

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 63-7531

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

I, THOMAS M. BEVAN, hereby assign to MBPXL CORPORATION (formerly Missouri Beef Packers, Inc.)
of P.O. Box 2519, Wichita, Kansas 67201
Address

CHECK ONE

- ☒ All my right, title, and interest in and to Permit No. 63-7531
to appropriate the public waters of the State of Idaho.
- ☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.
(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

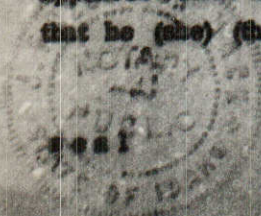
Made this 29 day of November, 19 76.

Thomas M. Bevan
Permit Holder - THOMAS M. BEVAN

Mary B. Bevan
Spouse of Permit Holder

State of Idaho)
County of Ada) ss.

On this 29 day of November, 19 76, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.



J. Paul Mack
Notary Public residing at Boise

My commission expires:

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

RECEIVED

MBPXL CORPORATION (formerly
I, Missouri Beef Packers, Inc., hereby assign to COLUMBIA FOODS, INC.
of P.O. Box 926, Pasco, Washington 99301
Address

CHECK ONE

- ☒ All my right, title, and interest in and to Permit No. 63-7531
to appropriate the public waters of the State of Idaho.
- ☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.
(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 3rd day of December, 19 76.

MBPXL CORPORATION (formerly
Missouri Beef Packers, Inc.)
Permit Holder

By David H. LaFleur
President

State of Idaho)
County of Ada) ss.

On this 3rd day of December, 19 76, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Notary Public residing at Boise, Idaho

My commission expires:

9/20/76

Identification No. 62-7837

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

To appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Thomas M. Bevan &/or Missouri Beef Packers, Inc.
post office address 3322 Mt. View Drive, Boise, Idaho
2. Source of water supply Groundwater which is a tributary of _____
(2 points)
3. a. Location of point of diversion is N 1/4 of SW 1/4 of Section 7 Township 1N
Range 2E B.M. Ada County; additional points of diversion if any:
or NE 1/4 SW 1/4, or SW 1/4 SW 1/4, &/or SE 1/4 SW 1/4, Sec. 7, T. 1N, R. 2E, B.M.
- b. If water is not consumed, it will be discharged into _____ at a point in _____ 1/4
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.20 stockwater purpose from Jan. 1 to Dec. 31 (both dates inclusive)
0.20 for domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
Amount 3.20 for commercial purpose from Jan. 1 to Dec. 31 (both dates inclusive)
3.20 for irrigation purpose from March 15 to Nov. 15 (both dates inclusive)
5. Total quantity to be appropriated:
a. 3.60 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Drilled wells, pumps, motors, pipe
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet; materials used in storage dam _____
Period of year during which storage will occur _____ to _____ inclusive.
c. Proposed well diameter is 20 inches; proposed depth of well is 500 feet
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years
b. Estimated construction cost is \$ 160,000.00
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water _____ 1/4 of SW 1/4 of Section 7 Township 1N
Range 2E B.M. _____
(2) Amount of power to be generated _____ hp under _____ feet of head
(3) List number of each kind of livestock to be watered Beef - 1000 head, possibly
pork or sheep
(4) Name of municipality to be served _____ or number of families to be supplied with domestic water 180 persons
(5) If water is to be used for other purposes describe Domestic - showers, restrooms, and
drinking, Commercial - Processing Plant, 1000 head capacity requiring 1000
gal. per head, Stockwater - 1000 head feed lot

c. If water is for irrigation, indicate acreage in each subdivision in the tabulation below

TWP	RANGE	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	
1N	2E	7									40	40	40	40					160

Total number of acres to be irrigated 160

c. Describe any other water rights used for the same purposes as described above. None

9. a. Who owns the property at the point of diversion Missouri Beef Packers, Inc.
 b. Who owns the land to be irrigated or place of use " " " "
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.

10. Remarks Commercial water will be run into sewage treatment ponds and water for irrigation will be pumped out of pond.

11. 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.

Thomas M. Beane
(Applicant)

63 1511

Received by D Date 12-10-71 Time 11:30 AM
Preliminary check by D Fee \$ 55.00
Receipted by J Date 12-10-71
Publication prepared by CR Date 12-30-71
Published in Idaho Statesman
Publication dates 1-6 & 1-13-72
Publication approved CR Date 1-19-72
Priority ~~reduced to~~ 12-10-71 Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for (approval) denial by JD DM

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-7531, 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 January 1, 1972.
- c. Other A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 31st day of January, 1972.


Director

**NOTICE OF APPLICATION
FOR WATER PERMIT**
 Notice is hereby given that
 Thomas M. Bevan & or Missouri
 Beef Packers, Inc. 3322 Mt. View
 Drive, Boise, Idaho have on De-
 cember 10, 1971 submitted Appli-
 cation No. 83707 for a permit to
 appropriate 100 cubic feet per sec-
 ond of water from a ground water
 source by means of well and pump
 within the NW 1/4 SW 1/4 (2 points),
 OR NE 1/4 SW 1/4 OR SW 1/4 SW 1/4 & or
 SE 1/4 SW 1/4, Sec. 7, T. 1N, R. 2E,
 B.M., Ada County to be used from
 Jan. 1 to Dec. 31 for stock
 watering, domestic (for 180 per-
 sons), and commercial purposes;
 and from March 15 to Nov. 15 for
 the irrigation of 160 acres within
 the SW 1/4, Sec. 7, T. 1N, R. 2E,
 B.M.
 If issued, this permit will be
 subject to all prior water rights.
 Protests against the granting of
 the permit must be filed with the
 Idaho Department of Water Ad-
 ministration, Statehouse, Boise,
 Idaho, 83707, on or before January
 24, 1972.
 R. KEITH HIGGINSON
 Director
 Pub. Jan. 6, 1972 409

STATE OF IDAHO,))
 COUNTY OF ADA) ss.

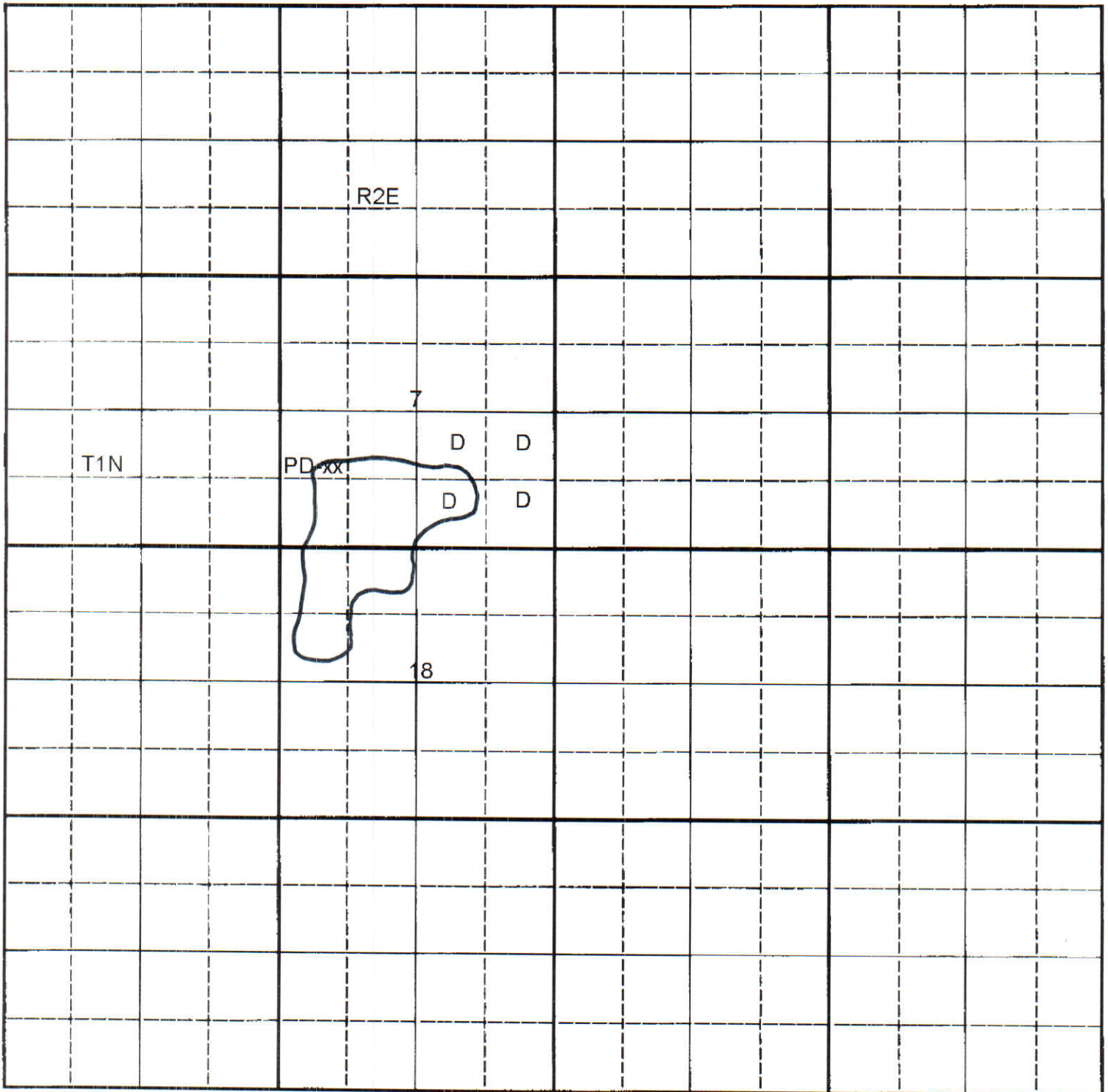
Georgene Davis, being duly
 sworn, deposes and says: That she is the Principal
 Clerk of The Idaho Statesman, a daily newspaper printed
 and published at Boise, Ada County, State of Idaho, and
 having a general circulation therein and which said
 newspaper has been continuously and uninterruptedly
 published in said Court during a period of twelve con-
 secutive months prior to the first publication of the
 notice, a copy of _____ attached hereto; that said
 notice was published _____ the regular edition of The Idaho

Statesman for Two ~~consecutive~~ insertions,
 beginning with the issue of January 6, 1972,
 and ending with the issue of January 13, 1972.

Subscribed and sworn to before me this 14th
 day of January, 19 72.

