839.40 feet to a point on the centerline of Indian Creek; thence S. 76°28'E. along said centerline, 162.33 feet to a point, thence S. 48°45'E. along said centerline, 242.01 feet to a point; thence S. 34°12'30" E. along said centerline, 186.27 feet to a point; thence N. 1191.00 feet to a point on said section line common to said Sections 25 and 36; thence W. 444.50 feet to the Real Point of Beginning.

SUBJECT to the liens and assessments of Nampa & Meridian Irrigation District, and the rights, powers and easements of said district as by law provided.

SUBJECT to rights of way for irrigation and drainage and canals; SUBJECT to an Agreement granting permission to construct and maintain an irrigation ditch, running to adjoining property, and access for maintenance of said ditch, as shown in Book 3 of Bonds and Agreements, page 343, records of Canyon County, Idaho.

ASSESSOR'S TAX NUMBER LIST CANYON COUNTY

Year 19__

Section 36, T3N. R2W.B.M.

J. CALDWELL 54707

DESCRIPTION

Beginning at a point 759.32 feet East of the quarter section corner between sections 25 & 36, T3N. R2W.B.M. Thence South 1160 feet to the center of Indian Creek. Thence Southeasterly following center of Indian Creek to its intersection with the East line of the ~~NEL~~ of Section 36, thence North along the East line of said NENW, to the Northeast corner of said ~~NENE~~ Thence West to the place of beginning, containing 17 acres more or less.

NW 1/4

NW 1/4

ASSESSOR'S TAX NUMBER LIST CANYON COUNTY

Year 19____

CANYON PRINTING, CALDWELL 34727

Section 36, T3N. R2W.B.M.

NUMBER

DESCRIPTION

7

Beginning at a point on the section line 314.32 feet East of the quarter section corner between sections 25 & 36, T3N. R2W.B.M. and running thence East 445 feet. Thence South 1150 feet to the center of Indian Creek. Thence in a Northwesterly direction with said Indian Creek 567 feet. Thence North 790 feet to the place of beginning, containing 10 acres more or less.
Book 83 Deeds page 65. Inst #92987.

1. JUL 21 1998 11:59 AM

DEF ACTION: L

PRESS (01 RETURN) TO VIEW ANOTHER ACCOUNT

TRQK101

REAL PROPERTY INQUIRY

1 9832389-010- -0 144-00 N SCH1311	10	20.000	1.00
	14	42.525	17.01
C O G SUBSIDIARY, INC	19		.49
	31	39.800	
	32	125	
	33	109.250	
ATTN: HORNER, DOUGLAS P			
NE CONAGRA DR CC 362			
MAHA NE 68102-5001			
6-3N-2W NW	TOTAL	211.700	18.50
ENW N&E OF RR & NWNE LESS TX 788			
915 AMITY AVE. NA			
	SURVEY	INST	
	DRAIN	DR VALVE	APPR KSE
	CLASS 92	REAP 95	MAN 94 UNIT 1
	PARCEL 9803N02W364200	H/O N C/B N	
	PRIOR ACCOUNT	9832389-010- -0	
		02 MH on Property NO	
		03 Traits Inquiry	

CGCN ID: PLAT.TAX

PORT ID: 532

GROUP: USERA

WICK709E L4 TRQK101(98/01/30) QDESIGN709E HP2392 (6) COGNOS INCORPORATED.

1. JUL 2, 1998, 11:59 AM

DE:F ACTION:L

PRESS (01 RETURN) TO VIEW ANOTHER ACCOUNT

TROK101

REAL PROPERTY INQUIRY

1 9R32389-000- -0 144-00 N SCH1311	01	12,400	17.50
	05	400	12.00
C A G SUBSIDIARY, INC	14	22,400	8.99
	19		1.51
	32	18,175	

ATTN: HORNER, DOUGLAS P
NE CONAGRA DR CC 362
IMAHA NE 68102-5201

6-3N-2W NW
ENE

TOTAL 53,375 40.00

MITY AVE. NA

SURVEY INST 0994664
DRAIN OR VALUE APPR KGE
CLASS 37 REAP 95 MAN 94 UNIT 0
PARCEL 9R03N02W360100 H/D N C/S N
PRIOR ACCOUNT 9R32389-000- -0
02 MH on Property NO
03 Traits Inquiry

JGON ID: PLAT.TAX

PORT ID: 332

GROUP: LISERA

JICK709E L4 TROK101(98/01/33) JDESIGN709E HP2392 (c) COSNOS INCORPORATED.

