

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: A63-31036
Date Received: 1/27/1999
Receipt No: W024758
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: CON AGRA
Address: DBA ARMOUR FRESH MEATS
PO BOX 1470
NAMPA ID

208-466-4627

83653-1470

2. Date of Priority: DEC 31, 1953

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
ARTESIAN WELL, 6" CASING W/4" WELL FEEDING.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.180		
INDUSTRIAL	01/01	12/31	0.100		
DOMESTIC	01/01	12/31	0.050		

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:
STOCKWATER, 300 DAIRY AND RANGE CATTLE

10. Place of Use:

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

10. Place of Use: Continued

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

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:

A63-21952, A63-21949, A63-03570, A63-03277, A63-21951

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

RECEIVED

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

JAN 27 1999

WATER RESOURCES
WESTERN REGION
39576IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER:

Ident. Number

Ala3-31036

Date Received

1/27/99

Receipt Number

W024758NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) ConAgra, Inc. d/b/a Armour Fresh Meats Phone (208) 466-4627
Mailing Address P.O. Box 1470, Nampa, Idaho Zip 83653-14702. Date of Priority (Only one (1) per claim) December 31, 19533. Source of water supply (a) Groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 3N Range 2W Section 36,
NW 1/4 of NE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Canyon

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.Artesian well - 6" casing with 4" well feeding, 8
pens, 11 horsepower pump to two industrial buildings
with toilets.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Stockwater purposes from Jan. 1 to Dec. 31 amount .18 or _____

For Industrial purposes from Jan. 1 to Dec. 31 amount .10 or _____

For Domestic purposes from Jan. 1 to Dec. 31 amount .05 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .330 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 300 cattle, both dairy and beef cattle.

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>3N</u>	<u>2W</u>	<u>36</u>					<u>S, D, I</u>												

Total number of acres irrigated 0 on this claim

11. In which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. (used at Armour Facility)
A63-21952, A63-21949, A63-03570, A63-03277, A63-21951 or None ()

14. Remarks:

Last Name Com Agra, Inc. Ident No. 39576

Copies: White -State, Yellow-Claimant

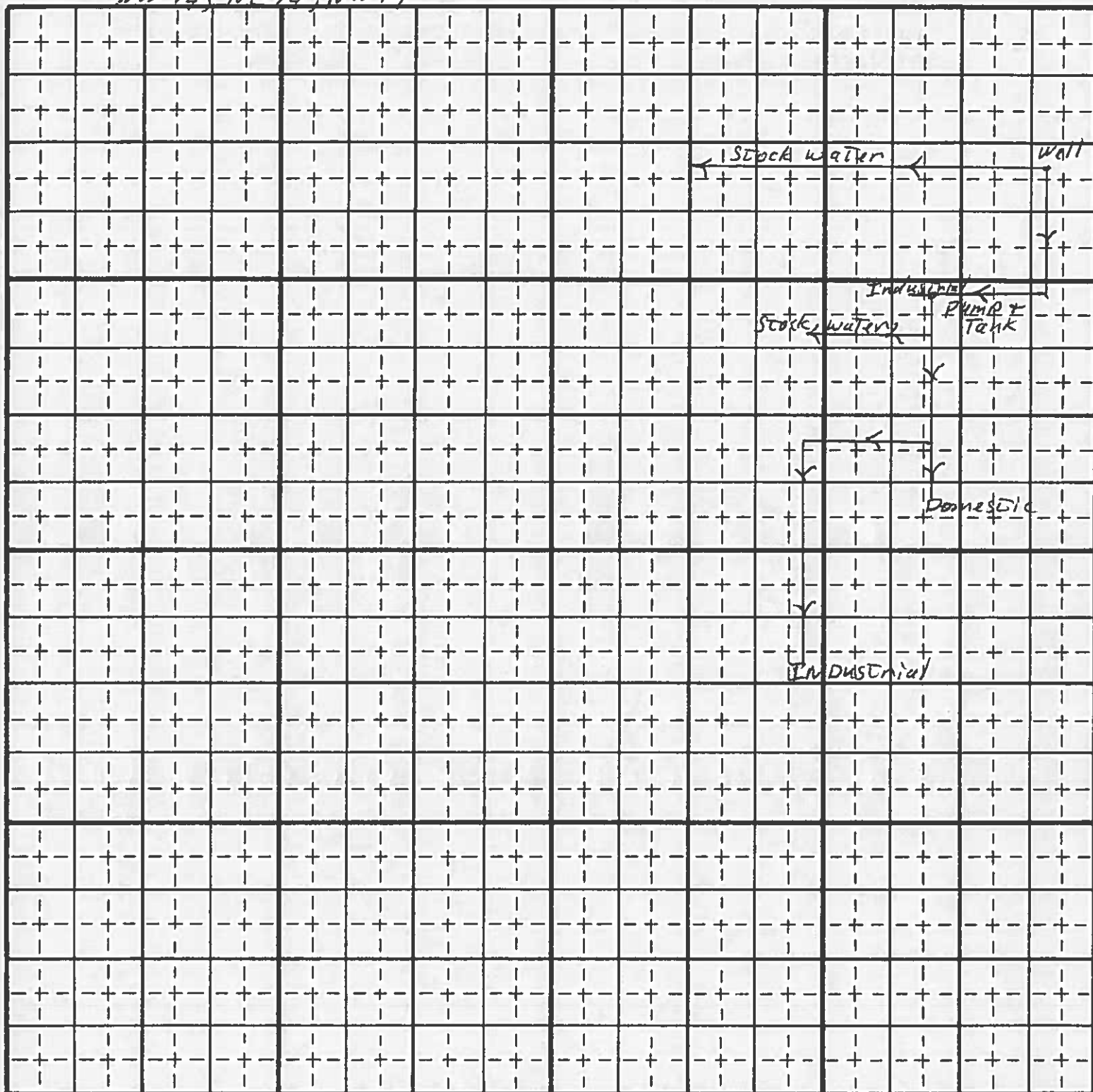
Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