Lorna A. Young
 Notary Public for Idaho, Residing at Boise, Idaho

8. Draw a map indicating the point(s) of diversion and place of use of the right, or portion thereof. Show clearly the land involved by section, township and range.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

MICROFILMED
MAR 20 2000
4

RECEIVED
NOV 5 1986

Form 219
6/86

Department of Water Resources
Western Regional Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Should questions arise during
the processing of this applica-
tion please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

A. GENERAL INFORMATION

Permit No. 63-7531

1. Owner: Iowa Beef Processors, Inc.

Phone No. 345-6660

Current Address: P. O. Box 9346, Boise, Idaho 83707

2. Accompanied by: Darold Gilster/Larry Maurer

EXAM. DATE: 9-15-86

Address: Same

Phone No. 345-6660

Relationship to Permit Holder: Employees

3. Source: Ground Water tributary to -----

B. OVERLAP REVIEW

1. Other water rights with same place of use: None

☐ Copies Attached

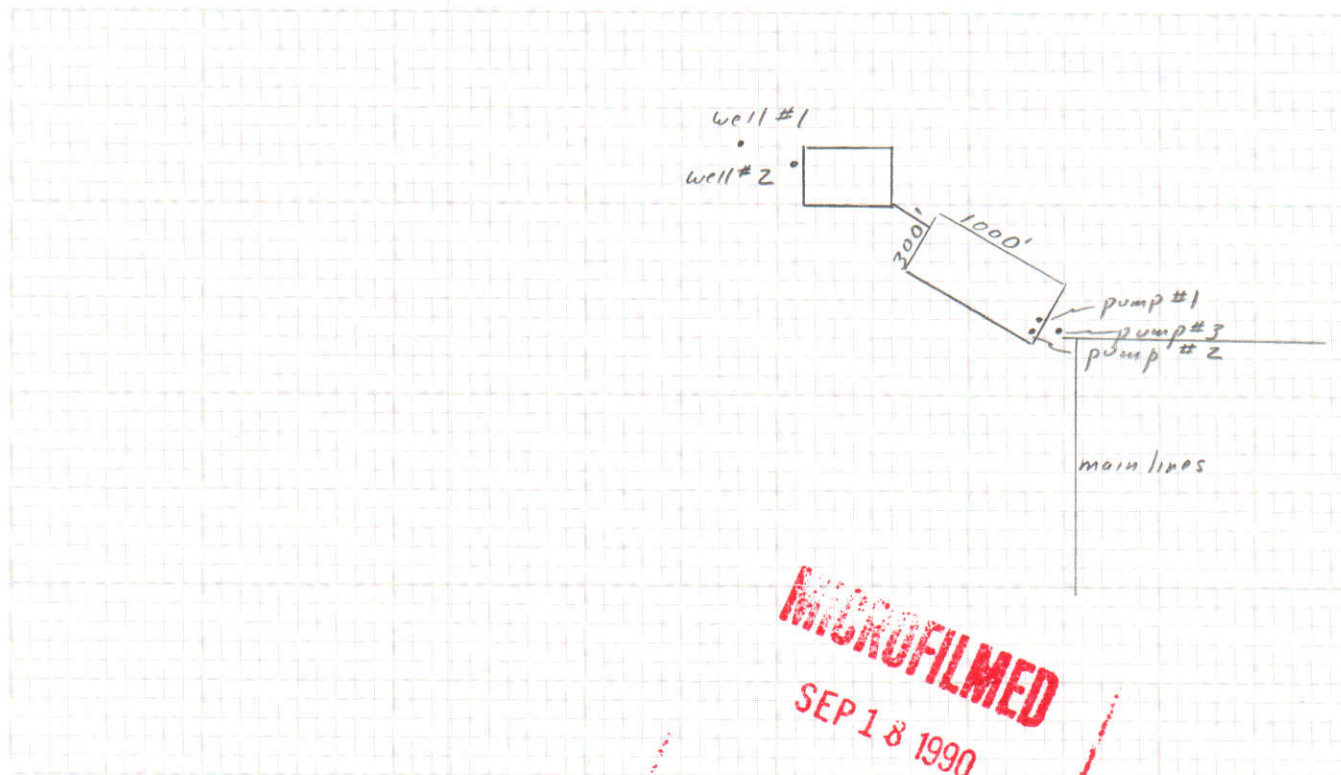
2. Other water rights with same point of diversion: None

☐ 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" = _____

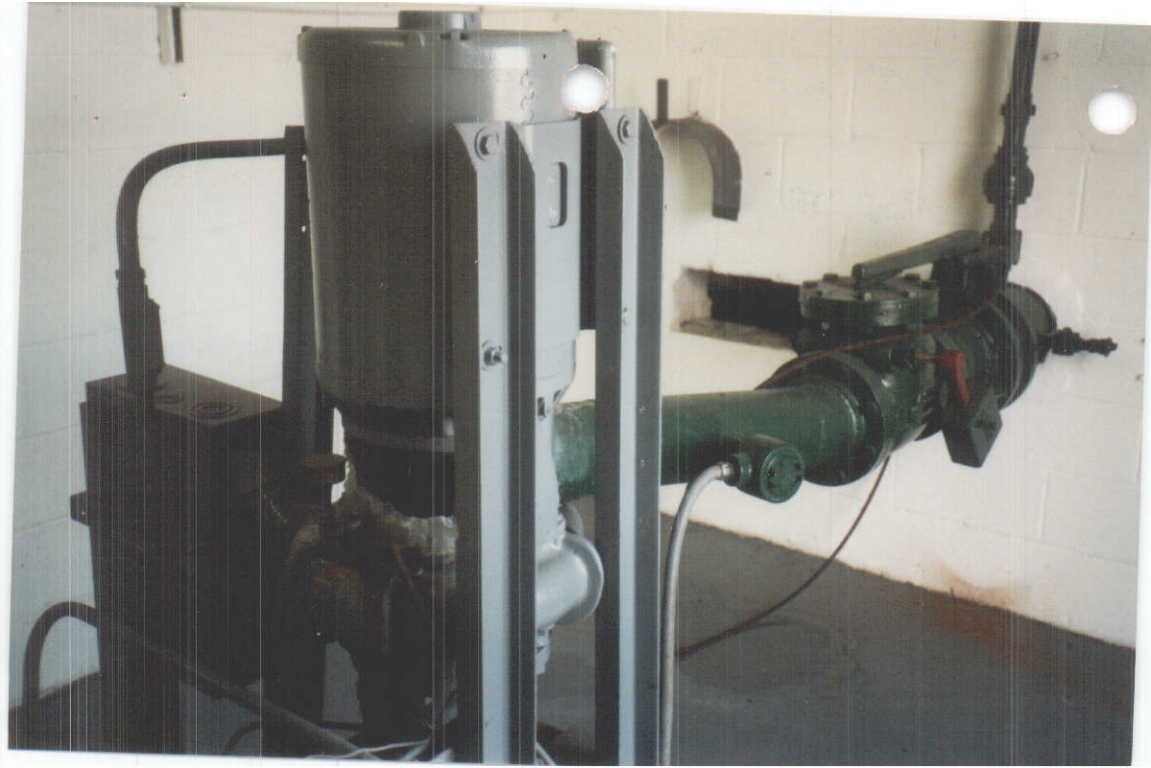
2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.)

☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).





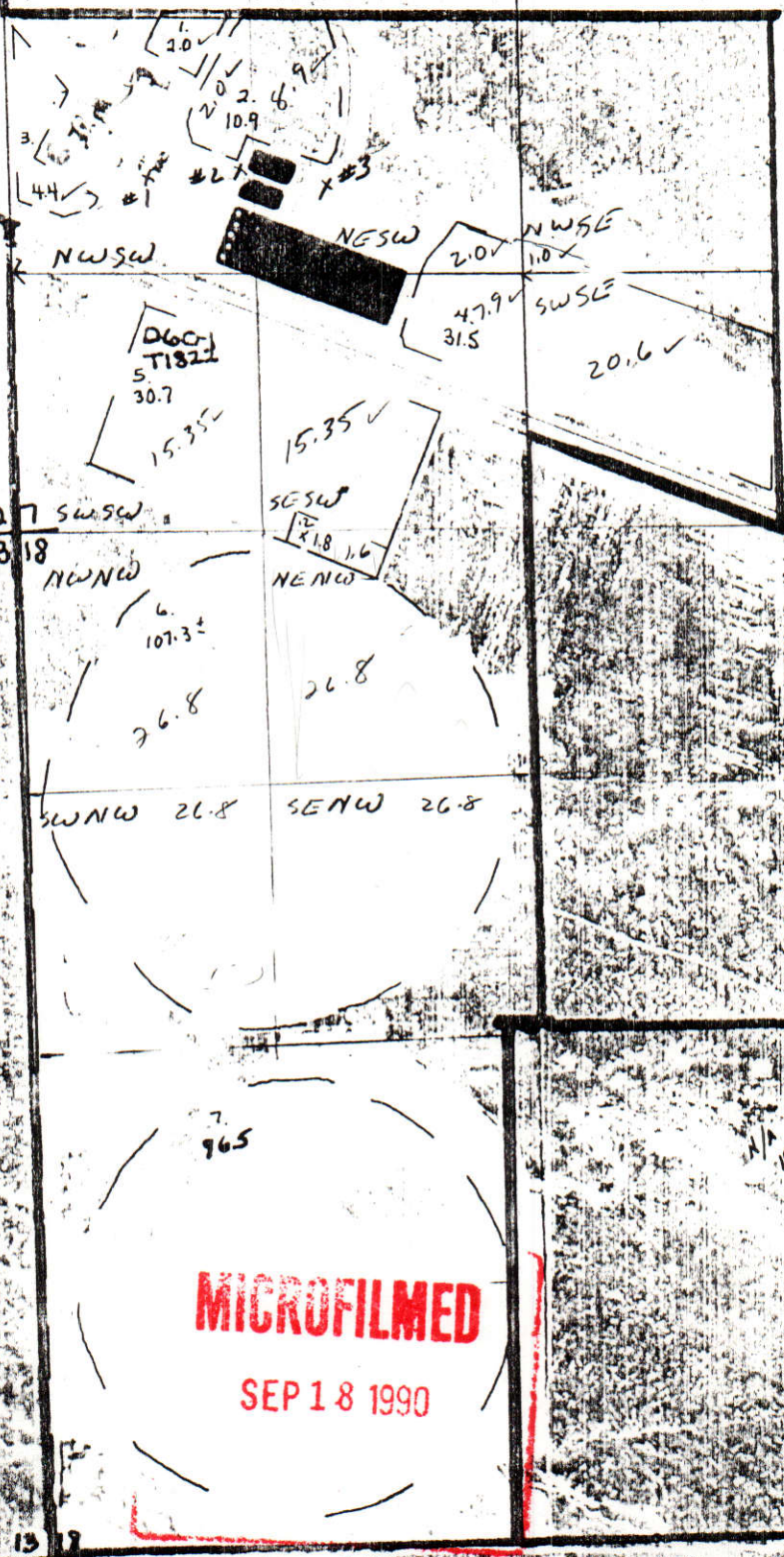








9-15-86
SLC



August 25, 1982

Kelli Hanley Crabb
Iowa Beef Processors, Inc.
P. O. Box 511
Dakota City, NE 68731

Dear Ms. Crabb:

Re: Permit No. 63-7531

A review of the status of the above-referenced permit shows that the permit has lapsed and is of no further force nor effect.

