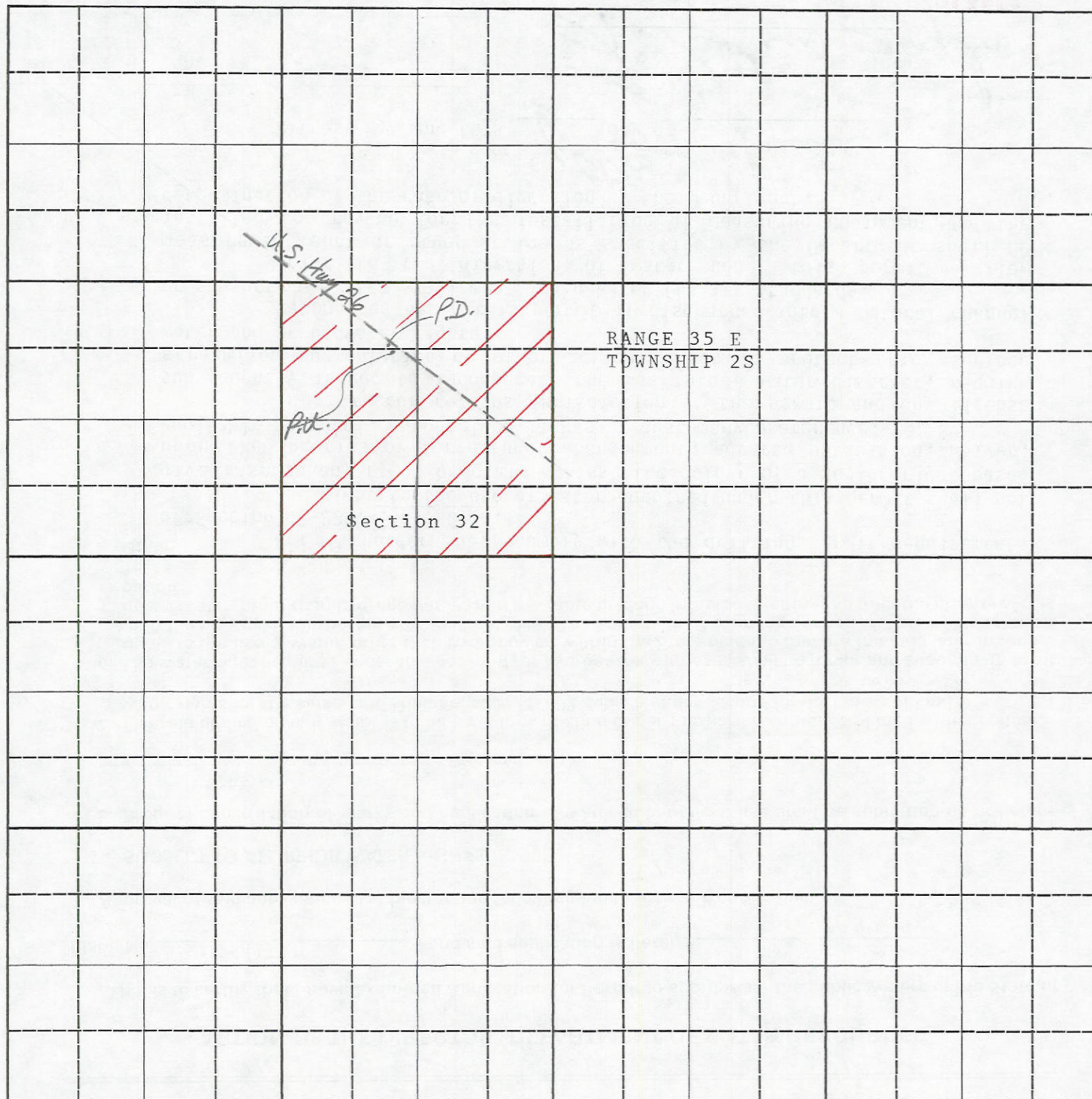


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



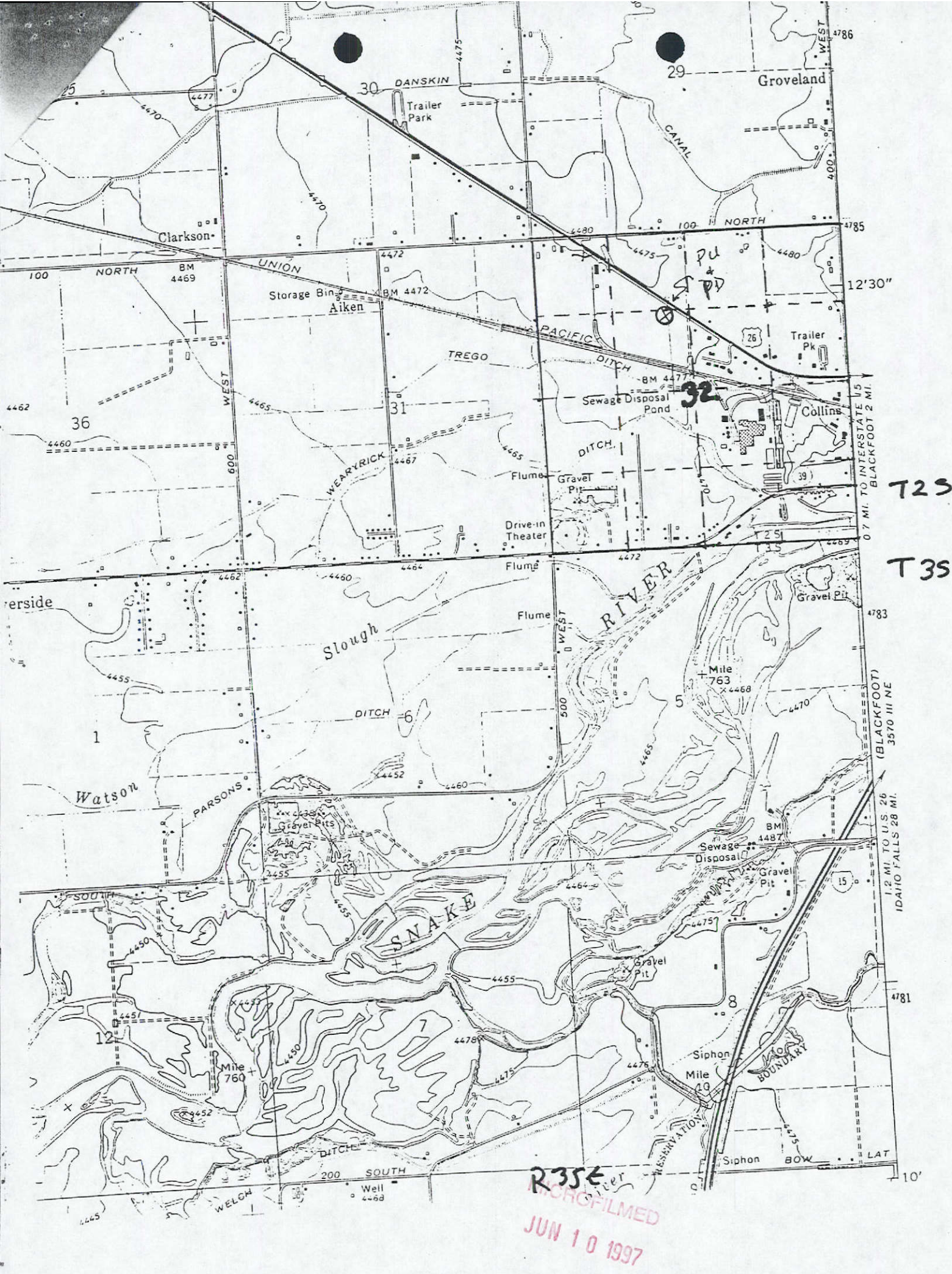
Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

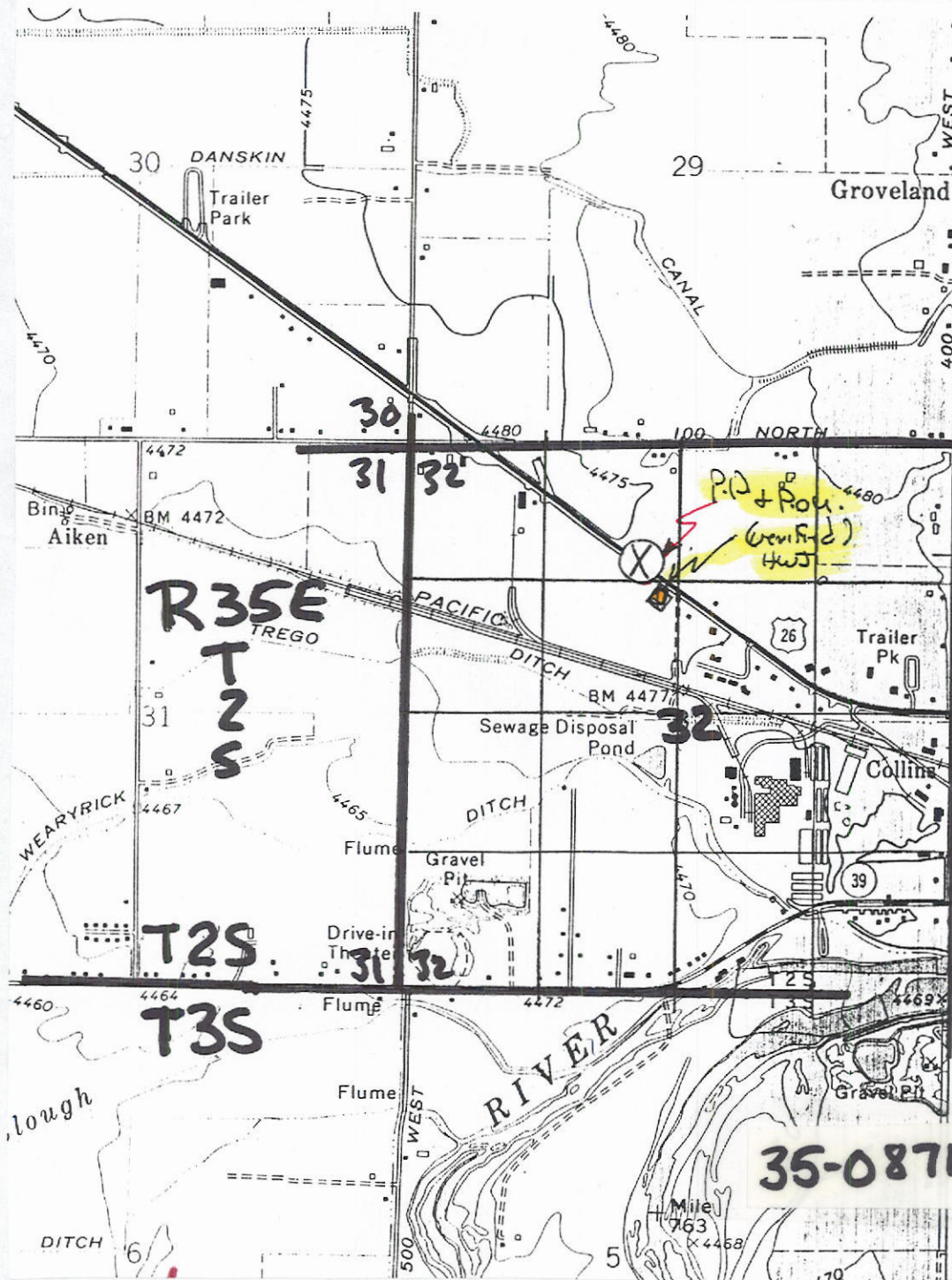
AUG 18 1989

James J. Michels
(Applicant)

