

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-22943

Priority: March 1, 2005

Maximum Diversion Rate: 0.82 CFS
Maximum Diversion Volume: 597.0 AF

It is hereby certified that SENECA FOODS CORP
PO BOX 460
PAYETTE ID 83661

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 1, 2005; and has submitted Proof of Beneficial Use on September 1, 2006. An examination indicates that the works have a diversion capacity of 0.82 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>
INDUSTRIAL	01/01 to 12/31	0.82 CFS	597.0 AF
FIRE PROTECTION	01/01 to 12/31	0.82 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW¼NE¼ Sec. 33, Twp 09N, Rge 05W, B.M. PAYETTE County

PLACE OF USE: INDUSTRIAL AND FIRE PROTECTION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N 05W 33			X												X		L 2

CONDITIONS OF APPROVAL

1. Industrial use is for food processing.
2. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
3. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

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CONDITIONS OF APPROVAL CONTINUED

4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

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 18th day of October, 2006.



for KARL J. DREHER
Director