The file shows that notice of lapsing was mailed on January 28, 1982 and that evidence of permit ownership by Iowa Beef Processors, Inc. was received on April 12, 1982, more than sixty days from the notice of lapsing. Enclosed is a copy of Idaho Code, Section 42-213a which describes the lapsing procedure.

The real purpose of this letter is to suggest that you should complete and return the enclosed application for permit in order to develop a water right if continued diversion and use of water is anticipated.

Please feel free to contact me if you have any questions.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

Enclosures: App. for Permit
Instructions
Sec. 42-213a, I.C.

Analysis

63-7531

Oct. 31, 1981

sent notice b/pu is due,
notice sent to Columbia
Foods, Inc.
Due 1-31-82

Dec. 3, 1981

received b/pu from
Iowa Beef Processors, Inc.

Jan. 28, 1982

returned b/pu because
Iowa Beef Processors, Inc.
are not the permit
holder.

28th Jan
62
20 day = March 29th
86

semi lapse notice to
Columbia Foods, Inc.

Feb. 10, 1982

received telephone call
from Mr. Kelly Crabb
attorney for Iowa Beef.
She stated that Columbia
Foods had merged with
Iowa Beef Processors, Inc.

Feb. 11, 1982

Phil Rasser, attorney
for IOWA contacted
Mr. Crabb indicating

a need of documenting
the merger for our
records before accept-
ing b/p.

April ~~12~~ 12, 1982

Received documentation
of the merger. However,
the b/p was not
returned.

May 24, 1982

Received b/p.

RECEIVED

MAY 24 1982

Department of Water Resources

LEGAL DIVISION

May 18, 1982

Reply to Mail #41

Phil Rassier, Esq.
State of Idaho
Department of Water Resources
State Office
450 West State Street
Boise, ID 83720

Re: Permit No. 63-7531--
Columbia Foods, Inc.

Dear Mr. Rassier:

I am writing in regard to my letter to you of April 6, 1982 pursuant to which copies of various merger documents between Columbia Foods, Inc. ("Columbia") and Iowa Beef Processors, Inc. ("IBP") were furnished to your department. I trust that the documents previously submitted were sufficient to establish IBP's interest in Permit No. 63-7531, which permit was previously issued to Columbia.

Consequently, I am returning to your department a Proof of Application of Water to Beneficial Use filed on behalf of IBP. Please advise if anything further need be done to secure the issuance of the above-referenced permit in the name of IBP. Thank you for your assistance.

Sincerely,

Kelli Hanley Crabb
Kelli Hanley Crabb
Staff Attorney

KHC/rjm

Phil Rassier, Esq.
Page Two
April 6, 1982

If you have any questions in this regard, please do
not hesitate to contact me at the address below.

Sincerely,

Kelli Hanley Crabb

Kelli Hanley Crabb
Staff Attorney

KHC/jlm

Enclosures

cc: Rita Fleck
Sr. Secretary

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Identification No. _____

Permit No. _____

RECEIVED
MAY 24 1982
DEPT. OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder Iowa Beef Processors, Inc.
b) Post Office Address P.O. Box 511, Dakota City, Nebraska 68731
- 2 Permit Number 63-7531
- 3 Date of Priority that you are prepared to establish 12-10-71
- 4 a) Source from which water was appropriated Groundwater
b) Location of the point of diversion NW 1/4 SW 1/4, Section 7
Township 1N, Range 2E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 366.6 ac-ft/yr for In-plant purposes from January 1 to December 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 366.6 ac-ft/yr for Irrigation purposes from January 1 to December 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 366.6 acre-feet per annum ~~819 acre-feet per annum~~
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Darold Gilster - meter readings
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:
NA
b) Describe the agreement or understanding by which you take water from the works:
NA
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) See Attachment I.
b) Describe the type and size of measuring device which you have installed at your point of diversion:
Raw Water Flow Meter: 8" McCrometer as manufactured by
American Water Meters
c) Give well driller's name and address and the date the well was completed:
See Attachment I
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
Water is used for process and clean-up operations for beef slaughtering
plant. Treated wastewater from these operations is then reused for
irrigation.

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision

Irrigation system consists of 2 center pivot systems at 108 acres each plus 37 acres of solid set irrigation sprinklers.

[illegible]

Total number of acres irrigated 253

10. Remarks:

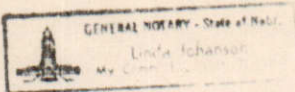
The above information is a true statement of the extent to which the above numbered permit has been developed.

12-1-81
(Date)

William F. Harvey
(Signature)

State of Nebraska)
) ss.
County of Dakota)

On this 1st day of December, 19 81, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



Linda E. Johansen
Notary Public residing at 313 W. 18th,
So. Sioux City, Nebraska 68776

My commission expires October 3, 1984

ATTACHMENT I

Item 7a.

East Well:

Total Depth: 458 feet
Casing Diameter: 14 inches
Screen Diameter: 10 inches
Screen Settings: From 368 ft. to 408 feet
From 438 ft. to 448 ft.
Pump Data: 75 H.P. Berkely Submersible Pump
Model: 855M6

West Well:

Total Depth: 340 feet
Casing Diameter: 16 inches
Screen Diameter: 12 inches
Screen Setting: From 290 ft. to 330 ft.
Pump Data: 150 H.P. Manufacturer Unknown
6 stages, 8" column pipe

Item 7c.

East Well:

Completed Feb. 1974 by W.E. Stevens and Son
Well Drilling

Deepened March, 1980 by Elsing Drilling

West Well:

Completed June, 1972 by W.E. Stevens & Sons

RECEIVED

APR 12 1982
Department of Water Resources

April 6, 1982

LEGAL DIVISION

Reply to Mail #41

Phil Rassier, Esq.
State of Idaho
Department of Water Resources
State Office
450 W. State Street
Boise, ID 83720

Re: Permit No. 63-7531--
Columbia Foods, Inc.

Dear Mr. Rassier:

I am writing in regard to Permit No. 63-7531 which was previously issued in the name of Columbia Foods, Inc. ("Columbia") and is now held by Iowa Beef Processors, Inc. ("IBP"). As I previously explained to you, IBP acquired Columbia on December 3, 1975, and on October 17, 1978, Columbia was merged with and into IBP. Consequently, Columbia no longer exists as a separate corporate entity.

Pursuant to your request, I enclose herewith copies of the relevant merger documents. I trust that these documents are sufficient to establish the merger of Columbia and IBP.

In light of the fact that Columbia no longer exists as a separate legal entity and that IBP now holds the assets formerly belonging to Columbia, it is my opinion that an assignment of the above-referenced permit is not required and that IBP has assumed all rights under the permit by resubmitting a Proof of Application of Water to Beneficial Use. Accordingly, please take the necessary steps to renew the above permit in the name of IBP. Thank you.

Phil Rassier, Esq.
Page Two
April 6, 1982

If you have any questions in this regard, please do
not hesitate to contact me at the address below.

Sincerely,

Kelli Hanley Crabb
Kelli Hanley Crabb
Staff Attorney

KHC/jlm

Enclosures

cc: Rita Fleck
Sr. Secretary

F-06128
FILE NUMBER



FOREIGN

STATE OF WASHINGTON | DEPARTMENT OF STATE

I, **BRUCE K. CHAPMAN**, Secretary of State of the State of Washington and custodian of its seal,
hereby certify that a duly authenticated copy of the

ARTICLES OF MERGER

of IOWA BEEF PROCESSORS, INC.
a foreign corporation of Delaware
(Merging with and into itself COLUMBIA FOODS, INC.)

were filed for record in this office at 8:00 o'clock a. m., on this date, and
I further certify that such copy remains on file in this office.

In witness whereof I have signed and have
affixed the seal of the State of Washington to
this certificate at Olympia, the State Capital

November 6, 1978

BRUCE K. CHAPMAN
SECRETARY OF STATE

D-247566
FILE NUMBER



DOMESTIC

STATE OF WASHINGTON | DEPARTMENT OF STATE

I, **BRUCE K. CHAPMAN**, Secretary of State of the State of Washington and custodian of its seal
hereby certify that

ARTICLES OF MERGER

of COLUMBIA FOODS, INC. Pasco, Washington
a domestic corporation of _____
(Merged with IOWA BEEF PROCESSORS, INC. (Delaware corp. qualified in Wash.))

was filed for record in this office at 8:02 o'clock a.m. on this date, and
I further certify that such Articles remain on file in this office.



In witness whereof I have signed and have
affixed the seal of the State of Washington to
this certificate at Olympia, the State Capitol.

October 30, 1978

Bruce K. Chapman

BRUCE K. CHAPMAN
SECRETARY OF STATE

THE STATE



OF KANSAS

OFFICE OF SECRETARY OF STATE
JACK H. BRIER • SECRETARY OF STATE

To all to whom these presents shall come, Greeting:

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the following and hereto attached is a true copy of certificate of Certificate of Ownership of the IOWA BEEF PROCESSORS, INC., a Delaware corporation authorized to do business in the State of Kansas, merging COLUMBIA FOODS, INC., a Washington corporation not authorized to do business in the State of Kansas. Filed in the State of Delaware on the thirtieth day of October, A.D. 1978.

December 20, 1978

FILED:

STATE OF KANSAS
RECEIVED
DEC 21 1978
OFFICE OF SECRETARY OF STATE
TOPEKA, KANSAS

the original of which is now on file and a matter of record in this office.