NOT TO SCALE

T3N, R2W, Sec 36

NW 1/4, NE 1/4, NW 1/4



Last Name

ConAgra, Inc.

Ident No.

39576

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 _____

For Individuals: I 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 General Manager Title

of Armore, Conaga Inc. Organization, that I have signed the foregoing

document in the space below as General Manager Title of Armore, Conaga Inc. Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Mark D. Gilbert

Title and Organization General Manager Date 1/14/99

State of Idaho/or _____)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 14 day of Jan 19 99

SEAL

Notary Public Brenda Miller

Residing at nanpand

My Commission Expires 1-4-2001

Please Print Name

17. Notice of Appearance: James A. Cook will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature James A. Cook

Address 1515 N. 10th St. Boise ID 83702

Date 11/16/98 #161 E. Mallard Drive, Suite A Boise Idaho 83701

Last Name Conaga, Inc. Ident. Number 39576

Copies White-State, Yellow-Claimant

Receipt Details for ID W024758

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
1/27/1999 10:38:30 AM	1/27/1999	Western	\$25.00	Check
Payer		THOMPSON ASHCRAFT		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
5839			
Card Expiration Date	Credit Card Transaction #		

Comment NOTICE OF CLAIM TO A WATER RIGHT

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	NOTICE OF CLAIM TO A WATER RIGHT	41503	337	00		1155

Refund(s):

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

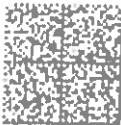
Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	31036		\$25.00	Claim

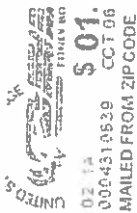
Print Report

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT AVE
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED



FIRST CLASS



1470
904

CON AGRA INC
DBA ARRIOR FRESH MEATS
C/O BRIAN SWEET
PO BOX 470
HAMPA ID 83451

RECEIVED

OCT 13 2008

WATER RESOURCES
WESTERN REGION

NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

63-21952
21949
31036
3277
3577



05/17/2006

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

RIGHT NUMBER: 63-31036

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: 0.040 CFS

The quantity of water under this right shall not exceed 2,500 gallons per day.