1. JUL 2. 1998. 11:59 AM

SELF ACTION: L

PRESS <01 RETURN> TO VIEW ANOTHER ACCOUNT

TROK101

REAL PROPERTY INQUIRY

1 9R32390-000- -0 144-00 N SCH41311	01	6.800	9.50
	19		.50
C A G SUBSIDIARY, INC	32	1.625	

ATTN: HORNER, DOUGLAS P
NE CONAGRA DR CC 362
MAHA NE 66102-5001

6-3N-2W NE
X 7 IN NWNE

TOTAL 8,425 10.00

MITY AVE, NA

SURVEY INST
DRAIN OR VALUE APPR KGE
CLASS SF REAP 95 MAN 94 UNIT 0
PARCEL 9R03N02W360700 H/O N C/B N
PRIOR ACCOUNT 9R32390-000- -0
02 MH on Property NO
03 Traits Inquiry

OGON ID: PLAT.TAX

PORT ID: 332

GROUP: USERA

DICK709E L4 TROK101(98/01/30) 00FSG1GN709E HP2392 (C) COGNOS INCORPORATED.

401 JUL 2, 1998, 11:59 AM

CODE: F ACTION: L

PRESS (01 RETURN) TO VIEW ANOTHER ACCOUNT

TRCK101

REAL PROPERTY INQUIRY

01 PR22160-000- -0	144-00	N	SCH1311	01	13.975	15.52
C A G SUBSIDIARY, INC				14	252.500	17.50
				36	3,734,425	

ATTN: HORNER, DOUGLAS P
ONE CONAGRA DR CC 362
OMAHA NE 68102-5001

36-3N-2W NW GATEWAY PARK
LTS 3,4,5,6 & 7 BLK 1

3050

TOTAL 4,010,900 33.02

3611 AMITY AVE, NA

Pg 115D

SURVEY INST
DRAIN OR VALUE APPR JRC
CLASS IN REAP 98 MAN 97 UNIT 0
PARCEL 9R03050001003A H/O N C/S N
PRIOR ACCOUNT PR22160-000- -0
02 MH on Property YES
03 Traits Inquiry

LOGON ID: PLAT.TAX

PORT ID: 332

GROUP: USERA

QUICK709E L4 TRCK101/98/01/30) CDESIGN709E HP2392 (C) COGNOS INCORPORATED.

JUL 2. 1998, 11:59 AM

DE:F ACTION:L

PRESS 401 RETURN TO VIEW ANOTHER ACCOUNT

TROK101

REAL PROPERTY INQUIRY

1 9R32391-000- -0	144-00	N	SCH131	01	9,500	17.00
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C A G SUBSIDIARY, INC

ATTN: HORNER, DOUGLAS P
NE CONAGRA DR CC 362
IMAHA NE 68102-5001

6-3N-2W NE
X 8 IN NWNE

TOTAL	9,500	17.00
-------	-------	-------

MITY AVE. NA

SURVEY	INST
DRAIN DR VALUE	APPR KGE
CLASS REAP 95 MAN	UNIT 0
PARCEL 9R32391-000- -0	H/D N C/S N
PRIOR ACCOUNT 9R32391-000- -0	
	02 MH on Property NO
	03 Tracts Inquiry

JGON ID: PLAT.TAX

PORT ID: 332

GROUP: USERA

UICK709E L4 TROK101(98/01/30) DDESIGN709E HP2392 (6) COGNOS INCORPORATED.