IN TESTIMONY WHEREOF:

I hereto set my hand and cause to be affixed my official seal.
Done at the City of Topeka, this twentieth day of

December A.D. 19 78

Jack H. Brier
JACK H. BRIER
SECRETARY OF STATE

By *Willa M. Roe*
ASSISTANT SECRETARY OF STATE

Form No. 252 CU

21134 761

DEC 20 AM 8:15

FILED
JACK H. RHEE
SECRETARY OF STATE
KANSAS

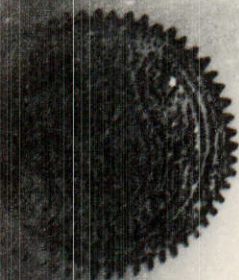


State of DELAWARE

Office of SECRETARY OF STATE

I, Glenn C. Kenton Secretary of State of the State of Delaware,
do hereby certify that the Certificate of Ownership of the "IOWA BEE PROCESSORS, INC.",
a corporation organized and existing under the laws of the State of Delaware, merging
"COLUMBIA FOODS, INC.", a corporation organized and existing under the laws of the
State of Washington, pursuant to Section 252 of the General Corporation Law of the
State of Delaware, was received and filed in this office the thirtieth day of October,
A.D. 1978, at 10 o'clock A.M.

In Testimony Whereof, *I have hereunto set my hand*
and official seal at Dover this twenty-eighth *day*
of November *in the year of our Lord*
one thousand nine hundred and seventy-eight.



Glenn C. Kenton

Glenn C. Kenton, Secretary of State

John D. Murphy

Assistant Secretary of State

STATE OF DELAWARE
OFFICE OF SECRETARY OF STATE

I, GLENN C. KENTON, Secretary of State of the State of Delaware, do hereby certify that the Certificate of Incorporation of the "IOWA BEEF PACKERS, INC." was received and filed in this office the twenty-third day of June, A.D. 1969, at 10 o'clock A.M.

And I do hereby further certify that the said "IOWA BEEF PACKERS, INC." filed a Certificate of Agreement of Merger on the first day of August, A.D. 1969, at 3 o'clock P.M.

And I do hereby further certify that the said "IOWA BEEF PACKERS, INC." filed a Certificate of Amendment, changing its corporate title to "Iowa Beef Processors, Inc.", on the first day of May, A.D. 1970, at 2 o'clock A.M.

And I do hereby further certify that the said "Iowa Beef Processors, Inc." filed a Certificate of Ownership on the fourth day of January, A.D. 1972, at 9 o'clock A.M.

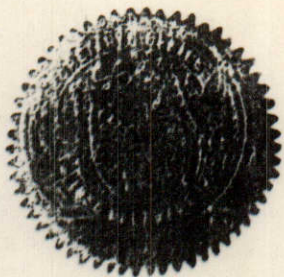
And I do hereby further certify that the said "Iowa Beef Processors, Inc." filed a Certificate of Amendment on the fourth day of April, A.D. 1977, at 10 o'clock A.M.

And I do hereby further certify that the said "Iowa Beef Processors, Inc." filed a Certificate of Ownership, on the twenty-seventh day of March, A.D. 1978, at 10 o'clock A.M.

And I do hereby further certify that the said "Iowa Beef Processors, Inc." filed a Certificate of Ownership, on the thirtieth day of October, A.D. 1978, at 10 o'clock A.M.

And I do hereby further certify that the aforesaid Certificates are the only Certificates on record of the aforesaid Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Dover this thirteenth day of November in the year of our Lord one thousand nine hundred and seventy-eight.



Glenn C. Kenton

Glenn C. Kenton, Secretary of State

John D. [Signature]

Assistant Secretary of State



Phil Rassier, Esq.
State of Idaho
Department of Water Resources
Department Office
State Office Street
450 W. State Street
Boise, ID 83720

INTER-DEPARTMENT MEMO — 1

DATE 2/1/82

FROM Phil Rassier

TO File 63-7531

SUBJECT Assignment of Permit

I called Ms. Kelly Crabb, an attorney for Iowa Beef (Ph 402 - 494-2061 Ext 2146), and explained to her the Department's need for some documentation showing that Columbia Foods has been merged into Iowa Beef before the Department may consider the permit to have been assigned.

She said that she would try to come up with such documentation and provide it to the Department. Our last letter of January 28, 1982 gives Iowa Beef 60 days from the date of the letter in which to provide the necessary documentation.

PR

SIGNATURE

Ms Crabb contacted the Dept on Feb 12 82

January 28, 1982

Iowa Beef Processors, Inc.
P. O. Box 311
Dakota City, NE 68731

Gentlemen:

Re: Permit No. 63-7531 -- Columbia Foods, Inc.

Enclosed is the Proof of Application of Water to Beneficial Use which was submitted to this office on December 3, 1981.

Please be advised that Permit No. 63-7531 is still recorded in the name of Columbia Foods, Inc. and until the permit is conveyed to Iowa Beef Processors, Inc. by a notarized assignment only the permit holder can take further action on this permit.

For your convenience, I'm sending an assignment form and a copy of this letter to Columbia Foods, Inc.

Since I have received nothing from Columbia Foods, Inc., the permit has lapsed as of January 1. Within sixty days of January 28, 1982, the permit will no longer be of any force or effect.

If you have any questions concerning this matter, please feel free to contact me. at 334-4290.

Sincerely,

ALAN I. FLECK
Sr. Secretary

Enclosure

cc: Columbia Foods, Inc.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

COLUMBIA FOODS INC.
P.O. BOX 926
PASCO, WA 99301

JANUARY 1 1982

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 63-7531 HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER A NOTICE THAT YOU HAVE COMPLETED THE PROJECT BY THE DATE REQUIRED ON YOUR PERMIT, OR A REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR NOTICE TO YOU DATED OCTOBER 31, 1981.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE STATEMENT OF BENEFICIAL USE POSTCARD OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED POSTCARD OR THE EXTENSION REQUEST MUST BE RECEIVED BY THIS OFFICE WITHIN SIXTY DAYS OF THE DATE OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A STATEMENT OF BENEFICIAL USE POSTCARD AND A REQUEST FOR EXTENSION OF TIME FORM ARE ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST ACCOMPANY AN EXTENSION OF TIME REQUEST.

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

CERTIFICATION OF MAILING

I hereby certify that on 1-28-1982
a copy of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

[Signature]

IBP

CERTIFIED
PI5 4547317
MAIL

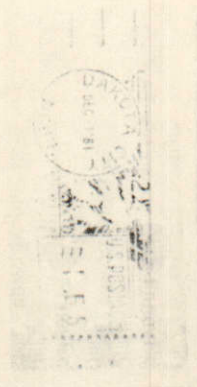
RETURN RECEIPT REQUESTED

DEPARTMENT OF WATER RESOURCES
STATE CAPITOL
BOISE, IDAHO 83720

RECEIVED

DEC 8 1981

Department of Water Resources



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138 776

COLUMBIA FOODS INC.
P.O. BOX 926
PASCO, WA 99301

OCTOBER 31, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 61-7531 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JANUARY 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1



JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

January 30, 1981

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the Regional Office nearest to you.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL JR., P.E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

Northern Region Office
Rt. #5 Box 203, Government Way
Coeur d'Alene, Idaho 83814

Southern Region Office
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301

Eastern Region Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Western Region Office
92 South Cole Road
Boise, Idaho 83705

December 15, 1976

Re: Permit No. 63-7531

Columbia Foods, Inc.
Box 926
Pasco, Washington 99301

Gentlemen:

We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been recorded and the Department's records have been changed.

Enclosed is a copy of the approved application for extension of time. The time within which to submit proof of beneficial use of water has been extended to January 1, 1982.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:JFR

Encl.

cc: Mr. Thomas Miller
HAWLEY TROKELL ENNIS & HAWLEY
Box 1617, One Capital Center
Boise, ID 83701

RECEIVED

DEC 6 1976

HAWLEY TROXELL ENNIS & HAWLEY
ATTORNEYS AND COUNSELORS
ONE CAPITAL CENTER
POST OFFICE BOX 1617
BOISE, IDAHO 83701

Department of Water Resources
AREA CODE 208
TELEPHONE: 344-7683

ROBERT I. TROXELL
JESS B. HAWLEY
PAUL B. ENNIS
JOHN T. HAWLEY
THOMAS A. MILLER
B. NEAL NEWCOMB
ROBERT J. ENNIS
CRAIG L. MEADOWS
ROBERT L. SILOW
JOSEPH D. MCCOLLUM, JR.
WAYNE B. SLAUGHTER, JR.
JESS B. HAWLEY III
GARY D. SABBITT
P. CRAIG STORTI
RICHARD F. GOODSON

December 4, 1976

Department of Water Resources
Statehouse
Boise, Idaho 83720

Attn: Mr. Bobbie Fleenor

Gentlemen:

Enclosed herewith in connection with Water Permit No. 63-7531 standing in the name of "Thomas M. Bevan and/or Missouri Beef Packers, Inc." are the following:

1. Photocopy of Certificate of the Secretary of State showing the merger of Missouri Beef Packers, Inc., into MBPXL Corporation effective 4-15-75.
2. Original and one copy of Assignment of Permit No. 63-7531 by Thomas M. Bevan, et ux., to MBPXL Corporation (formerly Missouri Beef Packers, Inc.) dated 11-29-76.
3. Original and one copy of Assignment of Permit No. 63-7531 by MBPXL Corporation (formerly Missouri Beef Packers, Inc.) to Columbia Foods, Inc. dated 12-3-76.
4. Original and two copies of Application for Extension of Time re Permit No. 63-7531 by Columbia Foods, Inc., dated 12-3-76.

Enclosure No. 1 is to show the change of name of the original corporate permittee.

Enclosure No. 2 is to show the transfer of all right in the permit by Bevans to the original corporate permittee, in view of the fact that the permit was held in the conjunctive/disjunctive ("and/or").

Department of Water Resources
Attn: Mr. Bobbie Fleenor
Page 2

December 4, 1976

Enclosure No. 3 of course transfers the permit to the new holder, Columbia Foods, Inc., our client.

By Enclosure No. 4 Columbia Foods, Inc. requests a maximum extension of five years to file the requisite proofs for licensing.

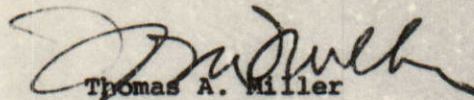
Please lodge Enclosure No. 1 in your permit file and file Enclosures 2, 3 and 4 therein. Please stamp one copy each of Enclosures 2, 3 and 4 with your filing stamp and return the same to us in the enclosed, self-addressed, stamped envelope.

