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WATER RESOURCES
WESTERN REGION

OR OFFICE USE ONLY

Amt. of Fee \$: N/A
Receipt No.: _____
Receipt By: _____
Date Received: _____

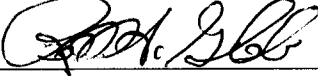
Should questions arise during the processing of this application please contact:
Norm Young - ERO Resources Corp. (208) 373-7983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 65-22943 Telephone No. 208-642-9061 6326
2. Name of Permit Holder(s): Seneca Foods Corp
3. Mailing Address: P.O. Box 460
City: Payette State: Idaho Zip: 83661
4. Source of Water: Ground Water If GROUNDWATER (well), Date Drilled: mo. July/ yr. 1991
Well Driller: Frank Shelley Drilling Permit Number: 65-91-W-0013-501
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: Industrial and Fire Protection
6. Total rate of diversion and/or volume for which proof is submitted: 0.82 cfs OR _____ acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly) (This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes _____ or No XX
Has the measuring device been installed? Yes XX or No _____
8. Fee Enclosed: \$ N.A. Beneficial Use Report attached (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Russ Grubb, Director of Operations Telephone Number: 208-642-9061 6326
Address: P.O. Box 460, Payette, Idaho 83661
10. *The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.*

Signature of permit holder:  Date: 8/9/06
Russ Grubb, Director of Operations, Seneca Foods Corp