AJ0749NP
No. R63-21952

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

DATE: 08/24/98
PAGE: 1

OWNER CODE: C
NAME & ADDRESS: CON AGRA INC
DBA ARMOUR FRESH MEATS
C/O BRIAN SWEET
PO BOX 470
Nampa ID 83651
(208) 466-4627

PRIORITY DATE: 12/31/1950
WATER USE: STOCKWATER

USE PERIOD FROM: 01-01
TO: 12-31

DIVERSION RATE: 0.33 CFS
DIVERSION VOLUME: 0.33 CFS

TOTAL DIVERSION: 0.33 CFS

Water Source: GROUNDWATER
Point(s) of Diversion: T03N R02W S36
Place of Use Legal Description for: STOCKWATER
Tributary to: NENW
Stage: BENEFICIAL USE
CANYON County

POU County: CANYON

Non-Irrigation Uses: STOCK-1500 HD FEEDLOT CATTLE

Other Rights: NONE

Conditions of Approval:

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP PARCEL NO. 8R03050001003A

Dates: Exam Made Date: Verified Date: 08/24/1998 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

Audit: 08/24/98 JG1VENS

W011929 - \$83

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-21-1997
PAGE: A-295

RIGHT NUMBER: 63-21952

NAME & ADDRESS: CON AGRA INC
DBA ARMOUR FRESH MEATS
C/O BRIAN SWEET
PO BOX 470
NAMPA ID 83651

Concep CAG Subsidiary Inc
ATTN: Homer Douglas
One Conagra Drive 362
Omaha NE 68102-5001

SOURCE: GROUNDWATER

QUANTITY: 0.33 CFS

PRIORITY DATE: 12/31/1950

POINT OF DIVERSION: T03N R02W S36

NEW

Within CANYON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

STOCKWATER STOCK-1500 HD FEEDLOT C

PERIOD OF USE

01-01 12-31

QUANTITY

0.33 CFS

PLACE OF USE:

STOCKWATER
T03N R02W S36

Within CANYON County
NEW

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Parcel No. 2R03050001003A20

AKA 3611 Amity Ave NATE - 3102

R 22169

Verified by IC Date: 3/30/98

Verification Source: Computer & map



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

June 24, 1998

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

CAG SUBSIDIARY INC
ATTN: HORNER DOUGLAS
ONE CONAGRA DR CC362
OMAHA NE 68102-5001

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right No. A63-03570, A63-03277, A63-21949, & A63-21952

Dear Claimant:

We have been advised you may be the current owner of the property with the water right referenced above.

Before we can modify our records to reflect your new ownership of the water right referenced above, we need Form 42-248/42-1409(6) completed. This form is enclosed for your use. Please follow the instructions on the back of the form and return to my attention at this office by July 10, 1998.

Please call this office toll-free at 1-800-451-4129 if you have any questions.

Yours truly,

Judy Givens
SRBA Clerical Specialist

cc: Regional office

Enclosures: Form 42-248/42-1409(6)

Copy of No. A63-03570, A63-03277, A63-21949, & A63-21952 water right filing

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-21952

WATER RIGHT NUMBER: 63-21952

Owner Type Name and Address
 Current Owner CON AGRA INC
 DBA ARMOUR FRESH MEATS
 C/O BRIAN SWEET
 PO BOX 470
 NAMPA, ID 83651
 (208)466-4627

Priority Date: 12/31/1950
 Basis: Beneficial Use
 Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.335 CFS	
	<u>Total Diversion:</u>	0.335 CFS	20.7

Location of Point(s) of Diversion
 GROUND WATER NE1/4NW1/4 Sec. 36, Twp 03N, Rge 02W, B.M.
 CANYON County