Please present the application for extension to the Director for his action. If he approves it, kindly send us a signed or conformed copy thereof to complete our file.

If you have any questions, please do not hesitate to call me. Thank you for your usual consideration.

Yours truly,

HAWLEY TROXELL ENNIS & HAWLEY


Thomas A. Miller

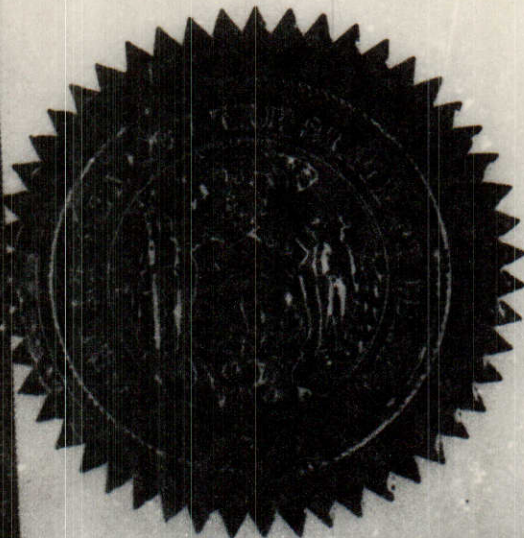
TAM:cat
Enclosures

State of Idaho



Department of State

I, PETE T. CENARRUSA, Secretary of State of the State of Idaho and custodian of the Seal of said State, do hereby certify that the annexed is a full, true and complete transcript of merger agreement of MISSOURI BEEF PACKERS, INC., a Missouri corporation, and MBPXL CORPORATION, a Delaware corporation, whereas MBPXL CORPORATION is the surviving corporation, received and filed in this office on the 15th day of April, 1975, as appears of record in this office as of this date.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Idaho.

Done at Boise, Idaho, this 2nd day of
December A.D., 19 76

Pete T. Cenarrusa

Secretary of State

Jim Link

Certificate of Certified Copy

October 29, 1976

CERTIFIED MAIL

138047

Re: Permit No. 63-7531

Thomas M. Bevan &/or Missouri Beef Packers Inc.
3322 Mountain View Drive
Boise, Idaho 83705

Gentlemen:

One of the conditions of approval of your water Permit No. 63-7531 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before January 1, 1977. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

R. Keith Higginson
R. KEITH HIGGINSON
Director

cc: 10
Enc. Proof affidavit

USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Water Administration
WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer
within 30 days after completion or abandonment of the well.

1. WELL OWNER Name <u>Missouri Reef Packers</u> Address <u>30 Amarillo Bl., Amarillo, Texas 79101</u> Owner's Permit No. <u>63-2551</u>		7. WATER LEVEL Static water at <u>259</u> feet below land surface Flowing? ☒ No ☐ G.P.M. flow Temperature <u>F.</u> Quality <u></u> Artesian closed <u>pressure</u> p.s.i. Controlled by ☐ Valve ☐ Cap ☐ Plug																																																																	
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning)		8. WELL TEST DATA ☒ Pump ☐ Bailer ☐ Other <table border="1"><thead><tr><th>Discharge G.P.M.</th><th>Draw Down</th><th>Hours Pumped</th></tr></thead><tbody><tr><td></td><td><u>11-15</u></td><td></td></tr></tbody></table>		Discharge G.P.M.	Draw Down	Hours Pumped		<u>11-15</u>																																																											
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3. PROPOSED USE ☐ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☒ Industrial ☐ Stock		9. LITHOLOGIC LOG <table border="1"><thead><tr><th rowspan="2">Hole Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td></td><td></td><td><u>1</u></td><td><u>top soil</u></td><td></td><td>☒</td></tr><tr><td></td><td></td><td><u>13</u></td><td><u>white hardpan</u></td><td></td><td>☒</td></tr><tr><td></td><td></td><td><u>13</u></td><td><u>basalt rock</u></td><td></td><td>☒</td></tr><tr><td></td><td></td><td><u>16</u></td><td><u>green clay & sand</u></td><td></td><td>☒</td></tr><tr><td></td><td></td><td><u>16</u></td><td><u>gravel & sand</u></td><td></td><td>☒</td></tr><tr><td></td><td></td><td><u>16</u></td><td><u>clay, sand & some gravel</u></td><td></td><td>☒</td></tr><tr><td></td><td></td><td><u>16</u></td><td><u>coarse gravel & sand</u></td><td></td><td>☒</td></tr><tr><td></td><td></td><td><u>16</u></td><td><u>clay, sand & fine black sand</u></td><td></td><td>☒</td></tr><tr><td></td><td></td><td><u>16</u></td><td><u>silty green clay</u></td><td></td><td>☒</td></tr></tbody></table> Seal on headpipe consists of three 12" OD with successive 15" OD		Hole Diam.	Depth		Material	Water		From	To	Yes	No			<u>1</u>	<u>top soil</u>		☒			<u>13</u>	<u>white hardpan</u>		☒			<u>13</u>	<u>basalt rock</u>		☒			<u>16</u>	<u>green clay & sand</u>		☒			<u>16</u>	<u>gravel & sand</u>		☒			<u>16</u>	<u>clay, sand & some gravel</u>		☒			<u>16</u>	<u>coarse gravel & sand</u>		☒			<u>16</u>	<u>clay, sand & fine black sand</u>		☒			<u>16</u>	<u>silty green clay</u>		☒
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4. METHOD DRILLED ☒ Cable ☐ Rotary ☐ Dug ☐ Other																																																																			
5. WELL CONSTRUCTION Diameter of hole <u>16</u> inches Total depth <u>340</u> feet Casing schedule ☒ Steel ☐ Concrete <table border="1"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><tr><td><u>3/8</u> inches</td><td><u>16</u> inches</td><td><u>0</u> feet</td><td><u>0</u> feet</td></tr><tr><td><u>3/8</u> inches</td><td><u>16</u> inches</td><td><u>0</u> feet</td><td><u>0</u> feet</td></tr><tr><td><u>3/8</u> inches</td><td><u>16</u> inches</td><td><u>0</u> feet</td><td><u>0</u> feet</td></tr><tr><td><u>3/8</u> inches</td><td><u>16</u> inches</td><td><u>0</u> feet</td><td><u>0</u> feet</td></tr><tr><td><u>3/8</u> inches</td><td><u>16</u> inches</td><td><u>0</u> feet</td><td><u>0</u> feet</td></tr></tbody></table> Was a packer or seal used? ☒ Yes ☐ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation <u>inches</u> by <u>inches</u> <table border="1"><thead><tr><th>Number</th><th>From</th><th>To</th></tr></thead><tbody><tr><td><u>perforations</u></td><td><u>feet</u></td><td><u>feet</u></td></tr><tr><td><u>perforations</u></td><td><u>feet</u></td><td><u>feet</u></td></tr><tr><td><u>perforations</u></td><td><u>feet</u></td><td><u>feet</u></td></tr></tbody></table> Well screen installed? ☒ Yes ☐ No Manufacturer's name <u>Johnson</u> Type <u>stainless steel</u> Model No. <u>307</u> Diameter <u>12</u> Slot size <u>20</u> Set from <u>feet</u> to <u>330</u> feet Diameter <u>Slot size</u> Set from <u>feet</u> to <u>feet</u> Gravel packed? ☐ Yes ☒ No Size of gravel <u>feet</u> to <u>feet</u> Placed from <u>feet</u> to <u>feet</u> Surface seal? ☒ Yes ☐ No To what depth <u>23</u> feet Material used in seal ☒ Cement grout ☐ Pudding clay		Thickness	Diameter	From	To	<u>3/8</u> inches	<u>16</u> inches	<u>0</u> feet	<u>0</u> feet	<u>3/8</u> inches	<u>16</u> inches	<u>0</u> feet	<u>0</u> feet	<u>3/8</u> inches	<u>16</u> inches	<u>0</u> feet	<u>0</u> feet	<u>3/8</u> inches	<u>16</u> inches	<u>0</u> feet	<u>0</u> feet	<u>3/8</u> inches	<u>16</u> inches	<u>0</u> feet	<u>0</u> feet	Number	From	To	<u>perforations</u>	<u>feet</u>	<u>feet</u>	<u>perforations</u>	<u>feet</u>	<u>feet</u>	<u>perforations</u>	<u>feet</u>	<u>feet</u>																														
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6. LOCATION OF WELL Sketch map location must agree with written location. County <u>Ada</u> <u>1/4</u> Sec. <u>7</u> T. <u>1</u> N. R. <u>1</u> E.		10. Work started <u>May 1, 1971</u> finished <u>June 10, 1971</u>																																																																	
		11. DRILLER'S CERTIFICATION This well was drilled under my supervision and this report is true to the best of my knowledge. <u>W. F. Stevens</u> Sons Well Drilling <u>153</u> Driller's or Firm's Name Number <u>200 Hawthorne Drive Boise, Idaho 83703</u> Address <u>W. F. Stevens</u> Signed By <u>July 15, 1971</u> Date																																																																	

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE, BLUE, AND PINK COPIES TO THE DEPARTMENT

February 2, 1972

Re: Permit No. 63-7531 - Thomas M. Bevan &/or Missouri Beef Packers, Inc.

Thomas M. Bevan &/or
Missouri Beef Packers, Inc.
1322 Mt. View Drive
Boise, Idaho 83705

Dear Mr. Bevan:

Enclosed is a copy of your approved Application for Permit No. 63-7531. We direct your attention to the conditions of approval as listed on the fourth page.

The approval of this permit does not relieve you of the responsibility of complying with the rules and regulations of the Department of Health. These rules and regulations should be followed in regard to both the standards for the domestic supply of the water and the standards for the treatment of the effluent from the plant.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BD

Enclosures

63-7531

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 63-7531 Name Thomas M. Vevan &/or Missouri Beef Packers, Inc.

Source Groundwater

Point of Diversion Two points in the NW 1/4 Sec. 7, T. 1N, R. 2E, B.M.

