

State of Idaho
Department of Water Resources

Amended

Water Right License

Amended

WATER RIGHT NO. 35-08852

Priority: September 14, 1989

Maximum Diversion Rate: 0.89 CFS
Maximum Diversion Volume: 430.8 AF

It is hereby certified that IDAHO FRESH PAK INC
PO BOX 130
LEWISVILLE ID 83431-0130

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 14, 1989; and has submitted Proof of Beneficial Use on March 12, 1990. An examination indicates that the works have a diversion capacity of 1.68 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
COMMERCIAL	1/01 to 12/31	0.89 CFS	430.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L7 (NE1/4NW1/4) Sec. 36, Twp 03N, Rge 37E, B.M.
BONNEVILLE County

GROUND WATER NW1/4NW1/4 Sec. 36, Twp 03N, Rge 37E, B.M.
BONNEVILLE County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N 37E 36	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
					X												
					L7												

CONDITIONS OF APPROVAL

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

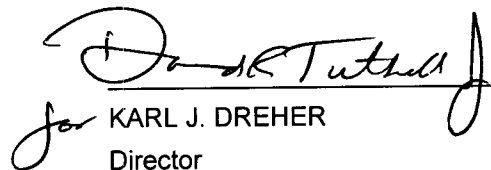
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CONDITIONS OF APPROVAL (CONTINUED)

5. Commercial use is for a potato processing facility.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 17th day of October, 2006.


for KARL J. DREHER
Director