Place of Use
 STOCKWATER

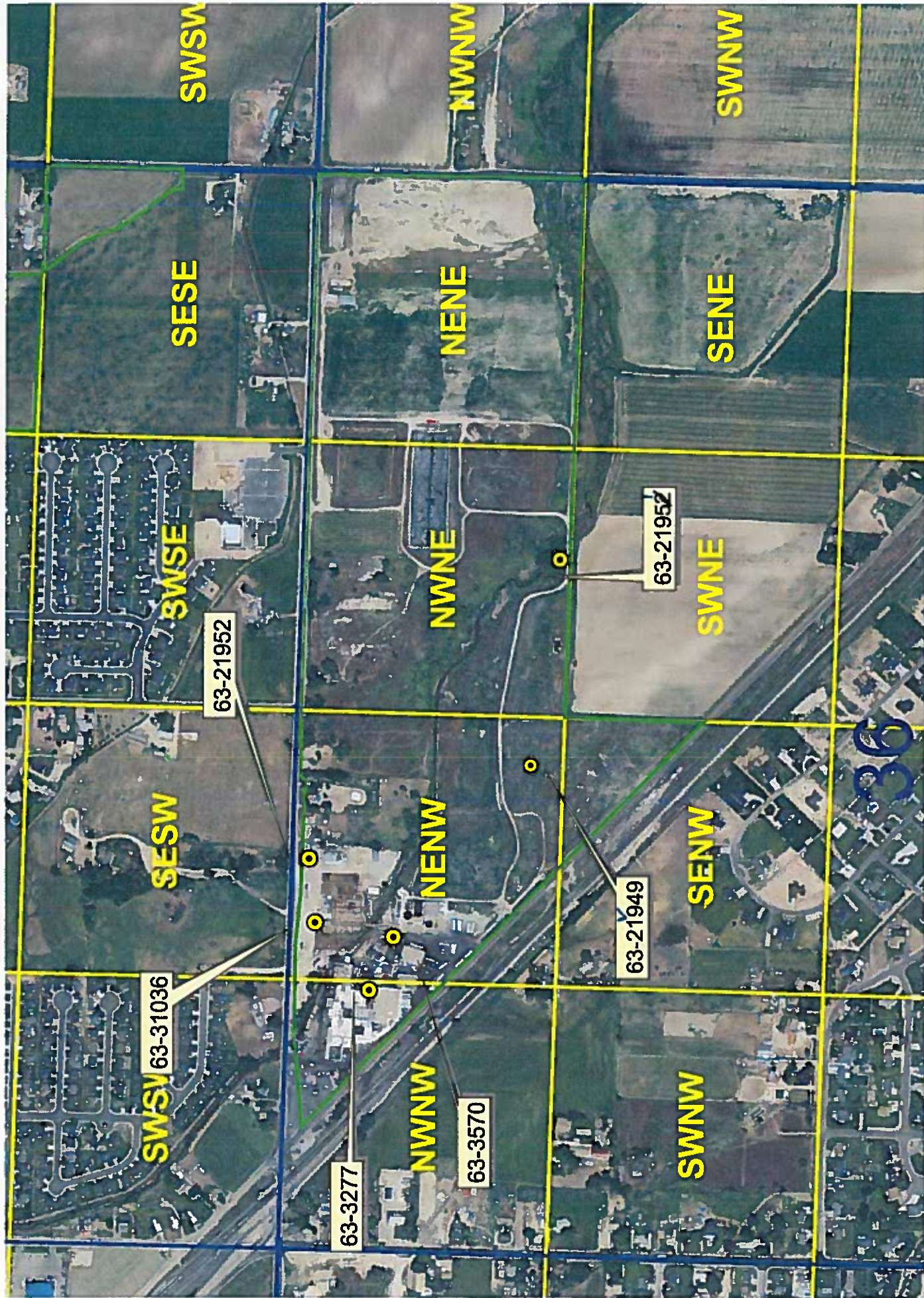
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02W	36					X												

Conditions of Approval:

Remarks:

Comments:

same feedlot as 63-21949
 02 1500 gwh head total
 05 same pop as 63-31036



CON AGRA CLAIMS 63-3277 & 63-3570 [LICENSES], 63-21949, 63-21952
B/U STOCKWATER - FEEDLOT] & 63-31036 [B/U STOCKWATER, DOMESTIC & INDUSTRIAL] - 2004 AERIAL .
POD OF 63-31036 IS GUESS.