MANAGER, KING B JERKY, INC. BLACKFOOT

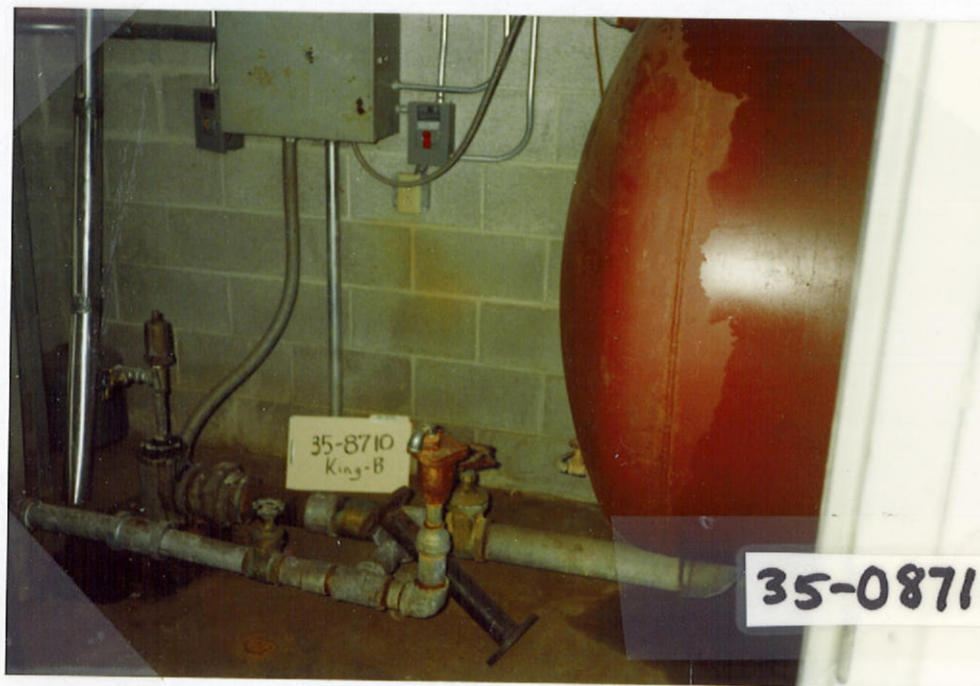


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JUN 10 1997



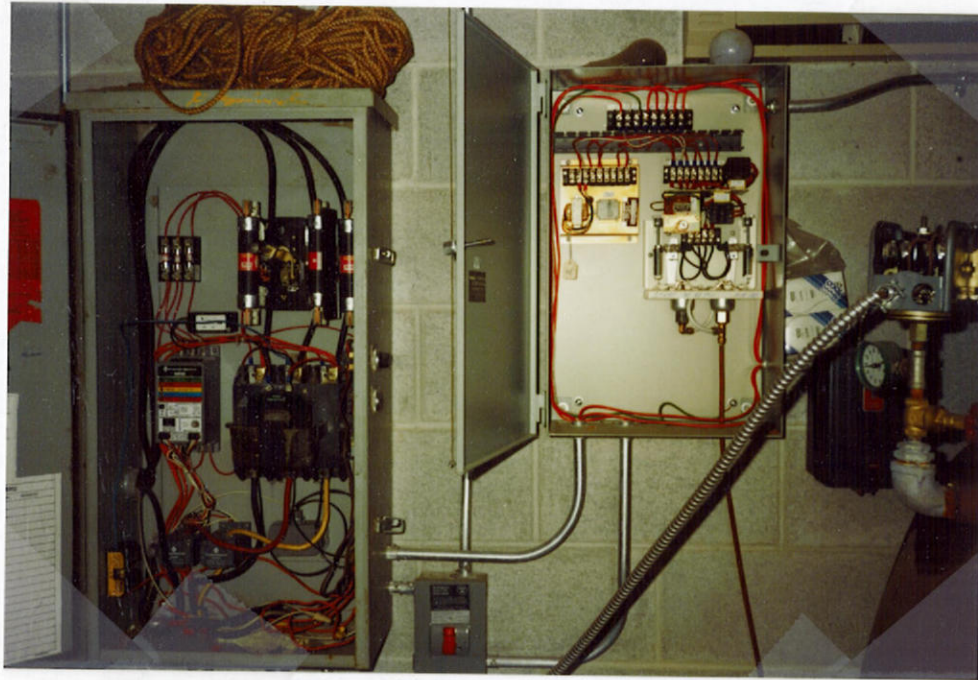
MICROFILMED
JUN 10 1997

35-8710
KING-B



MICROFILMED
JUN 10 1997

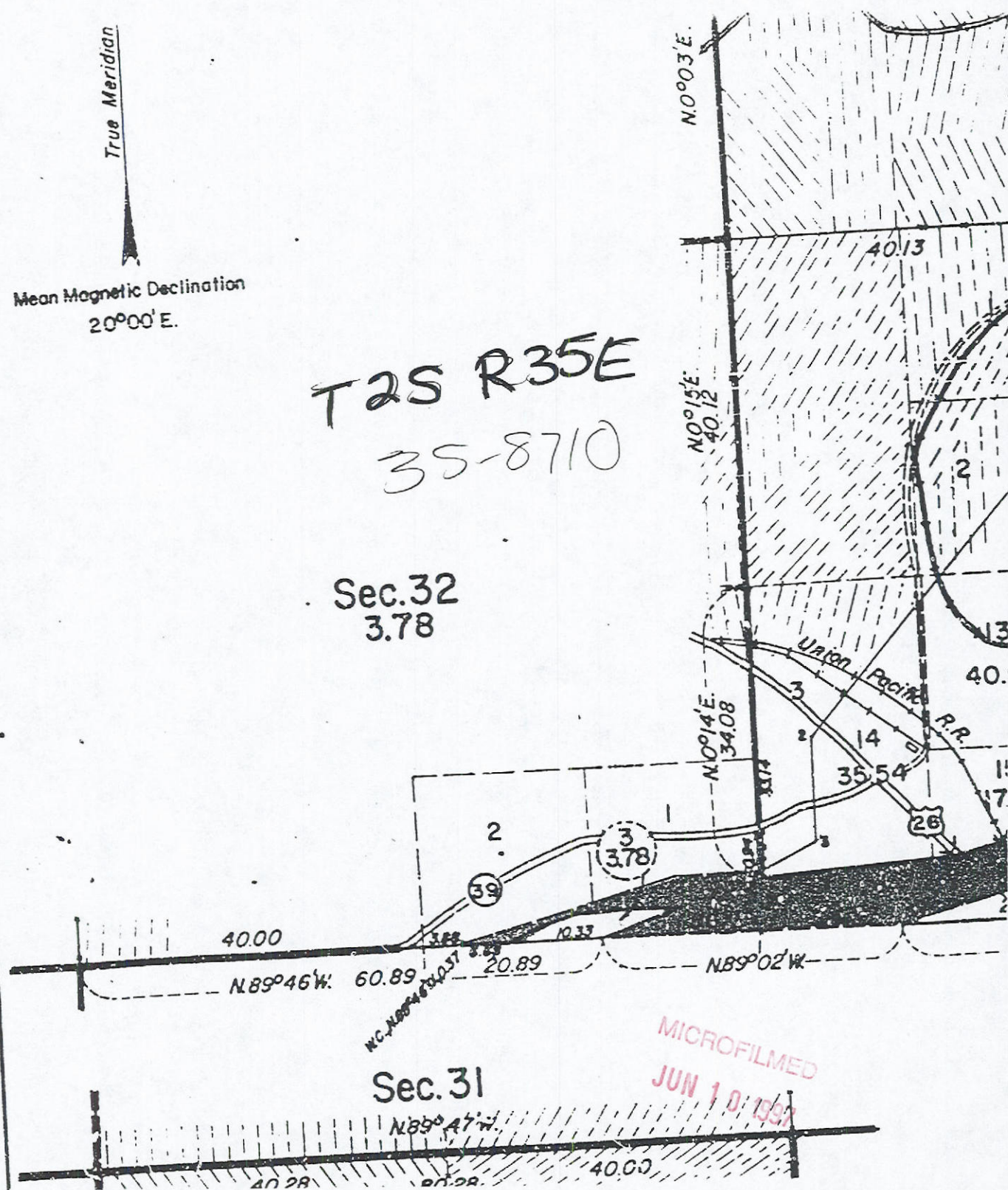
35-8710
KING-B



Mean Magnetic Declination
20°00' E.