PRIORITY DATE: 12/31/1953

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>
INDUSTRIAL	01/01 12/31	0.040 CFS
Industrial use is for a slaughterhouse and meatpacking facility		

PLACE OF USE: INDUSTRIAL 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

Right No. 63-21952 is also diverted through point of diversion described above.



State of Idaho
Idaho Department of Water Resources
Western Region

T3N R2W SECTION 36
Water Right (s): 63-31036



- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: May 2006

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.

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

Music, Vicky

From: Music, Vicky
Sent: Wednesday, May 17, 2006 9:22 AM
To: 'Siegrist, Thomas'
Subject: RE: Snake River Basin Adjudication claims

I understand that Con Agra is selling the property. Most likely the new owners will not have historical information regarding the water uses on the property. Hence, to be able to recommend these non-licensed claims as valid water rights, I need to get as much information as possible now. Water rights in the Treasure Valley are valuable as IDWR is not granting new water rights so, although the licenses will be recommended as valid, if the new owners intend to use water from the older wells, I have to have information to recommend them to the SRBA Court. Vicky

-----Original Message-----

From: Siegrist, Thomas [mailto:Thomas.Siegrist@swiftbrands.com]
Sent: Wednesday, May 17, 2006 8:47 AM
To: Music, Vicky
Subject: RE: Snake River Basin Adjudication claims

Vicky: Since the plant has been "mothballed" since the fall of 2005, the only person at the plant on a routine basis now is a security guard who really isn't familiar with the wells or their location. We're currently negotiating with another company concerning the sale of the plant and, the last I heard, the new owners are expecting to take possession on May 27. I'm not certain what their plans are for moving folks to the plant, though.

Tom

From: Music, Vicky [mailto:Vicky.Music@idwr.idaho.gov]
Sent: Wednesday, May 17, 2006 8:35 AM
To: Siegrist, Thomas
Subject: RE: Snake River Basin Adjudication claims

Mr. Siegrist - I received the information you sent. I see that a couple of the beneficial use claims [63-31036, 63-21952, 63-21949] are claimed for a quantity that require a field exam. Is there anyone on site that could show a subcontractor where the wells are and provide information about the wells? Thanks.

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

-----Original Message-----

From: Siegrist, Thomas [mailto: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.



Swift & Company

RECEIVED

MAY 11 2006

WATER RESOURCES
WESTERN REGION

Swift & Company
1770 Promontory Circle
Greeley, CO 80634-9038

Tom Siegrist
Phone: 970-506-7812
Fax: 970-506-8331

May 10, 2006

Vicky L. Music
Idaho Department of Water Resources, Western Region
2735 Airport Way
Boise, Idaho 83705-5082

RE: Evidence of Priority and Annual Volume Data, Snake River Basin Claim Numbers: A63-3570, A63-3277, and A63-21949

Attached are data summarizing monthly pumping data for wells covered by water right numbers 63-3570 and 63-3277. These data describe pumping rates from calendar 2003, the last year of full production at Swift's Nampa, Idaho plant. Note that production years since then have been affected by national concerns related to the potential presence of "mad cow" disease in Canada and the U.S., so production rates at the Nampa Plant have been lower than typical since 2003.

The Nampa Plant was originally built in 1916, and it operated until the mid-1950's under the King Meat Packing name. At that time, the plant was sold to Safeway. In 1957, Safeway sold the plant to Armour & Company. It's believed, though no confirming written record exists within Swift, that the wells covered by water right claims 63-3570 and 63-3277 were installed in the 1960's to supply water to the slaughter facility located at the site. Water right number 63-3570 was used to provide potable water and process-related water to the beef slaughter facility, while water right number 63-3277 was used to provide non-contact cooling water to the plant and to provide backup to the plant's main water supply.

The well associated with water right number 63-21949 was originally installed to provide water to livestock at a feedlot that was on the site. That feedlot was shutdown in the late 1990's, and the associated well has been out of service since at least mid-2001. (Mid-2001 is as far back as I can confirm this well being out of service, based on a conversation with Karl Merbach, a contract employee who began managing water and wastewater related issues for Nampa in 2001.)