MEMORANDUM TO CLAIM FILE

TO: CLAIM FILE NOS. 63-21949, 63-21952 AND 63-31036
FROM: VICKY L MUSIC, SR WATER RESOURCE AGENT, IDWR / WESTERN REGION
SUBJECT: CLAIM REVIEW – WELL, FLOW AND VOLUME
DATE: 5/17/2006
CC:

I received a call back from Tom Siegrist today re well information. Swift's subcontractor confirmed the presence of an artesian well labeled 63-31036 on my map but no well at location 63-21952. I believe that the one well was claimed for both claims which makes sense because the claim for 21952 did not include any well or pump information. There was no evidence that the well was piped to buildings and used for industrial purposes.

I will recommend 63-31036 as industrial use with a .04 cfs 2500 gpd volume and delete the stockwater and domestic uses. I will recommend 63-21952 from the same pod for stockwater and will use the computed theoretical flow based on an 11 hp pump.

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-21952**

02/13/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2391	Water Right	03N	02W	36	NE	NW		IRRIGATION	5/13	MARTIN LARSEN
21952	Claim	03N	02W	36	NE	NW		STOCKWATER		CON AGRA INC
21036	Claim	03N	02W	36	NE	NW		STOCKWATER		CON AGRA INC
23600	Water Right	03N	02W	36	NE	NW		STOCKWATER		DOROTHY D MITCHELL
3570	Claim	03N	02W	36	NE	NW		INDUSTRIAL		CON AGRA INC
21036	Claim	03N	02W	36	NE	NW		INDUSTRIAL		CON AGRA INC
3570	Water Right	03N	02W	36	NE	NW		INDUSTRIAL		ARMOUR & CO
21036	Claim	03N	02W	36	NE	NW		DOMESTIC		CON AGRA INC
23600	Water Right	03N	02W	36	NE	NW		DOMESTIC		DOROTHY D MITCHELL

83

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: A63-21952
Date Received: ~~4/09/1990~~ 4.12.90
Receipt No: W011929
Received By: EW

RECEIVED

APR 12 1990

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CON AGRA, INC. 208-466-4627
Address: DBA ARMOUR FRESH MEATS
C/O BRIAN SWEET
PO BOX 470
NAMPA, ID 83651

2. Date of Priority: DEC 31, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02W	36	NE		NW		CANYON

5. Description of diverting works:
WELL AND PUMP, PIPELINE TO APPROX. 12 TROUGHS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.330		

7. Total Quantity Appropriated is:
0.330 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCK-1500 HD FEEDLOT CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02W	36	NE	NW		STOCK	

A63-21952

Page 1

Date: 04/09/90

MICROFILMED

SEP 08 1992

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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: _____

For Organizations:

I do solemnly swear or affirm that I am _____ Wastewater Manager _____ of _____ Title

_____ ConAgra Inc. _____, that I have signed the foregoing Organization document in the space below as _____ Wastewater Manager _____ of Title

_____ ConAgra Inc. _____ and that the statements contained in the Organization foregoing document are true and correct.

Brian Seneet
Signature of Authorized Agent

Wastewater Manager, ConAgra Inc.
Title and Organization

April 10, 1990
Date

State of Idaho)
County of CANYON) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of April 19 90

Doreen Eason
Notary Public

Seal

Residing at ARMOUR FRESH MEAT

My Commission Expires 7-31-94

284 8 0 39



4025

1821

794

2

A63-21952

T3N, R2W, S. 36; ~~NENW~~

66

Receipt Details for ID W011929

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
4/12/1990 1:39:06 PM	4/12/1990	Western	\$828.00	Check
Payer		CONAGRA FRESH MEATS CO.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
23610			
Card Expiration Date	Credit Card Transaction #		

Comment LATE FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$578.00	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490
\$250.00	LATE FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	3277		\$170.00	Claim
63	3570		\$217.00	Claim
63	21951		\$25.00	Claim
63	21949		\$83.00	Claim
63	21952		\$83.00	Claim

} claims for SW

Print Report