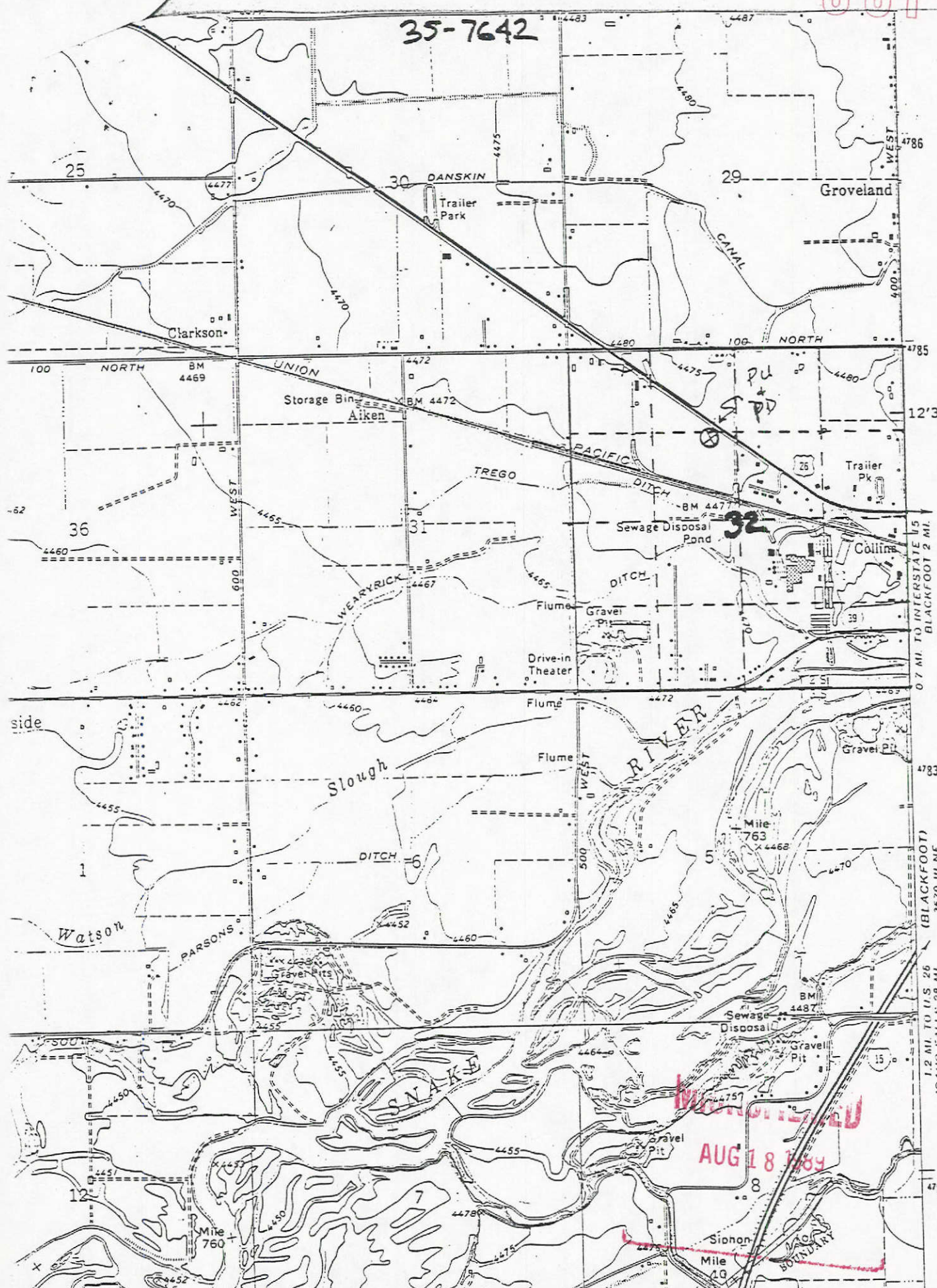
T2S R35E
35-8710

Sec. 32
3.78



COPY

35-7642



T2S

T3S

UNRECORDED
AUG 18 1989

COPY

WATER RIGHT SUMMARY

<u>ACTION</u>	<u>RIGHT NO.</u>	<u>NAME</u>	<u>AMOUNT CFS</u>
~~ORIGINAL APPLICATION~~	~~35-08710~~	~~KING B. JERKY INC~~	~~0.940~~
FULL ASSIGNMENT	35-08710	GOLDEN VALLEY MEAT LLC	0.940

3/17/97

MICROFILMED

JUN 18 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08710

Priority: March 8, 1989

Maximum Diversion Rate:

0.94 CFS

This is to certify, that GOLDEN VALLEY MEAT LLC
PO BOX 426

BLACKFOOT ID 83221 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 8, 1989; and has submitted Proof of Beneficial Use on May 30, 1990. An examination indicates that the works have a diversion capacity of 0.990 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	01/01 to 12/31	0.94 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 32, Township 02S, Range 35E
BINGHAM County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

02S 35E 32

SENE

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
6. Water used under this right when discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
7. Rights 35-07642 and 35-08710 when combined shall not exceed a total annual diversion volume of 12.1 af.
8. Commercial use is for a meat processing plant.

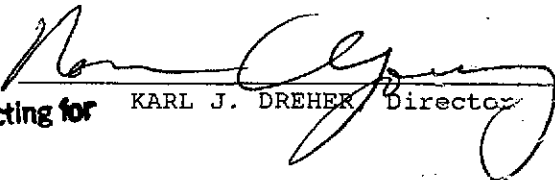
RECEIVED
JUN 10 1989

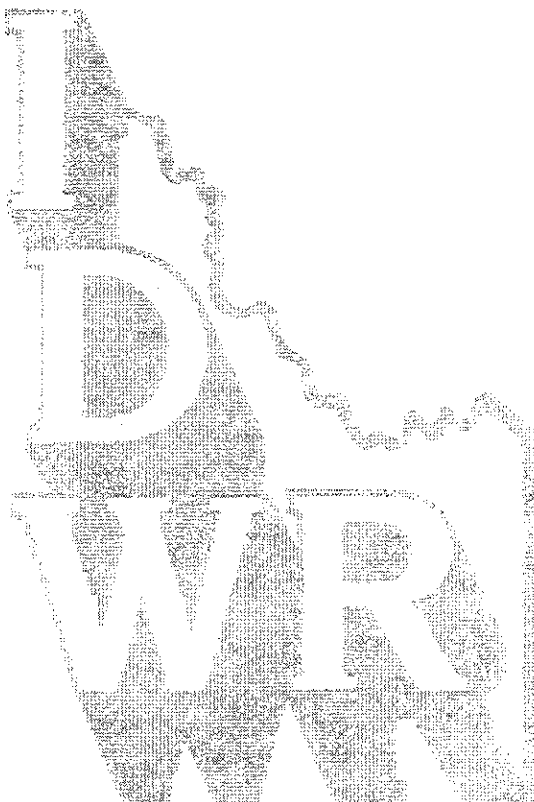
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08710

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 2ND
day of JUNE, 1997.


Acting for KARL J. DREHER Director



RECEIVED
JUN 18 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ASSIGNMENT OF PERMIT

RECEIVED

FEB 28 1997

Department of Water Resources

I, _____, hereby assign to Golden Valley Meat L.L.C.
of, 453 West Hwy. 26, Blackfoot, Id. 83221 (208) 785-6400
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 35-08710 to appropriate the public waters of the State of Idaho.

Q (for partial assignments)

The following described portion of my right, title, and interest in and to Permit No. 35-08710 to appropriate the public waters of the State of Idaho. (Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision, point of diversion location, and the amount of water in cubic feet per second.)

Made this 18th day of February, 1997.

Roger Baer
Permit Holder

State of Idaho

County of Bonneville^{ss}

On this 18 day of February, 1997, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

seal

Jonie Guthrie
Notary Public residing at
Shelley Idaho

My commission expires:

5/21/99

MICROFILMED

JUN 10 1997

RECEIVED
MAY 30 1990

For Office Use Only
Amt. of Fee \$ 100.00
Date 5/30/90
Receipt No. C. 017041
Received by J. J. Jenson
JS. 7-11-90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 35-08710 Telephone No. (208) 785-2429

Name(s) of Permit Holder(s): King B Jerky, Inc.

Post Office Address: P.O. Box 1042 Blackfoot, ID 83221

Source of Water: Well

If ground water, well driller's name: Don't Know Date drilled:

Extent of Use:
Domestic 0 (No. of households) Irrigation 0 (No. of acres)
Stockwater 0 (No. and type of stock) Other Livestock slaughter and meat

Processing plant with capacity of 100 head a day.

Total rate and/or volume for which proof is submitted .99 cfs NA acre/feet

Show date water was first diverted and beneficially used under this permit: Approx. 1981- Previous Owner
Approx. Oct. 15, 1986- King B, Inc.

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes X No Installed? Yes No

Please use
Theoretical flow
25 Hp pump @ 63 ft lift

OR

Flow Measurement Port: Required? Yes X No Installed? Yes No

Fee Enclosed: \$ 100.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Ramiro Rodriguez 785-2429
Name Telephone No.

453 West Hwy 26 Blackfoot, ID 83221
Address

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

MICROFILMED

JUL 20 1990

May 9, 1990
Date

[Signature] Plant Manager
Signature (and title if on behalf of a company or organization)

35-8710

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant KING B JERKY, INC. Phone 785-2429

Post office address P.O. Box 1042 BLACKFOOT, IDAHO 83221

2. Source of water supply ground water which is a tributary of _____

3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____

Sec. 32 Township 2S Range 35E B.M. BINGHAM County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Processing

Amount .99 cfs for Plant purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum) INDUSTRIAL OK AS PER

Amount _____ for _____ purposes from CONVERSATION W/MR. MEKELSEN to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) .99 cfs and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, Pump, and Pressure System

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total

reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:

_____ to _____ inclusive.

c. Proposed well diameter is 10 inches; proposed depth of well is 100 feet.

d. Is ground water with a temperature of greater than 90°F being sought? NO

7. Time required for the completion of the works and application of the water to the proposed beneficial use is

1 year years (minimum 1 year).

MICROFILMED

AUG 18 1989

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. NONE
- b. Stockwatering; list number and kind of livestock. NONE
- c. Municipal; show name of municipality. NONE
- d. Domestic; show number of households. NONE
- e. Other; describe fully. Livestock slaughter and meat processing plant
with capacity of 100 head/day

9. 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 the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2S	35E	32	---	---	---	---	---	---	---	I	---	---	---	---	---	---	---	---	n/a

Total number of acres to be irrigated NONE

10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? KING B JERKY, INC.

b. Who owns the land to be irrigated or place of use? KING B JERKY, INC.