Quantity .20 Use Stockwater Period Jan. 1 - Dec. 31
 Quantity .20 Use Domestic Period Jan. 1 - Dec. 31
 Quantity 3.20 Use Commercial Period Jan. 1 - Dec. 31
3.20 Irrigation March 15 - Nov. 15
 Well Size Diameter 20 Proposed Depth 500 Feet

Use 160 acres - Irrigation; Showers, restrooms and drinking - Domestic;

Processing Plant, 1000 head capacity requiring 1000 gal per head - Com.
1,000 head of cattle - Stockwater.

Date Forwarded 1-3-72 Date Returned 1-3-72 Received by [Signature]

REMARKS: Review of application for water right at
the depth of 500 feet. The water appears
to be in the area of the water right. The
water is in the area of the water right. The
water is in the area of the water right. The
water is in the area of the water right. The

RECOMMENDATION

Applied: Qty.	Use	Period	AF/A	AF
Qty.	Use	Period	AF/A	AF
Qty.	Use	Period	AF/A	AF
Maximum: Qty.	Use	Period	AF/A	AF
Qty.	Use	Period	AF/A	AF
Qty.	Use	Period	AF/A	AF

ACTION: Approved ☒ Denied ☐

Conditions of approval or reason for denial: _____

INVESTIGATION By Paul M. Carter Title Staff Analysis

Date Jan 3, 1972



January 11, 1972

RECEIVED

JAN 12

Department of Water Administration

Mr. Donald W. McEldowney
Appropriation Supervisor
Department of Water Administration
Statehouse
Boise, Idaho 83707

Re: Application No. 95-7165 - J. Howard Coon
69-7000 - Wilma L. Robbins
75-7019 - E. and H. Enterprises
47-7130 - Raymond B. Williams - Williams Meat Proc.
63-7531 - Thomas N. Bevans, Missouri Beef Packers
37-7122 - William F. Stewart
37-7123 - "
65-7242 - Francis Goslin

Dear Mr. McEldowney:

We have received the above applications for permits to appropriate public water for the State of Idaho and have the following comments.

In regard to application numbers 37-7123, 37-7122 - William F. Stewart, 69-7000 - Wilma L. Robbins, 47-7130 - Raymond B. Williams, 75-7019 - E. and H. Enterprises, we have no comments other than that the applicants comply with the District Health Department Regulations that apply in the particular districts where the water is to be appropriated.

Application No. 94-7165 - J. Howard Coon has been sent to the regional engineer in Lewiston for his comments.

In regard to Application 63-7531 - Thomas N. Bevans and Application No. 65-7242 - Francis Goslin, we have not received or approved any engineering plans and/or specifications regarding these projects; therefore, we would recommend that a hold be placed on these two applications until such a time that engineering plans and specifications have been approved by this department.

Sincerely,

Jerry L. Yoder
JERRY L. YODER
Sr. Public Health Engineer
Water Pollution Control Section
Environmental Improvement Division

JLY/ged

63

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse Annex 2
Boise, Idaho 83707
(208) 384-2215



K. Keith Higginson
Director

Water Rights Administration
Water Resource Investigation
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

January 3, 1977

Re: Application No. 63-7531 - Thomas M. Bevan &/or Missouri Beef Packers, Inc.
" " 37-7122 & 37-7123 - William F. Stewart

Mr. John Anderson
Environmental Improvement
Dept. of Health
Boise, Idaho

Dear Mr. Anderson:

We are enclosing copies of the above referenced applications that may be of interest to your agency. Please review the applications and if you have any comments, please submit them to our Department as soon as possible. We normally complete the processing of an application within a 6-week period and we are required to take final action shortly thereafter.

If we may be of further assistance, please contact us.

Very truly yours,

Donald W. McElowney
Appropriation Supervisor

71/83

Enclosures

63 7531

January 3, 1972

Re: Application No. 63-7531 - Thomas M. Bevan &/or Missouri Beef Packers, Inc.

Ada County Planning & Zoning Commission
525 W. Jefferson
Boise, Idaho

Gentlemen:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, please submit them to our Department as soon as possible. We normally complete the processing of an application within a 6-week period and we are required to take final action shortly thereafter.

If we may be of further assistance, please contact us.

Very truly yours,

Donald W. McElDowney
Appropriation Supervisor

DWM/BB

Enclosure

63-7531

December 30, 1971

Re: Application No. 63-7531 - Thomas M. Bevan &/or Missouri Beef Packers, Inc.
" " 63-7534 - Bertha E. Kezar
" " 63-7535 - Mr. &/or Mrs. Stanley D. Ramsay
" " 63-7536 - Cecil &/or Elisabeth Hunsaker

The Idaho Statesman
Box 2640
Boise, Idaho 83701

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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. In order to receive payment, the following certification must appear on the bill.

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

(signature of claimant)

Very truly yours,

Fred Eisenbarth
Appropriation Examiner

FE:cr

Enc: Legal Notices

Bill submitted 1/19/72

63-7531

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Thomas M. Bevan &/or Missouri Beef Packers, Inc.
3322 Mt. View Drive, Boise, Idaho
have ~~been~~ on December 10, 1971 submitted application to. 63-7531
for a permit to appropriate 3.0 cubic feet per second ~~XXXXXXXXXXXXXXXXXXXX~~
of water from a ground water source
by means of well and pump OR
within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ (2 points), NE $\frac{1}{4}$ SW $\frac{1}{4}$ OR SW $\frac{1}{4}$ SW $\frac{1}{4}$, &/or SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 7, T. 1N, R. 2E,
B.M., Ada County
to be used from Jan. 1 to Dec. 31
for stockwatering, domestic (for 180 persons), and commercial purposes; and from
March 15 to Nov. 15 for the irrigation of 160 acres
within the SW $\frac{1}{4}$, Sec. 7, T. 1N, R. 2E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of Water
Administration, Statehouse, Boise, Idaho, 83707, on or before January 24, 1972.

K. KEITH NICCOLI, Sr.

Director

published in the Idaho Statesman, Boise, Idaho
on Jan. 6 and Jan. 13, 1972

63-7531

December 13, 1971

Thomas M. Bevan
3322 Mt. View Drive
Boise, Idaho

Dear Mr. Bevan:

Attached herewith is your receipt No. 8570 in the amount of \$ 55.00
for your application for permit
which was received in this office.

Very truly yours,

H. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure: Receipt

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5442
WATER RIGHT NO(S) . 63-03362/~~63-07531~~/63-10383/63-11347

This is to certify that: IBP INC
PO BOX 9346
BOISE ID 83707

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 63-07531 :			
Priority: 12/10/1971			
IRRIGATION	03/15 to 11/15	3.20 CFS	720.0 AF
STOCKWATER	01/01 to 12/31	0.20 CFS	13.4 AF
COMMERCIAL	01/01 to 12/31	3.20 CFS	720.0 AF
DOMESTIC	01/01 to 12/31	0.20 CFS	11.2 AF
		3.60 CFS	744.6 AF
Right No. 63-10383 :			
Priority: 09/23/1986			
IRRIGATION	03/15 to 11/15	3.02 CFS	679.5 AF
INDUSTRIAL	01/01 to 12/31	2.20 CFS	1593.0 AF
		5.22 CFS	2272.5 AF
SUBTOTAL:		* 5.87 CFS	
Right No. 63-03362 :			
Priority: 07/11/1963			
IRRIGATION	04/01 to 10/31	2.67 CFS	837.0 AF
Right No. 63-11347 :			
Priority: 07/08/1992			
IRRIGATION	03/15 to 11/15	2.23 CFS	549.0 AF
TOTAL:		** 10.77 CFS	** 4403.1 AF

SOURCE

GROUNDWATER

MICROFILMED

MAR 18 2000

TRANSFER NO. 5442
WATER RIGHT NO(S). 63-03362/63-07531/63-10383/63-11347

LOCATION OF POINT(S) OF DIVERSION: Lot 2 (NWNE), Sec. 6, Township 01N, Range 02E
 Lot 3 (NENW), Sec. 6, Township 01N, Range 02E
 Lot 3 (NWSW), Sec. 7, Township 01N, Range 02E
 SWSE , Sec. 7, Township 01N, Range 02E
 Lot 2 (SWNW), Sec. 18, Township 01N, Range 02E
 SWSE , Sec. 31, Township 02N, Range 02E
 ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
01N	02E	6	Lot 1 (NENE)	35	Lot 2 (NWNE)	40	SWNE	40	
			SENE	40	Lot 3 (NENW)	40	SENE	40	
			NESW	40	SESW	40	NWSE	40	
			SWSE	39					394
		7	NENW	40	Lot 1 (NWNW)	40	Lot 2 (SWNW)	40	
			NESW	40	Lot 4 (SWSW)	36	SESW	32	
			SWSE	32					260
		18	NENE	32	NWNE	40	SENE	40	
			NENW	40	Lot 1 (NWNW)	40	Lot 2 (SWNW)	40	
			SENE	40	NESW	40	Lot 3 (NWSW)	40	
			Lot 4 (SWSW)	40	SESW	40			432
02N	02E	31	NESW	40	Lot 3 (NWSW)	40	Lot 4 (SWSW)	40	
			SESW	40	SWSE	40			200
					Total number of acres irrigated:				1286 ***

PLACE OF USE: STOCKWATER, INDUSTRIAL & COMMERCIAL same as IRRIGATION use

PLACE OF USE: DOMESTICTWN RGE SEC

01N 02E 7 Lot 3 (NWSW)

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. A single new point of diversion is authorized in either the SWSE, S07 or Lot 2 (SWNW), S18, T01N, R02E to provide water that shall not exceed a temperature greater than 85 degrees Fahrenheit.
3. 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.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

MICROFILMED

MAR 20 2008

TRANSFER NO. 5442
WATER RIGHT NO(S). 63-03362/63-07531/63-10383/63-11347

CONDITIONS OF APPROVAL AND REMARKS

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- ** 8. The total instantaneous diversion of water from all points of diversion under Transfer 5442 shall not exceed 10.77 cfs, nor a total combined annual volume of 4403.1 af.
- * 9. Rights 63-07531 and 63-10383 when combined shall not exceed a total diversion rate of 5.87 cfs.
- *** 10. Right 63-03362 is limited to the irrigation of 186.0 acres in the place of use described above in a single irrigation season.
- *** 11. Right 63-07531 is limited to the irrigation of 160.0 acres in the place of use described above in a single irrigation season.
- *** 12. Right 63-10383 is limited to the irrigation of 151.0 acres in the place of use described above in a single irrigation season.
- *** 13. Right 63-11347 is limited to the irrigation of 122.0 acres in the place of use described above in a single irrigation season.
- *** 14. Rights 63-03362, 63-07531, 63-10383 and 63-11347 when combined are limited to the irrigation of 619.0 total acres in the 1286.0 acre place of use described above in a single irrigation season.
15. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/01 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water under Right 63-03362 before 4/1 and after 10/31, and under Rights 63-07531, 63-10383 and 63-11347 before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
16. Use of water under Rights 63-07531 and 63-10383 shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
17. The place of industrial and commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under Rights 63-07531 and 63-10383 shall not be used for irrigation unless the water is first used in the beef slaughterhouse operation as authorized under these rights.