Note that Swift's Nampa plant was temporarily "mothballed" in the early fall of calendar 2005, and the wells covered by water right numbers 63-3570 and 63-3277 were temporarily taken out of service at that time. Swift is in the final stages of selling the Nampa plant to a new owner, and that new owner will be responsible for all operations as of May 27, 2006.

If you have any questions or concerns about the information provided, please feel free to contact me at 970/506-7812.

Sincerely,

Tom Siegrist
Manager of Environmental Engineering
Swift & Company



Swift & Company

Swift & Company
1770 Promontory Circle
Greeley, CO 80634-9038

Tom Siegrist
Phone: 970-506-7812
Fax: 970-506-8331

Water Right 63-2570

<u>2003</u>	<u>Water Pumped</u> (MG / month)
Jan	20.0860
Feb	17.8330
Mar	18.0500
Apr	18.7430
May	18.3780
Jun	18.6000
Jul	18.9670
Aug	18.9860
Sep	19.3650
Oct	21.5030
Nov	18.0680
Dec	17.0580
Total	225.6370

Water Right 63-3277

<u>2003</u>	<u>Water Pumped</u> (MG / month)
Jan	1.3561
Feb	1.5461
Mar	1.3675
Apr	1.3233
May	1.3436
Jun	1.3407
Jul	1.4084
Aug	1.3750
Sep	1.6950
Oct	1.3895
Nov	1.3451
Dec	1.3955
Total	16.8858



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 6, 2003

SWIFT & CO
ATTN: DOUG PAGELER
PO BOX 1470
NAMPA ID 83653

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-31036

Dear Property Owner(s):

We have been advised you may be the current owner of the property with the water right referenced above. Enclosed is a copy of the water right for your review.

Before we can modify our records to reflect your ownership of this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions attached to the form and return to this office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Adjudication Section
Western Region

DH: dh

Enclosures

** Nothing received as of 8.19.03.*

DH

MEMORANDUM

To: File 63-31036
From: Denise Hatfield
Date: September 16, 2002
Subject: Investigation of Claims letter sent out for Karan Waters 9/3/2002
Returned mail information

After the letters were sent to claimants, we received some of them back in the returned mail. The owner information for water right number 63-31036 is listed as follows.

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

Upon searching for a current address, and resending the letter, we received a call from Brian Sweet 9/10/2002. He said he has no involvement with Con Agra Inc or Armour Fresh Meats, and never did. Perhaps there's more than one "Brian Sweet". No current address for Con Agra or Armour Fresh Meats found as of yet.

10-14-02 I looked in phone book & found

Armour Food Co. Personnel Office 466-4628

Conagra Armour Fresh Meats is now:

Swift and Company

Attention: Doug Pageler - Plant Mgr.

P.O. Box 1470

Nampa

83653

By: Karan M. Waters

IDAHO DEPARTMENT OF WATER RESOURCES

WESTERN REGION

2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED

"E of Nampa"

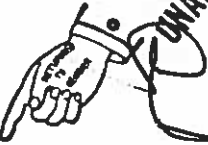
Brian Sweet:

5474 N. Crimson Way
Boise 83703

RETURN SERVICE
REQUESTED

603-31036

PRESORTED
FIRST CLASS



CON AGRA INC
DBA ARMOUR FRESH MEATS
C/O BRIAN SWEET
PO BOX 470
Nampa ID 83851

NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

RECEIVED

SEP 06 2002

WATER RESOURCES
WESTERN REGION



Sent letter
again 9-9-02





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 3, 2002

RE: Investigation of Water Right Claims in the Snake River Basin Adjudication, Basin 63

Dear Claimant:

As you may be aware, the Idaho Department of Water Resources (IDWR) is commencing its Snake River Basin Adjudication (SRBA) investigation of water rights in the Boise River Basin (Basin 63). This investigation is a major effort, and IDWR has hired a contractor, Water Works, Inc., to assist us with this task.

The purpose of this letter is to advise you that Water Works, Inc. might be contacting you to conduct a field investigation of your water use. This investigation is meant to provide important information to the IDWR Senior Water Resource Agent who will be making a recommendation for your water rights. Accordingly, we request that you provide Water Works, Inc. with access to your water diversion system so that their personnel can conduct this field examination. Water Works, Inc. will be gathering information on the rate of flow, diversion location and place of use of your water rights, and will be reporting this information to IDWR.