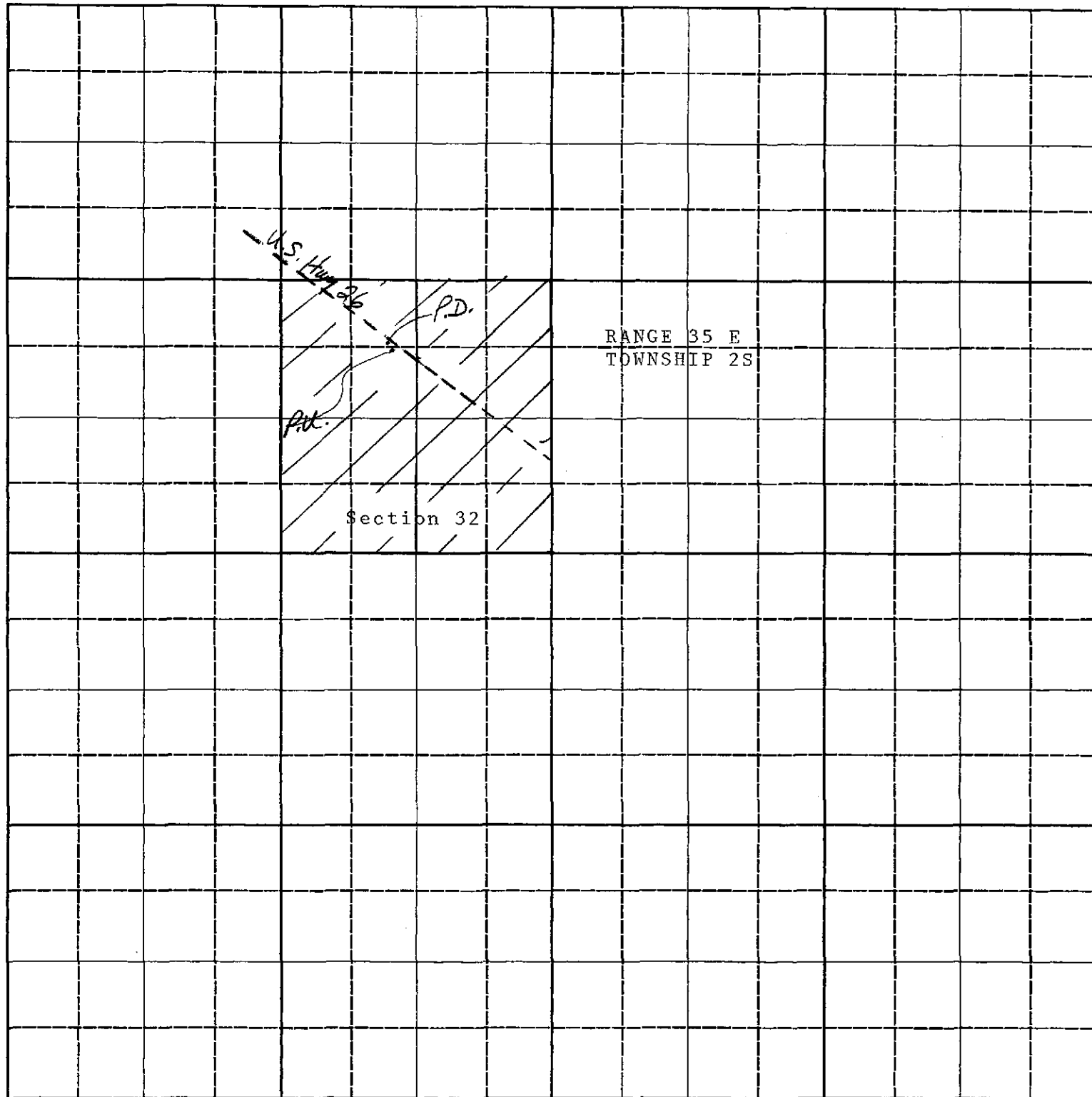
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Application is submitted by Jim Mickelsen, who is manager
of the King B plant in Blackfoot.

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AUG 18 1989

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



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

AUG 18 1989

James J. Michels
(Applicant)
MANAGER, KING B JERKY, INC. BLACKFOOT

Proposed Priority 3/8/89

Received by DM Date 3-8-89 Time 10:50 Preliminary check by Kew

Fee \$ 45.00 Receipted by DM # E005986 Date 3-8-89
4-20, 21, 89

Publication prepared by AB Date 4-11-89 Published in Morning News

Publication approved CU Date 5-8-89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-8710, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 19 90.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

Water used under this permit if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.

Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 6th day of June, 1989.

J. Glen Saylor

MICROFILMED

AUG 18 1989

OFFICERS OF KING, Inc.

1. NORMAN SCHENCK Chief Exec Officer
2. BOB ZUNDEL U.P. MEAT SUPPLIES CO.
3. ROGER BALL OWNER
4. JAMES J. MICHELSEN Manager, BLACKHOCK

MICROFILMED

AUG 18 1989

DEPT. OF WATER RESOURCES
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83402

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following application(s) have been filed
to appropriate the public waters of the State of
Idaho:

27-07388

ROY W. HANSEN
500 N. 480 E.
Firth, Idaho 83236
Source: GROUNDWATER
Diversion Pt.: SWSE, Sec. 2, T. 02S, R.
36E.
Use: IRRIGATION (3.100 CFS).
Date Filed: 3/30/1984
In: T02S, R36E, S02, NESE, NWSE, SWSE,
SESE, 155.0 ACRES TOTAL.

35-08368

BARRY BRADLEY FARMS
Box 66
Springfield, Idaho 83277
Source: GROUNDWATER
Diversion Pt: SESW, Sec. 36, T. 03S, R.
32E.
Use: IRRIGATION (3.200 CFS).
Date Filed: 2/21/1985.
IN: T03S, R32E, S36, NESW, NWSW,
SWSW, SESW — 160.0 ACRES TOTAL.

35-08708

ZOPFF, Richard G.
858 N. 1400 W. Willow Road
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt: SENE, Sec. 22, T. 01S, R.
33E.
Use: IRRIGATION (.090 CFS).
DOMESTIC: (.040 CFS).
Date Filed: 2/24/1989
In: T01S, R33E, S22, SENE — 3.0 ACRES
TOTAL.

35-08709

CEDAR HILLS GUN CLUB
Jim Beck
P.O. Box 1115
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt: SESE, Sec. 25, T. 01S, R.
35E.
Use: DOMESTIC (.040 CFS).
Date Filed: 3/10/1989.
In: T01S, R35E, S25, SESE.

35-08710

KING B JERKY, INC.
P.O. Box 1042
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt: SENENW, Sec. 32, T. 02S, R.
35E.
Use: INDUSTRIAL (.990 CFS).
Date Filed: 3/08/1989.
In: T02S, R35E, S32, SENW.

The permit(s) will be subject to all prior
water rights. Protests may be submitted bas-
ed on the criteria of Sec. 42-203A, Idaho
Code, and/or the new public interest criteria
of Sec. 42-203C, Idaho Code. Protests must
be filed with the Director, Dept. of Water
Resources, 150 Shoup Ave., Suite 15, Idaho
Falls, Idaho, 83402, on or before May 8,
1989.

R. KEITH HIGGINSON
Director

MICROFILMED

AUG 18 1989

(354)
Pub.: 4/20, 27

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MAY 3 1989

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)

I, Michael Bell do
solemnly

swear that I am the Publisher of
The Morning News which is a daily newspaper of
general circulation published each day except Sunday
at Blackfoot, Bingham County, Idaho, said newspaper
having been so published at Blackfoot, aforesaid for
more than one year past; that said newspaper
heretofore complied with all the provisions of Chapter
154 of the Sessions Laws of Idaho of 1933, approved
March 11, 1933, and duly designated, pursuant to law,
a particular day of the week as the day on which legal
notices required by law or by the order of any Court of
competent jurisdiction within the State of
Idaho shall be published to-wit: of each week; that the
notice attached hereto and which is a part of this af-
fidavit and part of the proof of publication was
published in said issue or said

newspaper two consecutive weeks,

the first publication having been made on the
20th day of April, 1989;

and the last publication having been made on the
27th day of April, 1989;

that said notice was published in the regular and entire
issue of every number of the paper as aforesaid during
the period and time of publication, and that notice was
published in the newspaper and not in a supplement.

On this 29th day of April, in
the year 1989 before me a Notary Public of said State,
personally appeared

Michael Bell
known or identified to me to be the person whose
name is subscribed to the within instrument, and being
by me first duly sworn, declared that the statements
therein are true, and acknowledged to me that he ex-
ecuted the same.

Raye Dayton
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
November 10, 1994

Affidavit Processing Fee..... \$5.00



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

June 2, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

GOLDEN VALLEY MEAT LLC
PO BOX 426
BLACKFOOT ID 83221

RE: WATER RIGHT NO. 35-08710

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

MICROFILMED
JUN 10 1997

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

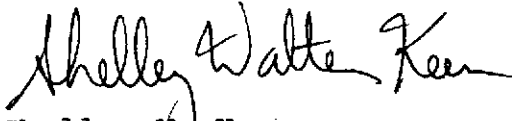
Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

RECORDED
JUN 18 1957

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

RECEIVED
JUN 19 1977

CERTIFICATE OF MAILING

I hereby certify that on the 2nd day of June, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 35-08710

GOLDEN VALLEY MEAT LLC
PO BOX 426
BLACKFOOT ID 83221


Kari Lynn Townsend
Secretary

MAILED
JUN 10 1997

MEMORANDUM

TO: File 35-08710

FROM: Sharla

DATE: May 30, 1997

RE: Daily Use

On this date, Cindy Bird spoke with Doug from Golden Valley Meat about the daily volume pumped from the well. Except for using the sink for hand washing and occasionally cleaning a carcass, no water use occurs until closing time when the water is pumped through a hose for clean-up. The estimate for daily use is about 4000 gallons.

INDEXED
JUN 10 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 28, 1997

GOLDEN VALLEY MEAT L.L.C.
P.O. BOX 426
Blackfoot, ID 83221

RE: Licensing of water right 35-08710

Dear Water Right Holder(s):

We acknowledge receipt of the correspondence changing ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

King B. Jerky Inc. also has another water right which overlaps this permit. A Snake River Basin Adjudication claim has not yet been filed for the previous license. A claim is required to keep the license valid when a decree is issued for hydrological Basin 35. We will hold further license review for 35-08710 until a SRBA claim is filed for water right 35-07642. A claim has been printed and is enclosed for your use. A filing fee of \$105.00 must be remitted with the claim. Please submit the claim and fee within 30 days so that we can finalize the license for permit 35-08710.

If you have any further questions, please feel free to contact me at (208) 327-5452.

Sincerely,

Sharla Curtis
Sharla Curtis
Water Resource Agent

SC:cb
Enclosures

*Claim rec'd and
received 4/7 (#038529)
claim form sent
to Carter*

RECORDED

JUN 10 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 6, 1997

GOLDEN VALLEY MEAT LLC
PO BOX 65253
LUBBOCK TX 79464-5253

RECEIVED

FEB 28 1997

RE: Permit No. 35-08710

Department of Water Resources

Dear Water Right Holder(s):

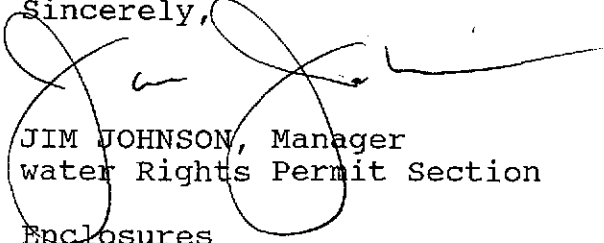
I recently received correspondence on the above referenced permit changing ownership of the permit to you.

In Idaho, a water permit is considered **personal** property and can only be **assigned** by the owner of record, if it is not specifically identified in the warranty deed. Our records identify King B Jerkey, Inc. as the owner of the permit. I have enclosed an Assignment of Permit form that you will need the original owners to sign and have it notarized giving you the water rights.

As noted on the form, an assignment of a permit must be accompanied by a \$25.00 filing fee. Please note that new legislation beginning July 1, 1996, requires water right owners to report any change of water right ownership and any change of mailing address to the department. Failure to report these changes could result in a \$100 late filing fee. Please submit the assignment with the filing fee to my attention at the above address.

If you have any questions, please let me know.