MICROFILMED

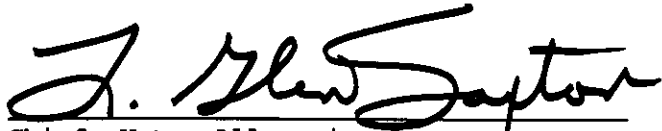
MAR 20 2000

TRANSFER NO. 5442
WATER RIGHT NO(S). 63-03362/63-07531/63-10383/63-11347

CONDITIONS OF APPROVAL AND REMARKS

18. The right holder shall be required to utilize the cold water well located in the NENW, S06, T01N, R02E up to its capacity for irrigation of the place of use under Right 63-11347. The low temperature geothermal well in the NWNE, S06, T01N, R02E shall only be diverted at the rate equal to the remaining portion of 2.23 cfs not capable of being provided by the cold water well.
19. Three (3) points of diversion are located within Lot 3 (NWSW), S07, T01N, R02E.
20. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under Right 63-11347 and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
21. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, Right 63-11347 to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
22. Approval of this transfer does not preclude the opportunity for review of the validity of Rights 63-03362 and 63-07531 in the ongoing Snake River Basin Adjudication.
23. Wastewater pond is located within Lot 1 (NWNW), S19, T01N, R02E.

Dated this 13th day of March, 2000


Chief, Water Allocation Bureau

MICROFILMED

MAR 20 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

AMENDED

AMENDED

TRANSFER NO. 5442

WATER RIGHT NO(S). 63-03362/63-07531/63-10383/63-11347

This is to certify that: IBP INC
PO BOX 9346
BOISE ID 83707

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 63-07531 :			
Priority: 12/10/1971			
IRRIGATION	03/15 to 11/15	3.20 CFS	720.0 AF
STOCKWATER	01/01 to 12/31	0.20 CFS	13.4 AF
COMMERCIAL	01/01 to 12/31	3.20 CFS	720.0 AF
DOMESTIC	01/01 to 12/31	0.20 CFS	11.2 AF
		3.60 CFS	744.6 AF
Right No. 63-10383 :			
Priority: 09/23/1986			
IRRIGATION	03/15 to 11/15	3.02 CFS	679.5 AF
INDUSTRIAL	01/01 to 12/31	2.20 CFS	1593.0 AF
		5.22 CFS	2272.5 AF
SUBTOTAL:		* 5.87 CFS	
Right No. 63-03362 :			
Priority: 07/11/1963			
IRRIGATION	04/01 to 10/31	2.67 CFS	837.0 AF
Right No. 63-11347 :			
Priority: 07/08/1992			
IRRIGATION	03/15 to 11/15	2.23 CFS	549.0 AF
TOTAL:		** 10.77 CFS	** 4403.1 AF

SOURCE

GROUNDWATER

MICROFILMED

JUN 22 2003

TRANSFER NO. 5442
WATER RIGHT NO(S). 63-03362/63-07531/63-10383/63-11347

<u>LOCATION OF POINT(S) OF DIVERSION:</u>	Lot 2 (NWNE), Sec. 6, Township 01N, Range 02E
	Lot 3 (NENW), Sec. 6, Township 01N, Range 02E
	Lot 3 (NWSW), Sec. 7, Township 01N, Range 02E
	SWSE , Sec. 7, Township 01N, Range 02E
	Lot 2 (SWNW), Sec. 18, Township 01N, Range 02E
	SWSE , Sec. 31, Township 02N, Range 02E
	ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			<u>ACRES</u>			<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
01N	02E	6	Lot	1 (NENE)	35	Lot	2 (NWNE)	40	SWNE	40	
				SENE	40	Lot	3 (NENW)	40	SENW	40	
				NESW	40		SESW	40	NWSE	40	
				SWSE	39						394
		7		NENW	40	Lot	1 (NWNW)	40	Lot	2 (SWNW)	40
				NESW	40	Lot	4 (SWSW)	36	SESW	32	
				SWSE	32						260
		18		NENE	32		NWNE	40	SENE	40	
				NENW	40	Lot	1 (NWNW)	40	Lot	2 (SWNW)	40
				SENW	40		NESW	40	Lot	3 (NWSW)	40
			Lot	4 (SWSW)	40		SESW	40			432
02N	02E	31		NESW	40	Lot	3 (NWSW)	40	Lot	4 (SWSW)	40
				SESW	40		SWSE	40			200
						Total number of acres irrigated:					1286 ***

PLACE OF USE: STOCKWATER, INDUSTRIAL & COMMERCIAL same as IRRIGATION use

PLACE OF USE: DOMESTIC

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	
01N	02E	7	Lot 3 (NWSW)

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. A single new point of diversion is authorized in either the SWSE, S07 or Lot 2 (SWNW), S18, T01N, R02E to provide water that shall not exceed a temperature greater than 85 degrees Fahrenheit.
3. 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.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

JUN 22 2000

TRANSFER NO. 5442
WATER RIGHT NO(S). 63-03362/63-07531/63-10383/63-11347

CONDITIONS OF APPROVAL AND REMARKS

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- ** 8. The total instantaneous diversion of water from all points of diversion under Transfer 5442 shall not exceed 10.77 cfs, nor a total combined annual volume of 4403.1 af.
- * 9. Rights 63-07531 and 63-10383 when combined shall not exceed a total diversion rate of 5.87 cfs.
- *** 10. Right 63-03362 is limited to the irrigation of 186.0 acres in the place of use described above in a single irrigation season.
- *** 11. Right 63-07531 is limited to the irrigation of 160.0 acres in the place of use described above in a single irrigation season.
- *** 12. Right 63-10383 is limited to the irrigation of 151.0 acres in the place of use described above in a single irrigation season.
- *** 13. Right 63-11347 is limited to the irrigation of 122.0 acres in the place of use described above in a single irrigation season.
- *** 14. Rights 63-03362, 63-07531, 63-10383 and 63-11347 when combined are limited to the irrigation of 619.0 total acres under the irrigation components of the rights in the 1286.0 acre place of use described above in a single irrigation season. This condition does not limit the acreage upon which wastewater from the industrial and commercial uses under the rights may be land applied for wastewater treatment purposes to satisfy water quality requirements.
15. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/01 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water under Right 63-03362 before 4/1 and after 10/31, and under Rights 63-07531, 63-10383 and 63-11347 before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
16. Use of water under Rights 63-07531 and 63-10383 shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.

MICROFILMED

JUN 22 2000

TRANSFER NO. 5442
WATER RIGHT NO(S). 63-03362/63-07531/63-10383/63-11347

CONDITIONS OF APPROVAL AND REMARKS

17. The place of industrial and commercial use authorized by this approval includes land upon which wastewater may be applied for wastewater treatment purposes to satisfy water quality requirements. Water diverted under the industrial and commercial components of Rights 63-07531 and 63-10383 shall not be land applied unless the water is first used for the commercial/industrial purposes as authorized under these rights.
18. The right holder shall be required to utilize any cold water from the well located in the NENW, S06, T01N, R02E B.M. up to its capacity for irrigation of the place of use under Right 63-11347. The low temperature geothermal well in the NWNE, S06, T01N, R02E B.M. shall only be diverted at the rate equal to the remaining portion of 2.23 cfs not capable of being satisfied by cold water from the well.
19. Three (3) points of diversion are located within Lot 3 (NWSW), S07, T01N, R02E B.M.
20. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under Right 63-11347 and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
21. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, Right 63-11347 to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
22. Approval of this transfer does not preclude the opportunity for review of the validity of Rights 63-03362 and 63-07531 in the ongoing Snake River Basin Adjudication.
23. Wastewater pond is located within Lot 1 (NWNW), S19, T01N, R02E B.M.

Dated this 27th day of April, 2000


Chief, Water Allocation Bureau

MICROFILMED

JUN 22 2000

State of Idaho
Department of Water Resources

AMENDED

WATER RIGHT LICENSE

AMENDED

WATER RIGHT NO. 63-07531

Priority: December 10, 1971

Maximum Diversion Rate:

3.60 CFS

Maximum Diversion Volume:

744.6 AF

This is to certify, that IOWA BEEF PROCESSORS INC

PO BOX 9346

BOISE ID 83707

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 10, 1971; and has submitted Proof of Beneficial Use on October 31, 1981. An examination indicates that the works have a diversion capacity of 4.220 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>
IRRIGATION	03/15 to 11/15	3.20 CFS	720.0 AF
STOCKWATER	01/01 to 12/31	0.20 CFS	13.4 AF
COMMERCIAL	01/01 to 12/31	3.20 CFS	720.0 AF
DOMESTIC	01/01 to 12/31	0.20 CFS	11.2 AF
Totals		3.60 CFS	744.6 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 3 (NWSW), Sec. 7, Township 01N, Range 02E
ADA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N 02E 7	NESW 10.9	Lot 3 (NWSW) 8.4	Lot 4 (SWSW) 15.4	
	SESW 23.5	NWSE 1	SWSE 20.6	79.8
18	NENW 28.4	Lot 1 (NWNW) 26.8	Lot 2 (SWNW) 25	80.2

Total number of acres irrigated: 160

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

PLACE OF USE: COMMERCIAL

<u>TWN RGE SEC</u>			
01N 02E 7	NESW	Lot 3 (NWSW)	Lot 4 (SWSW)
	SESW		

PLACE OF USE: DOMESTIC

<u>TWN RGE SEC</u>			
01N 02E 7	NESW	Lot 3 (NWSW)	Lot 4 (SWSW)
	SESW		

CONDITIONS OF APPROVAL AND REMARKS

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

State of Idaho
Department of Water Resources

AMENDED

WATER RIGHT LICENSE

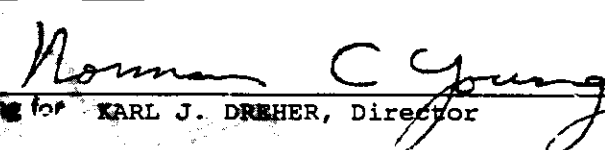
AMENDED

WATER RIGHT NO. 63-07531

CONDITIONS/REMARKS:

- right is limited to the amount that 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.
 5. Two points of diversion located within NWSW, S07, T01N, R02E.