If you have sold your property in the Boise River Basin, we request that you forward this letter to the purchaser, so that the purchaser can report the new name and address to our office. If you are unable to forward this letter, please send any information regarding a new owner to our Western Regional Office located at 2735 Airport Way, Boise, 83705, (208) 334-2190.

The process of adjudicating your water rights is straightforward for most people, resulting in the issuance of decreed water rights on your property. ~~Experience has shown that water users who~~ work with our agency early in the process to ensure that their recordings are correct have a better experience than those who wait until IDWR has filed its findings with the SRBA Court. Thus, we encourage you to work with our staff and with Water Works, Inc. to ensure that the results accurately reflect your water uses.

Sincerely,

Jan Shurte
Adjudication Section Supervisor
Western Regional Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 4, 1999

THOMPSON AND ASHCRAFT LLP
SUSAN M CLARK
PO BOX 699
BOISE ID 83701-0699

Re: Notice of Claim to a Water Right - A63-31036 - Con Agra

Dear Ms. Clark:

Enclosed, for your records, is the copy of the water right claim for Con Agra dba Armour Fresh Meats and the receipts for the filing fee.

If you have any questions, please feel free to contact our office.

Sincerely,

A handwritten signature in cursive script that reads 'Lori Harris'.

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region

LH:1
Enclosures

cc: Con Agra

THOMPSON AND ASHCRAFT, L.L.P.

ATTORNEYS AND COUNSELORS AT LAW

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Kristen R. Thompson
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Philip R. Miller
Susan M. Clark

Paralegal

Michelle M. Meyers

March 2, 1999

RECEIVED

MAR 04 1999

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@mhiconn.net

Idaho Department of Water Resources
Western Regional Office
Attention: Laurie Harris
2735 Airport Way
Boise, Idaho 83705

Re: Filing fee for Notice of Claim to A Water Right, ConAgra, Inc.
TAB File No. 0091-01

Dear Ms. Harris:

Pursuant to our conversation, enclosed is a check for the additional amount of the filing fee in the above referenced matter. If you have any questions, please contact me.

Sincerely,

THOMPSON AND ASHCRAFT, L.L.P.



Susan M. Clark

SMC:ldg
Enclosure

THOMPSON AND ASHCRAFT, L.L.P.

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January 25, 1999

Mountain Home Office

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Idaho Department of Water Resources

2735 Airport Way

Boise, Idaho 83705

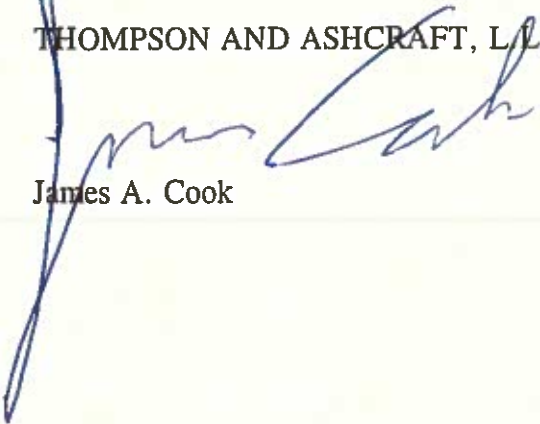
Re: Notice of Claim to A Water Right, ConAgra, Inc.
TAB File No. 0091-01

Dear Sir/Madam:

Enclosed for filing is the Notice of Claim to a Water Right for ConAgra, Inc., dba Armour Fresh Meats. Also enclosed is a check for \$25.00 for the filing fee. Should you have any questions or need more information, please do not hesitate to contact me.

Sincerely,

THOMPSON AND ASHCRAFT, L.L.P.


James A. Cook

JAC:ldg

Enclosure

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31036

WATER RIGHT NUMBER: 63-31036

Owner Type

Current Owner

Name and Address

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

Attorney

JAMES A COOK
161 E MALLARD DR STE A
BOISE, ID 83701
(208)344-9797

CON AGRA BEEF CO.