Sincerely,


JIM JOHNSON, Manager
Water Rights Permit Section

Enclosures

MICROFILMED

JUN 10 1997

GOLDEN VALLEY MEAT LLC.

453 West Highway 26 P.O. Box 426
Blackfoot, Idaho 83221

Phone (208) 785-6400 Fax (208) 782-1010

Jonathan S. Specht
Operations Manager

JUN 10 1997



Home Office

P.O. Box 65253 Lubbock, Texas

Phone (806) 763-1100 Fax (806) 765-9740

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

JAN 22 1997

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

RECEIVED

Department of Water Resources
Eastern District Office

1. Water Right Number(s) 35-08710 FEB 28 1997 RECEIVED

Adjudication Claim Number(s) NOT NECESSARY Department of Water Resources JAN 27 1997

2. The following **REQUIRED** information must be submitted with this form. Department of Water Resources

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) KING B JERKY INC. / BALL Enterprises (Guardian Limited #2

2200 TETON PLAZA ST. TOSHO FALLS, ID 83404

4. New Owner/Claimant(s) GOLDEN VALLEY MEAT L.L.C.

Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR

New Mailing Address P.O. BOX 65253, Lubbock, TX 79464-5253

City, State and ZIP Code

New Telephone Number 806.763 - 1100

5. Date you acquired the property 10/30/1996

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated <1 Number and type of stock N/A

Diversion rate in CFS .99 Number of homes 0 Other uses MEAT PACKING FACILITY
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Benj Amundson Pres. Date 1/17/97

Date

(Corporations or other organizations must submit list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

JUN 10 1997

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

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

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

RECEIVED
JUN 10 1997

GOLDEN VALLEY MEAT, L.L.C. _____

LEGAL BUSINESS NAME Golden Valley Meat, L.L.C.			SHIPPING ADDRESS 453 West Highway 26	
BILLING ADDRESS P.O. Box 65253			CITY Blackfoot	COUNTY Bingham
CITY Lubbock	STATE Texas	ZIP 79464	STATE Idaho	ZIP 83221
PHONE (806) 763-1100			STRUCTURE OF LEGAL ENTITY Limited Liability Company	
FAX (806) 765-9740				
TYPE OF BUSINESS Meat Packing Plant			STATE & DATE OF ORGANIZATION Texas August 16, 1995	
PRINCIPAL OFFICERS Ben J. Ansolabehere P.O. Box 64513 Lubbock, Texas 79464 Tim Jenkins 3855 N. 5th East Idaho Falls, Idaho 83401			President SSAN: 549-82-1233 DOB: 01/29/48 Phone: (806) 763-1100 Vice President SSAN: 519-34-1252 DOB: 02/22/40 Phone: (208) 522-5030	
BANK City Bank P.O. Box 5060 Lubbock, Texas 79408			Contact: Jimmy McKenzie Account #: 022 634 3 Phone: (806) 792-7101	

NOT RECORDED
JUN 10 1997

449036

Stephen Mailin
Box 50136
Idaho Falls
BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 6.00 DEF 25 P

96 NOV -6 PM 2:53

QUITCLAIM DEED
(WITH AFTER ACQUIRED PROVISION)

RECORDED AT THE REQUEST OF

THIS INDENTURE is made this 30 day of October, 1996,
between **GUARDIAN LIMITED PARTNERSHIP NO. 2**, an Idaho limited partnership,
the Grantor, and **GOLDEN VALLEY MEAT, L.L.C.**, a Texas limited liability company,
whose mailing address is P.O. Box 65253, Lubbock, Texas 79464-5253, the Grantee,

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) lawful money of the United States of America and other good and valuable consideration to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM unto the Grantee, and to the Grantee's successors and assigns forever, all right, title and interest now owned or hereafter acquired by the Grantor in all the following described real estate in the County of Bingham, State of Idaho, to-wit:

Township 2 South, Range 35, East of the Boise Meridian, Bingham County, Idaho: Section 32: Part of the NW Quarter described as follows: Beginning at a point on the Southerly right-of-way of U.S. Highway 26, that is South 00°28'37" East along the North-South Half Section Line 1506.18 feet; and North 54°41'35" West 139.75 feet from the North Quarter corner of said Section 32 and running thence North 54°41'35" West along said Southerly right-of-way of U.S. Highway 26, 464.00 feet; thence leaving said Southerly Right-of-Way, South 1002.84 feet to a point on the Northerly right-of-way of the Mackay Branch Railroad; thence South 73°51'00" East along said Northerly Right-of-Way 393.77 feet; thence leaving said Northerly Right-of-Way, North 00°01'42" East 844.20 feet to the Point of Beginning.

TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, and rents, issues and profits therefrom.

TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantee, and to the Grantee's successors and assigns forever.

In construing this Quitclaim Deed and where the context so requires, the singular includes the plural.

RECORDED
JUN 10 1997

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

GUARDIAN LIMITED PARTNERSHIP NO. 2

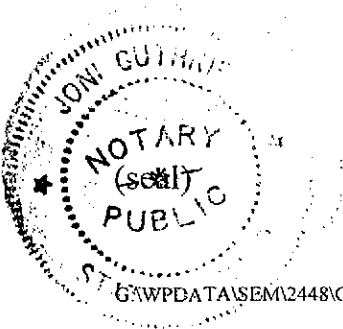
By: BALL ENTERPRISES, INC.

By: Jan Farwood
Its Secretary

STATE OF IDAHO)
) ss.
County of Bonneville)

On the 28 day of Oct, 1996, before me, the undersigned, a Notary Public, in and for the State of Idaho, personally appeared Jan Farwood, known or identified to me to be the Secretary of BALL ENTERPRISES, INC., the corporation who executed the foregoing instrument, or the person who executed the foregoing instrument on behalf of said corporation and acknowledged to me that said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Joni Guthrie
Notary Public for Idaho
Residing at Idaho Falls, Idaho
My commission expires: 5/21/99

G:\WPDATA\SEM\2448\GUAD2GVM.QCD:jpz

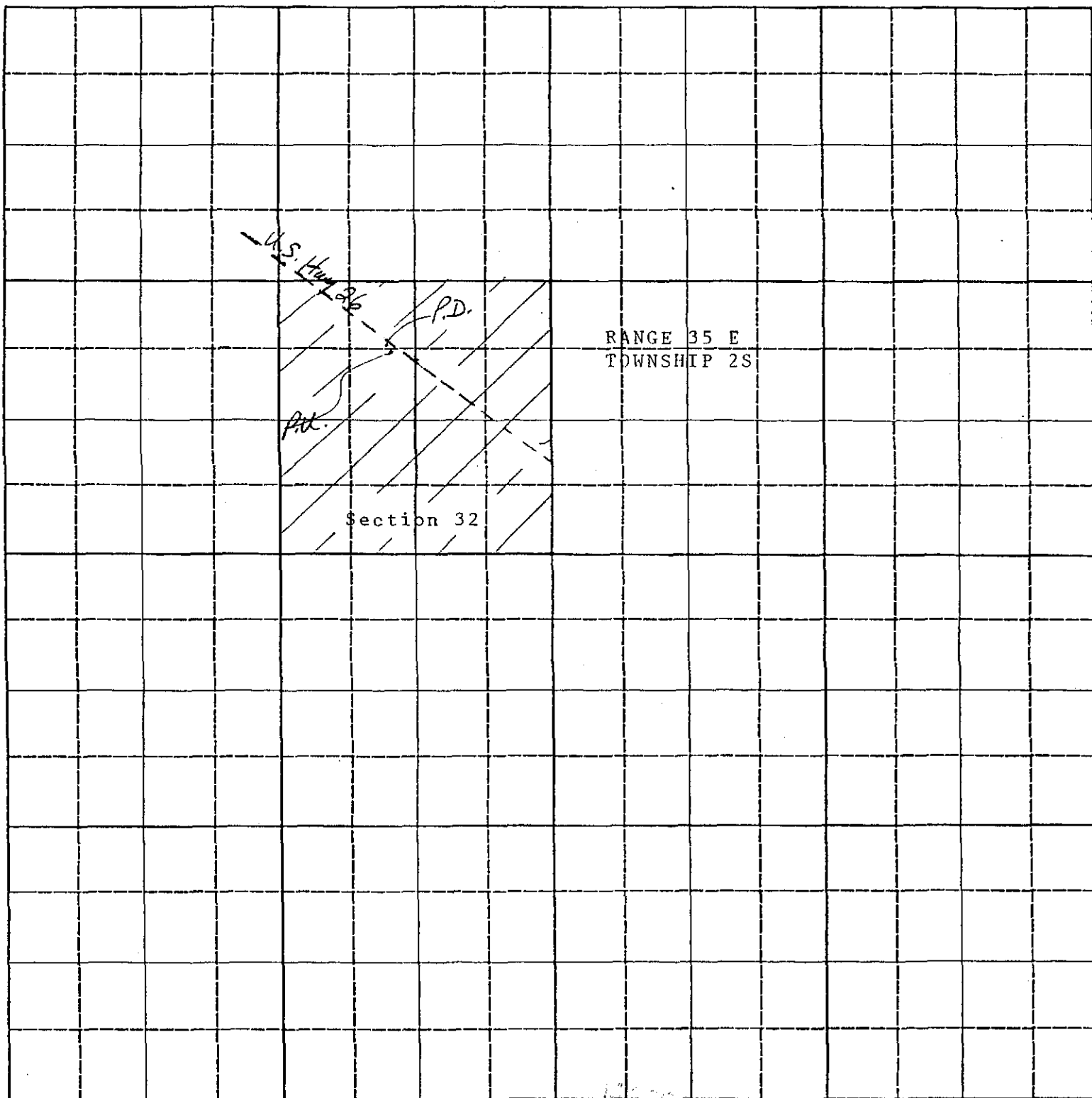
MICROFILMED
JUN 19 1997
449036



T25
T35

R356
JUN 10 1937

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



Scale: 2 inches equal 1 mile.

JUN 10 1937

MEMORANDUM

TO: File 35-08710

FROM: Sharla

DATE: February 28, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for Right 35-08710 are based on the following:

H. RECOMMENDATIONS

Commercial 1/1 - 12/31 0.94 cfs

This right overlaps with License 35-07642, issued for 0.05 cfs and 12.1 af. For consistency with the previous right and in line with the actual use of water, the water use code to be licensed is COMMERCIAL. No amendment should be required to change the terminology.

The examiner lists a maximum daily use of 4,000 gallons. Even using this amount and assuming 365 days/year used, the annual volume would be 4.5 af. Because the previous license lists a much higher volume, a combined remark limiting both rights to 12.1 af will be added.

Examiner: Scott King
Exam Date: August 1, 1990

MICROFILMED
JUN 10 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 35-08710

DATE 2/28/97

REVIEWER: SHARLA

NAME Change OK

Address Change No proper assignment rec'd to GVM.

