



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

May 23, 2012

LEO HERBERT
IDAHOAN FOODS LLC
PO BOX 130
LEWISVILLE ID 83431-0130

RE: Water Right No(s): 61-7189, 61-2248B, 61-7724.

Dear Applicants:

Thank you for submitting the Notice of Change of Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change.

The Change of Ownership form received indicates a change of ownership from Idaho Fresh Pak Inc to Idahoan Foods LLC. However, the documentation submitted provides the owner changes from Idaho Fresh Pak Inc to United II Potato Growers of Idaho Inc dated June 8th, 2010; followed by United II Potato Growers of Idaho Inc to Idaho Fresh Pak LLC dated March 30, 2012. There is no documentation identifying Idahoan Foods LLC as an owner.

The information required is a copy of the conveyance document- warranty deed, quitclaim deed, showing the stated change from Idaho Fresh Pak LLC to Idahoan Foods LLC.

Because the Department cannot process this request without proper information, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information and fees within 30 days we will return your notice and all attachments and your notice will not be processed.

The change of ownership also affects the "extension of time to avoid forfeiture" applications submitted for 61-2248B and 61-7189. It also appears the Idahoan Foods LLC is the legal entity that should be filing rather than Idaho Fresh Pak Inc. Once the ownership change is resolved then the extension of time to avoid forfeiture can be processed.

If you have any questions, please call this office at 208-334-2190.

Sincerely,

Rachel Sommer
Office Specialist II
Western Regional Office

Enclosures