CONAGRA DR

Punahe NE 68102

Priority Date: 12/31/1953

Basis: Beneficial Use

Status: Active

Source

GROUND WATER

TributaryBeneficial Use~~DOMESTIC~~

STOCKWATER

INDUSTRIAL

From To

1/01 to 12/31

Diversion Rate

0.050 CFS

1/01 to 12/31

0.180 CFS

1/01 to 12/31

0.100 CFS

Total Diversion:

0.330 CFS

Location of Point(s) of Diversion

GROUND WATER

CANYON County

NW1/4NE1/4NW1/4

Sec. 36, Twp 03N, Rge 02W, B.M.

Place of Use~~DOMESTIC~~

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

STOCKWATER

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

FO5 ✓ same POD as 63-21952

PO1 ✓ industrial use is for a slaughterhouse/
meatpacking facility.

PO6 ✓ Q limited to 2500 gpd

pd 25. ✓
2

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31036

INDUSTRIAL

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:

Water Supply Bank:



CON AGRA CLAIMS 63-3277 & 63-3570 [LICENSESES], 63-21949, 63-21952
B/U STOCKWATER - FEEDLOT] & 63-31036 [B/U STOCKWATER, DOMESTIC & INDUSTRIAL] - 1939 AERIAL.
POD OF 63-31036 IS GUESS.



CON AGRA CLAIMS 63-3277 & 63-3570 [LICENSES], 63-21949, 63-21952
B/U STOCKWATER - FEEDLOT] & 63-31036 [B/U STOCKWATER, DOMESTIC & INDUSTRIAL] - 1994 AERIAL.
POD OF 63-31036 IS GUESS.



CON AGRA CLAIMS 63-3277 & 63-3570 [LICENSES], 63-21949, 63-21952
B/U STOCKWATER - FEEDLOT] & 63-31036 [B/U STOCKWATER, DOMESTIC & INDUSTRIAL] - 1987 AERIAL.
POD OF 63-31036 IS GUESS.

Con Area b/u claims for feedlot,
etc. 63-21949, 63-21952, 63-31062

pd 83. -
pd 83. -
pd 25. -

63-21949	1450	SW	1500 hd	20.6 afq	33	6" 2hp
63-21952	1450	SW	1500 hd.	20.6	33	no info.
63-31036	1453	SW	300 hd range/dairy		18	circlesign 6"
		Ind			1	
		Dom			.05	

63-21949

$$\frac{(8.8)(.70)(2)}{(5) + (2.31)(20)} =$$

$$\frac{12.32}{51.20} =$$

$$.24 \text{ lbs}$$

Ucr

$$(.33)(1.9835)365 = 238.91$$

$$(.24)(1.9835)(365) = 173.76$$

$$\frac{(8.8)(.7)(2)}{(10) + (2.31)(20)} = \frac{12.32}{79.3} = .15$$

63-31952 - no well info - same pop as 63-31036. Ucr
inferred to justify flow

63-31036

1) reduce to de minimus - pd 25. ~~diets individual or~~
limit entire rt to 2500 bpd for industrial.

artesian
psi = 20

$$\frac{(8.8)(.7)(11)}{(10) + (2.31)(20)} =$$

$$\frac{67.76}{46.2} =$$

psi = 30

$$\frac{(8.8)(.7)(11)}{(10) + (2.31)(20)} =$$

$$\frac{67.76}{69.3} = .91$$

(2) 300 dairy = 12 afq, 300 range = 5.40 afq

IDAHO DEPARTMENT OF WATER RESOURCES
 ADJUDICATION CLAIM POU REVIEW REPORT
 ADJUDICATION CLAIM NUMBER: 63-31036

02/13/2006

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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
31036	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
31036	Claim	03N	02W	36	NE	NW		INDUSTRIAL		CON AGRA INC
3570	Water Right	03N	02W	36	NE	NW		INDUSTRIAL		ARMOUR & CO
31036	Claim	03N	02W	36	NE	NW		DOMESTIC		CON AGRA INC
23600	Water Right	03N	02W	36	NE	NW		DOMESTIC		DOROTHY D MITCHELL

63-21951 SW - Deceased