SOURCE Change OK

Is change clarification of originally intended source? NO

POINT OF DIV Change OK

If not, prepare Notice of Intent to Void NO

PLACE OF USE Change OK

Amendment required NO

Does map agree with written description? yes no

OVERLAPS P/D

P/U

35-7642

looked at file

1.69 cap
12.1 af

examined 1987
used 30 psi
35' lift
80% eff.

RATE OF DIV

Permitted Rate .99 cfs

Fee limit 1.0 cfs \$100⁰⁰

Measured — cfs

Theoretical .99 cfs

for consistency w/ existing right
don't require amendment

Recommended Total Div Rate .94 cfs

for change of terms

ANNUAL VOLUME/
NATURE OF USES ✓

Use Comm.

Volume Calculation

4000 gpd x 52 wks/yr x 6 days/wk =

3.88 af. 365 days/yr =
4.5 af

SUBTOTAL

Flow rate — cfs X — days X 1.9835 = — af

Total volume recommended — af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

C/ meat processing plant.
W36(35-07642)

W35(35-07642, 12.1 af)

CONDITIONS Watermaster Control WD#

GW Measurement/Measuring Device

Overlap

Use-specific conditions

Advancement of Priority Date Required yes no

048,049,09E

all this right does
is add add'l
flow rate

SRBA Claim Filed N/A

Adjustment Memo volume
use term

1st Amend Letter N/A

2nd Amend Letter N/A



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 6, 1997

GOLDEN VALLEY MEAT LLC
PO BOX 65253
LUBBOCK TX 79464-5253

RE: Permit No. 35-08710

Dear Water Right Holder(s):

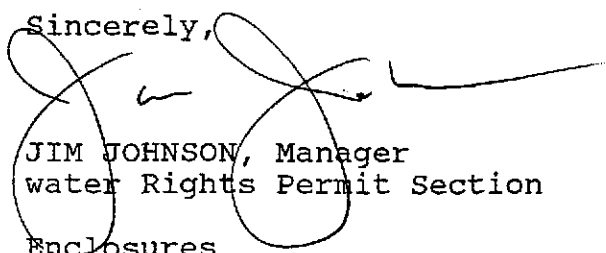
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As noted on the form, an assignment of a permit must be accompanied by a \$25.00 filing fee. Please note that new legislation beginning July 1, 1996, requires water right owners to report any change of water right ownership and any change of mailing address to the department. Failure to report these changes could result in a \$100 late filing fee. Please submit the assignment with the filing fee to my attention at the above address.

If you have any questions, please let me know.

Sincerely,



JIM JOHNSON, Manager
Water Rights Permit Section

Enclosures

MICROFILMED
JUN 10 1997

GVM _____

P.O. Box 426 _____

Blackfoot, ID _____

83221 _____

0
832

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

JAN 22 1997

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

Department of Water Resources
Eastern District Office

1. Water Right Number(s) 35-08710 **RECEIVED**
Adjudication Claim Number(s) NOT NECESSARY JAN 27 1997
2. The following **REQUIRED** information must be submitted with this form. Department of Water Resources
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION,
AND
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) King B JERKY INC. / BAIL Enterprises (Guarodian Limited #2
2200 TETON PLAZA ST. Teton Falls, ID 83404
4. New Owner/Claimant(s) GOLDEN VALLEY MEAT L.L.C.
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address P.O. Box 65253, Lubbock, Tx 79464-5253
City, State and ZIP Code _____
New Telephone Number 806-763-1100
5. Date you acquired the property 10/30/1996
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
- Number of acres actually irrigated < 1 Number and type of stock N/A
- Diversion rate in CFS .99 Number of homes 0 Other uses MEAT Packing Facility
cubic feet per second
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Benny Amundson Pres. Date 1/17/97
Date _____
- (Corporations or other organizations must submit list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

JUN 10 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 22 1996

Department of Water Resources

A. GENERAL INFORMATION

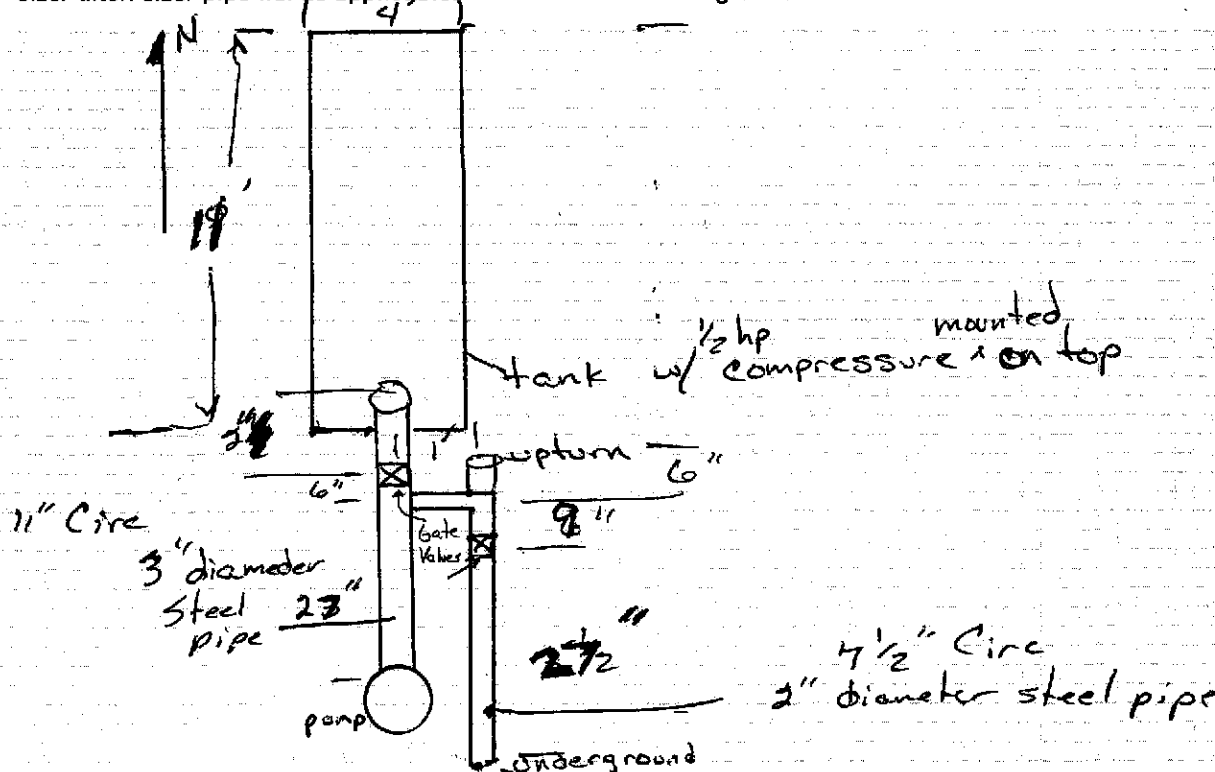
1. Owner: King - B Permit No. 35-8710
Current Address: 453 Highway 26 Blackfoot, ID 83221 Phone No. 785-2429
2. Accompanied by: Ramiro Rodriguez EXAM. DATE: 8-1-90
Address: 90 W. Center Blackfoot, ID Phone No. none
Relationship to Permit Holder: Plant Manager
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 35-7642 ☐ Copies Attached
2. Other water rights with same point of diversion: 35-7642 (License) same well
35-7639, 7637, 4051 are domestic (no overlap) ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached ☐ Aerial Photo Attached
Showing location(s) of point(s) of diversion and (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

RECEIVED
JUN 10 1997

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Well, pump, to get pressure tank
(max pressure 80-90 psi) to plant.
Water used for meat processing, cleanup.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Submersible	Franklin	25	12640		

*Code to correspond with No. on map and aerial photo

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	NE	NW	32	25	35E	Bingham	On site inspection, USGS Quad

6. **Place(s) of Use:**

Indicate Method of Determination USGS QUAD

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
25	35E	32								C									

MICROFILMED

JUN 10 1997

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
On tank - Pressure gauge		Astrot			0-100 psi	
Pressure gauge		Excel			0-100	

2. Measurements:

Pressure gauge on pressure tank 70 psi
Pressure gauge at pump - 58 psi

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

Theoretical Flow $\Rightarrow$ 0.99 cfs

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) $\div$ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

Commercial : average $\Rightarrow$ 2500 gal per day
maximum $\Rightarrow$ 4000 gal per day

$\frac{2500 \text{ sp} \times 240 \text{ days}}{325,850 \text{ sp/AF}} = 1.84 \text{ afa}$

MICROFILMED
JUN 10 1997

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Maximum water useage approximately 4000 gallons per day, but usually only around 2500 gallons per day during normal operation

With a 0.99 cfs theoretical + 0.05 cfs already licensed;
 $0.99 \text{ cfs} - 0.05 \text{ cfs} = 0.94 \text{ cfs}$ for licensing*

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Industrial	1-1	12-31	0.94 cfs	1.84
Totals:			0.94 cfs	1.84

2. Recommended Amendments

- | | | |
|---|--|--|
| ☐ Change P.D. as reflected above | ☐ Add P.D. as reflected above | ☒ None |
| ☐ Change P.U. as reflected above | ☐ Add P.U. as reflected above | ☐ Other |

J. AUTHENTICATION

Field Examiner's Name Scott N King
Signature Scott N King
Certification Date _____
Field Report Preparation Date _____

CONSULTANT SEAL

- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

NOTIFIED

JUN 10 1997

Department of Water Resources

WELL INSPECTION FORM

If well is associated with water right, provide WR# 35-8710

Otherwise provide legal description and a sketch map and/or address so that the well can be located easily.

1. Legal Description: TWP 25, Rge 25E, Sec. 32, NE 1/4 NW 1/4 or Lot _____.

2. Owner: King - B

Address 453 Highway 26, City Blackfoot, St ID

3. Casing $\geq$ 12 inches above ground: Yes X No _____

4. Access Port: Yes _____ No X

Static Water Level: -

Pressure Gauge: Yes X No _____

Casing Diameter: 14"

Flowing: Yes _____ No X

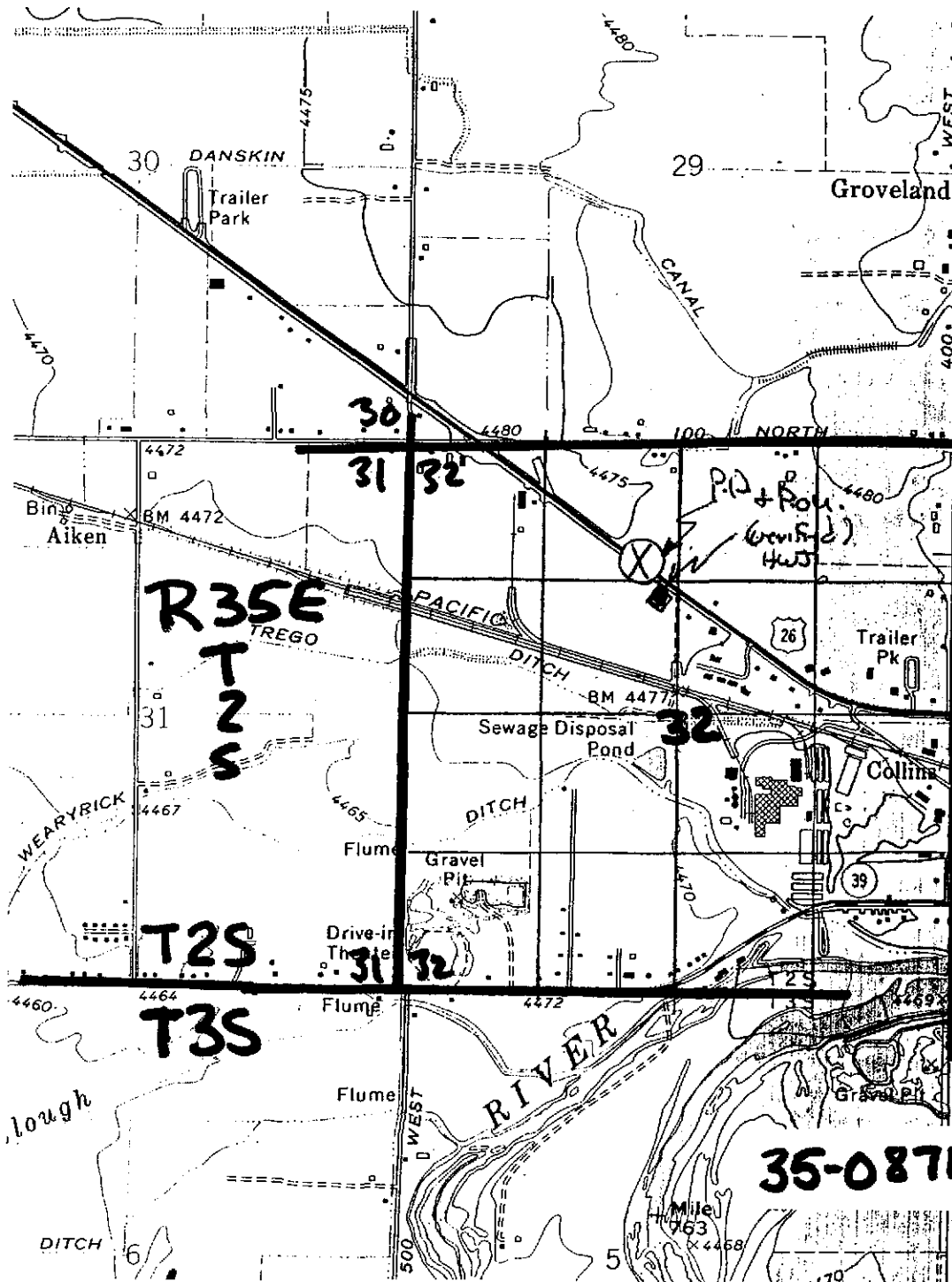
Temperature: -

5. Are there any obvious construction problems that may be a source for contamination or waste of water: Yes _____ No X

If answer to Item 5 is Yes, describe in remarks and attach photo.

Remarks: Well 62' deep. Well logs from the vicinity of this well show GWL from 30-47 feet

RECEIVED
JUL 10 1997
35-8710



MAILED
JUN 10 1957

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

35-8710
Permit No.

Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

Theoretical Flow

Equation:
$$Q = \frac{8.8(\text{efficiency})(\text{Horsepower})}{\text{Water Depth} + 2.31(\text{pressure})}$$

efficiency: 70% maximum

Water Depth: Not measured, but
well logs from area show average
depth of 35 feet.

$$Q = \frac{8.8(0.70)(25)}{35 + 2.31(52)} = 0.99 \text{ cfs}$$

APPROVED
JUN 14 1987
35-8710

Theoretical flow

$$Q = \frac{8.814 (\text{eff}) (\text{hp})}{\text{Lft} + (\text{psi}) (2.308)} = \text{cfs}$$

Assume 75% eff

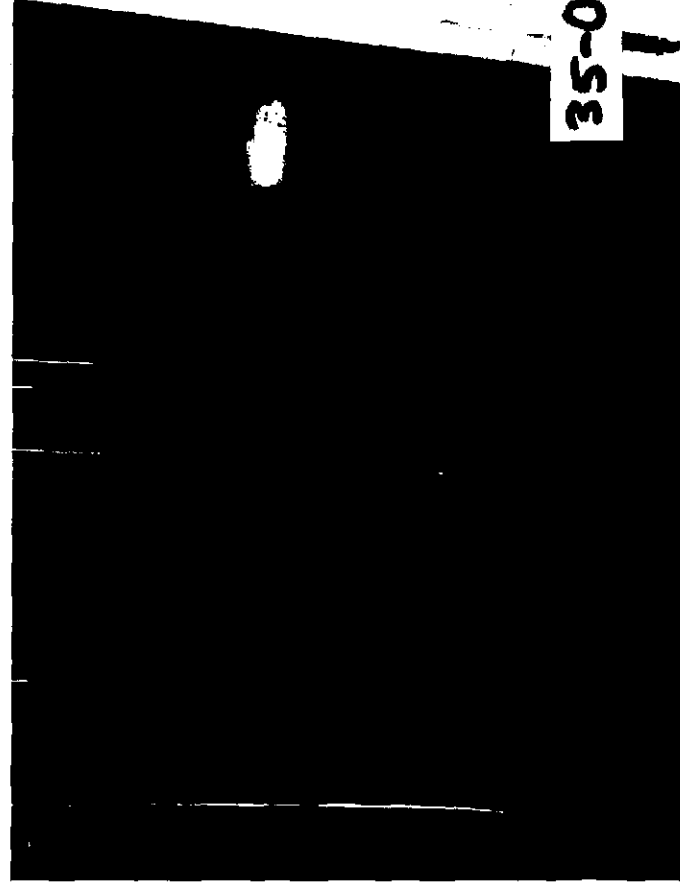
$$Q = \frac{8.814 (.75) (25)}{35 + (58) 2.308} = 0.978 \text{ cf}$$

Assume 70% eff ; 52 psi

$$Q = \frac{8.814 (.7) (25)}{35 + 52 (2.308)} = 0.995 \text{ cfs}$$

35-8710
JUN 10 1957

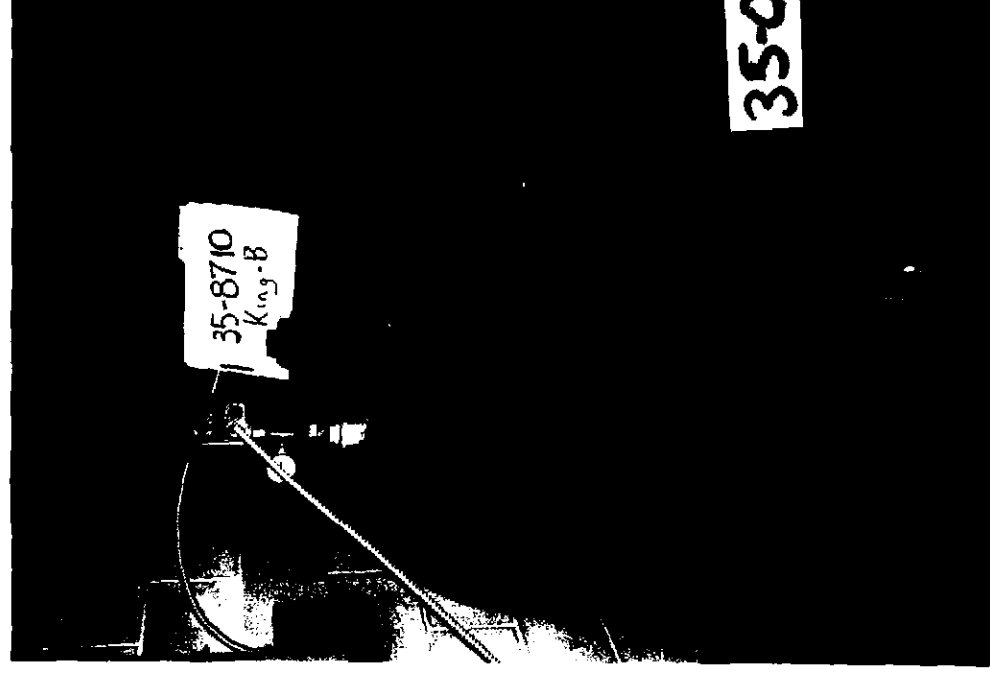
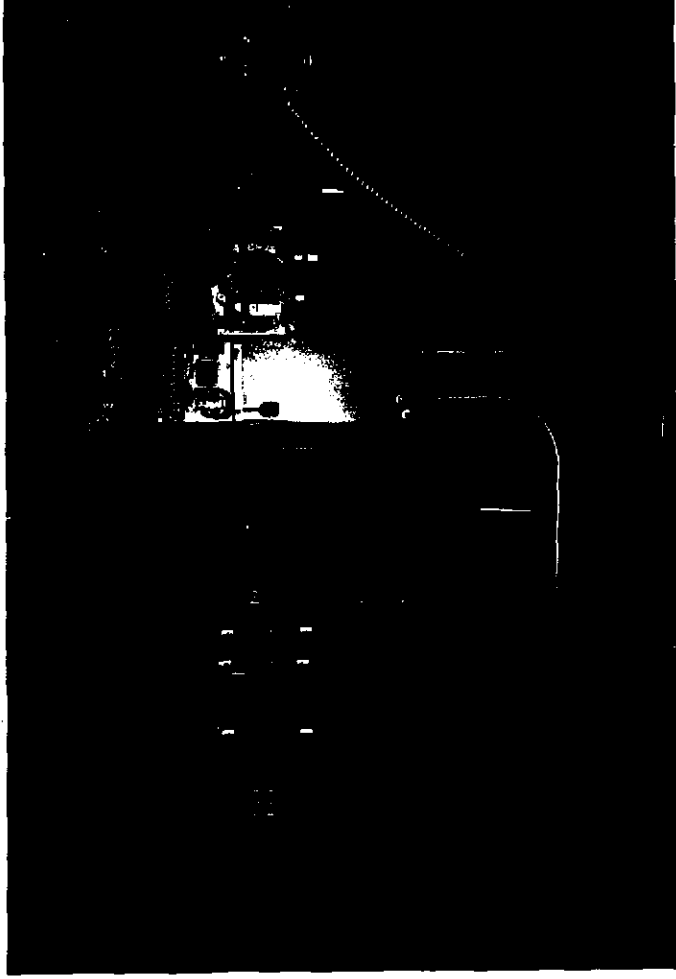
35-8710
KING-B



35-08710

1007
JAN 10 1967

35-8710
KING-B



35-8710

July 18, 1990

KING B JERKY INC.
P.O. BOX 1042
BLACKFOOT, ID 83221

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08710

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

I note that the permit issued to you by the department requires the installation of a flow measurement port to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

/
The installation of the flow measurement port must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

JUL 25 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 35-8710

Date: 7-11-90

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change NO If yes, prepare a data entry
☒ Proof received timely
☐ Reinstated

Source of Water:

- ☐ Surface water
☒ Groundwater
1. well log in file approx 1981
2. drilling permit NA
A. amount of drilling fee paid for proposed uses NA

Extent of Use and Rate of Diversion:

- ☒ Rate of diversion appropriate for uses
☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- Yes Is a measuring device or access port required?
No Has one been installed?
☐ Waiver or modification of measuring device requested

Remarks:

flow measurement *proof acceptable*

Priority Calculation:

Date proof received	<u>NA</u>	
Date proof due		-
No. of days late		=
Priority date		+
NEW PRIORITY DATE		=

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

138660
April 30, 1990

KING B JERKY INC.
P.O. BOX 1042
BLACKFOOT, ID 83221

PROOF DUE NOTICE

RE: PERMIT NO. 35-08710

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1990.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED
JUL 2 1990

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
June 7, 1989

KING B JERKY INC.
P.O. BOX 1042
BLACKFOOT, ID 83221

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 35-08710

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

MICROFILMED

AUG 18 1989

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

~~CONFIDENTIAL~~
AUG 18 1989

ID No. 202a
87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY KCW DATE 3/23/89 APPLICATION NUMBER 35-8710
King BREQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☒ Overlapping point of diversion 35-7642 Per (Commercial) see attached letter & order
- ☐ Yes ☒ No Field check required
- Field check by _____
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

01- 9061
01- 0002A } TRR
01- 0306

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

MAY 10 1989

Department of Water Resources

PROCESSING

☒ Yes ☐ No Inform for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

END COPIES TO

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☐ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received

Final date for protest 5-8-89

☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application

☐ Yes ☒ No Recommendations attached

☐ Yes ☒ No Measuring device required

☒ Yes ☐ No Access port required

☒ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. 01 ⁻⁷⁰⁵

☒ Yes ☐ No Special conditions of approval or cover letter below. _____

☐ See below for additional information

Date of priority recommended 3-8-89

By HWT

Date 5-11-89

STATE OFFICE REVIEW

P05, P23, P03, P16

46 48 49 09E 01G

By KW

☐ See below for additional information

Date 6/5/89

ADDITIONAL INFORMATION

Conditions: 01G

App. in NON-TRUST area-

April 12, 1989

King B. Jerky, Inc.
P.O. Box 1042
Blackfoot, ID 83221

RE: Applications for Permit No. 35-8710

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. The application has been assigned the above identification No. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Morning News. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED

AUG 18 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

APRIL 11, 1989

THE MORNING NEWS
P.O. BOX 70
BLACKFOOT, ID 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MAY 8, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

AUG 18 1989

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

INDEXED

AUG 18 1989

35-08710

KING B JERKY INC.
P.O. BOX 1042
BLACKFOOT, ID 83221

Source: GROUNDWATER

Diversion Pt: SENENW Sec 32 T 02S R 35E

Use: INDUSTRIAL (.990 CFS)

Date Filed: 3/08/1989

In: T02S R35E S32 SENW

MICROFILMED

AUG 18 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before MAY 8, 1989.

R. Keith Higginson, Director

Published 4/20/1989 & 4/27/1989

MICROFILMED

AUG 18 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720

COPY
(208) 327-7900

March 9, 1989

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RECEIVED

MAR 14 1989

Brad Zundel, King B, Inc.
P.O. Box 1843
Idaho Falls, ID 83403-1843

RE: Voiding of permit no. 35-7642

Department of Water Resources
Idaho District Office

Dear Mr. Zundel:

Your request for a hearing was received by the Department on March 2, 1989. It was received within fifteen (15) days of the mailing of notice to you on February 23, 1989. Rather than hold a hearing, I suggest the following:

I acknowledge that the field examiner who examined the system stated on the examination that King B was the owner of the operation supplied water by this permit, and that the permit no longer belonged to Country Meats, Inc. The field examiner also may not have properly sought an assignment from Country Meats. I have enclosed an assignment form. Perhaps the officers of Country Meat could execute the assignment.

Rather than hold a hearing, if you will submit the assignment, and also sign the enclosed amendment with a \$20.00 filing fee, we will proceed to reinstate the permit and proceed to license permit no. 35-7642.

Sincerely,

Gary Spackman, Manager
Water Right Permits Section

Enclosure

COPY for new
Application

MICROFILMED

AUG 18 1989

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

RECEIVED
FEB 1 1988
Department of Water Resources
Eastern District Office

IN THE MATTER OF PERMIT NO. 35-7642
IN THE NAME OF COUNTRY MEATS, INC.

ORDER VOIDING PERMIT

This matter having come before the Department of Water Resources (Department) as a result of an investigation by the Department to determine the extent of beneficial use of water, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On October 1, 1976, Country Meats, Inc. applied to the Department for a permit to appropriate 0.05 cubic feet per second of water from a groundwater source within the NENW, Sec. 32, T2S, R35E, B.M., Bingham County, to be used for commercial purposes.

2. On November 4, 1976 the Department approved the Application for Permit.

3. On September 26, 1986 the Department received Proof of Beneficial Use for the Permit.

4. On June 2, 1987 the Department conducted a field examination and the examiner's report indicated that water had been diverted and placed to beneficial use within a different legal description than authorized by the Permit.

5. On February 23, 1988 the Department sent notice and an Amendment to the permit holder stating that the permit had to be amended before the Department could issue a license.

6. On April 29, 1988 the Department sent a second notice to the permit holder stating that the permit had to be amended before the Department could issue a license.

AUG 18 1989

COPY

COPY

7. On July 7, 1988 the Department sent a Notice of Pending Order Voiding Permit for failure to amend the permit so that a license could be issued.

8. The Department has not received the Application for Amendment of the permit.

CONCLUSIONS OF LAW

1. Section 42-219, Idaho Code, states:

In the event that the Department shall find that the applicant has not fully complied with the law and conditions of the permit, it may issue a license for that portion of use which is in accordance with the permit, or may refuse issuance of a license and void the permit.

2. Development of the water as listed on the permit was a condition of the permit, and compliance with the condition was required prior to perfection of a water right.

3. The Department is unable to issue a license for the permit, because the water was not developed on the property described in the permit.

4. The permit could have been amended by the permit holder but the permit holder failed or refused to file the appropriate amendment.

5. A license should not be issued on this permit and the permit should be voided.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 35-7642 is VOIDED and issuance of a license thereon is REFUSED.

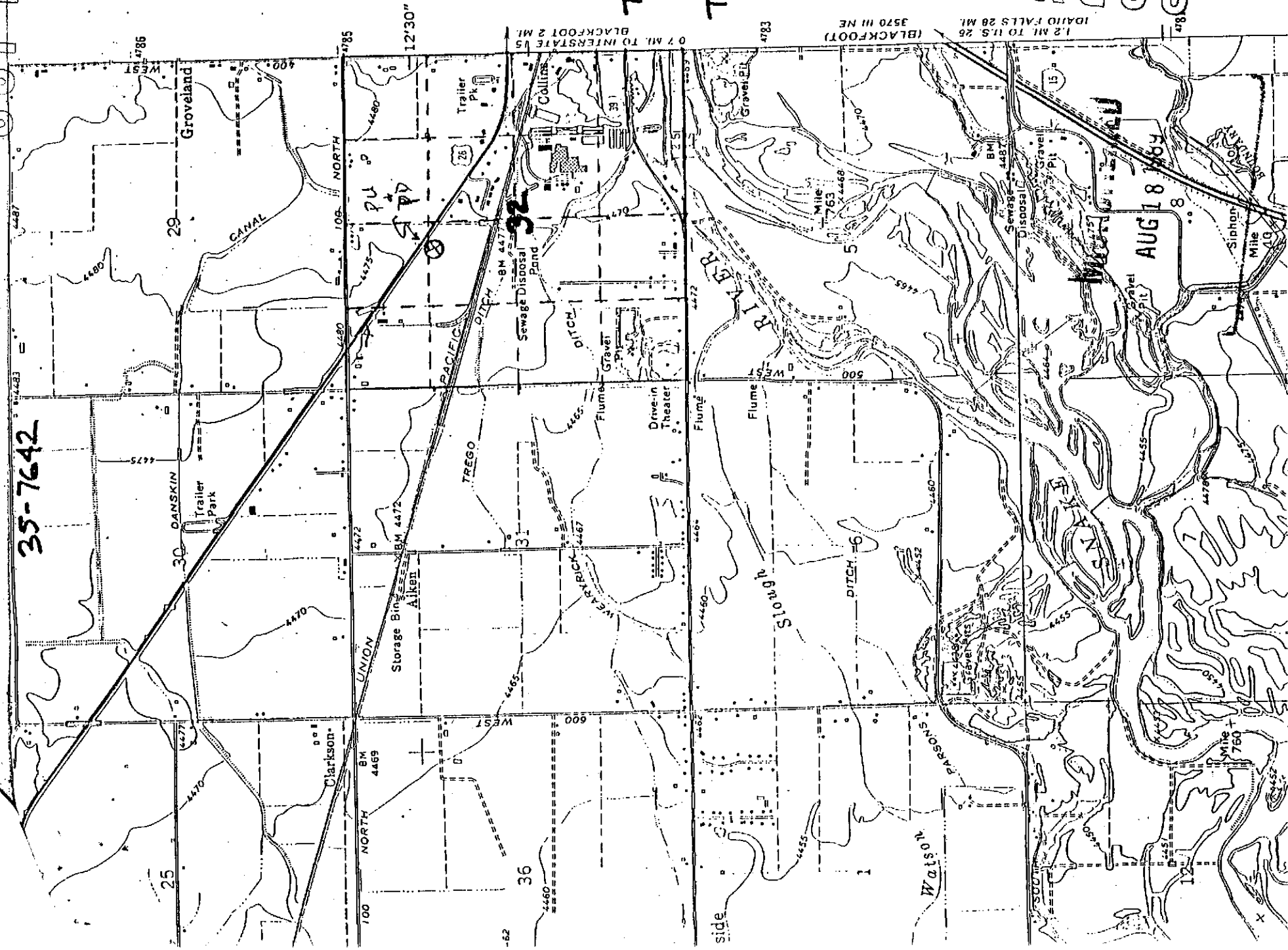
Dated this 1st day of February 1989.


L. GLEN SAXTON, Chief
Water Allocations Bureau

COPY

COPY

35-7642



725

735

COPY

AUG 18 1984