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 5th day of OCTOBER, 1995.


Acting for KARL J. DREHER, Director

RECEIVED
AUG 16 1990

Department of Water Resources

Department of Water
e. APPROVED
3.38

3.38 CFS
744.6 AF

and represents to the Director of the

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 63-07531, and requests that the permit be changed as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	3.20 CFS	720.0 AF
STOCKWATER	01/01 to 12/31	0.20 CFS	13.4 AF
COMMERCIAL	01/01 to 12/31	3.20 CFS	720.0 AF
DOMESTIC	01/01 to 12/31	0.20 CFS	11.2 AF
	Totals	3.38 CFS	744.6 AF

NWSW , Sec. 7, Township 01N, Range 02E
ADA County

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
01N	02E	7	NESW	10.9	NWSW	8.4	SWSW	15.4	
			SESW	23.5					58.2
		18	NENW	28.4	NWNW	26.8	SWNW	25	80.2
Total number of acres irrigated:									138.4

<u>TWN RGE SEC</u>			
01N 02E	7	NESW SESW	NWSW SWSW

<u>TWN RGE SEC</u>			
01N	02E	7	
		NESW	
		SESW	
		NWSW	
		SWSW	

MICROFILMED
SEP 18 1990

PLACE OF USE: STOCKWATER same as IRRIGATION use

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at IBP, inc. Boise, Id., this 2 day of Aug., 19 90.

MICROFILMED

SEP 18 1990

Charles L. Seavell
(Signature) (Plant manager)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-07531

FOR DEPARTMENT USE ONLY

#C018052

Preliminary check by SC Fee ☒ \$20.00 Received by JD Date 8/16/90

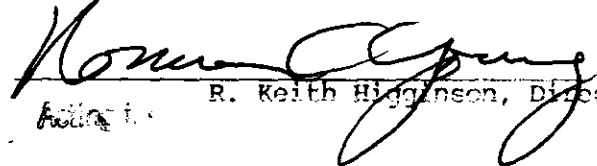
ACTION OF THE DEPARTMENT OF WATER RESOURCES

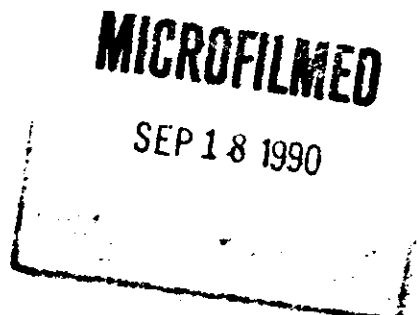
I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 63-07531 with the following;

CONDITIONS/REMARKS:

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.
5. 2 points of diversion located in NWSW, S7, T1N, R2E.

Witness my hand this 23RD day of AUGUST, 1990


R. Keith Higginson, Director



WATER RIGHT LICENSE
WATER RIGHT NO. 63-07531

Maximum Diversion Rate: 3.38 CFS
Maximum Diversion Volume:¹ 744.6 AF

BOISE, ID 83707 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 10, 1971; and has submitted Proof of Beneficial Use on October 31, 1981. An examination indicates that the works have a diversion capacity of 3.380 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>
IRRIGATION	03/15 to 11/15	3.20 CFS	720.0 AF
STOCKWATER	01/01 to 12/31	0.20 CFS	13.4 AF
COMMERCIAL	01/01 to 12/31	3.20 CFS	720.0 AF
DOMESTIC	01/01 to 12/31	0.20 CFS	11.2 AF
	Totals	3.38 CFS	744.6 AF

NWSW , Sec. 7, Township 01N, Range 02E
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
01N	02E	7	NESW	10.9	NWSW	8.4	SWSW	15.4	
			SESW	23.5					58.2
		18	NENW	28.4	NWNW	26.8	SWNW	25	80.2
Total number of acres irrigated:									138.4

PLACE OF USE: COMMERCIAL

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
01N	02E	7	NESW	NWSW	SWSW
			SESW		

PLACE OF USE: DOMESTIC

<u>TWN RGE SEC</u>			
01N	02E	7	
	NESW		NWSW
	SESW		SWSW

PLACE OF USE: STOCKWATER, same as IRRIGATION use

MICROFILMED

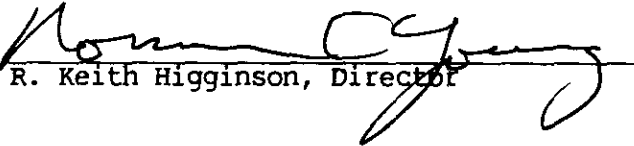
SEP 18 1990

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be ~~diverted~~ ^{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 of water in accordance with 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.
5. 2 points of diversion located in NWSW, S7, T1N, R2E.

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 23rd day of AUGUST, 1990.

Acting for


R. Keith Higginson, Director

MICROFILMED

SEP 18 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 63-7531 IN }
THE NAME OF IOWA BEEF PROCESSORS, INC. }
_____ } ORDER OF REINSTATEMENT

WHEREAS, on January 31, 1972, the Department of Water Resources issued Permit No. 63-7531 to Thomas M. Bevan and/or Missouri Beef Packers, Inc. with the condition that proof of construction of works and application of water to a beneficial use be submitted to the Department on or before January 1, 1977; and,

WHEREAS, on November 29, 1976, Thomas M. Bevan assigned all right, title, and interest in and to the permit to MBPXL Corporation (formerly Missouri Beef Packers, Inc.); and,

WHEREAS, on December 3, 1976, MBPXL (formerly Missouri Beef Packers, Inc.) assigned all right, title and interest in and to the permit to Columbia Foods, Inc.; and,

WHEREAS, on December 10, 1976, the Department extended the time within which to submit proof of beneficial use under Permit No. 63-7531 to January 1, 1982; and,

WHEREAS, on October 31, 1981, Iowa Beef Processors, Inc. submitted proof of beneficial use; and,

WHEREAS, on January 28, 1982, the Department sent a lapse notice to Columbia Foods, Inc., and requested evidence of the ownership of the permit from Iowa Beef Processors, Inc.; and,

WHEREAS, Iowa Beef Processors, Inc. provided evidence to the Department of ownership of the permit;

NOW, THEREFORE, IT IS HEREBY ORDERED That Permit No. 63-7531 to REINSTATED with no advance in priority.

Dated this 3rd day of November, 1982.


L. GLEN SAXTON
Chief, Operations Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 63-7531

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 12th day of August, 1978.


Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR EXTENSION OF TIME

State of Idaho)

County of ADA)

Permit No. 63-7531

COLUMBIA FOODS, INC., a
Washington corporation of Box 926, Pasco, WA 99301
(name) (address)

State of Washington, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to
Appropriate the Public Waters of the State of Idaho No. 63-7531.

That under the terms and conditions of said permit, work thereunder was required
to be completed on or before January 1, 19 77.

That ~~he~~ ^{original permittee} ~~has~~ heretofore performed the following work described under said permit:
Drilled two wells and installed pumps thereon as shown by two well
driller's reports in the Department's file for said permit, and has
used the same for several months in connection with the operation
of the meat processing plant located on the lands described in
the permit as "place of use." Costing \$ 40,000.00+

That he is unable to complete the remainder of the work within the required time for
the following reasons, to-wit: Columbia Foods, Inc., has just purchased the
subject property and taken an assignment of this permit from MBPXL
Corporation (formerly Missouri Beef Packers, Inc.), and intends to
remodel, repair and recondition the facility preliminary to commence-
ment of operations during 1977. It is uncertain how much time will
be required to utilize the maximum amount of water permissible under
this permit and to file proof of application of water to beneficial use.

Wherefore, he asks that the Department of Water Resources extend the time for the
completion of obligations under said permit to January 1, 19 82.

COLUMBIA FOODS, INC.

By J. Robert Kemp
J. ROBERT (signature) * President
KEMP

Subscribed and sworn before me this 3rd day of December, 1976.

seal

Mark F. McFee
Notary Public residing at Boise, Idaho

My commission expires N/A

ACTION OF THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED
and the time within which to submit proof of beneficial use under Permit No. 63-7531
be extended to January 1, 1982.

Witness my hand this 10 day of December, 19 76.

A. Kenneth Dunn
A. KENNETH DUNN
Administrator, Operations Division

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available
through the Department of Water Resources, Statehouse, Boise, Idaho 83720.

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

I, THOMAS M. BEVAN, hereby assign to MBFXL CORPORATION (formerly Missouri Beef Packers, Inc.)
of P.O. Box 2519, Wichita, Kansas 67201
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 63-7531
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40-acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 29 day of November, 1975

[Signature]
THOMAS M. BEVAN

[Signature]
THOMAS M. BEVAN

State of Idaho

County of _____

State of Idaho
Department of Water Resources

RECEIVED

ASSIGNMENT OF PERMIT

MBPX CORPORATION (formerly
I, Missouri Beef Packers, Inc., hereby assign to COLUMBIA RIVERS, INC.
of P.O. Box 926, Pasco, Washington 99301
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 63-7531
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40-acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 30 day of December, 19 76.

MBPX CORPORATION (formerly
Missouri Beef Packers, Inc.)
Permit Holder

By Paul H. G. [Signature]

State of Idaho)
County of Ada) ss.

On this 30 day of December,
appeared before me the undersigned of the State of Idaho,
and by (him) (her) executed the foregoing



Identification No. 12-12-1

Application No.

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT **APPROVED**
To Appropriates the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

- Name of applicant: Thomas M. Devan &/or Missouri Beef Packers, Inc.
Post office address: 3322 Mt. View Drive, Boise, Idaho
1. Source of water supply: Groundwater (2 points) which is a tributary of
2. Location of point of diversion: 37' S. of SW 1/4 of section 7 Township 1N
Range 2E B.M. Ada County additional points of diversion if any
or NE1/4SW1/4 or SW1/4SW1/4 &/or SE1/4SW1/4 Sec. 7, T. 1N, R. 2E, S.M.
3. How water is to be consumed, how it will be discharged into _____ at a point in _____
or _____ Location Township Range B.M.
4. Water will be used for the following purposes:
Amount: 0.20 for stockwater Jan. 1 to Dec. 31
Amount: 0.20 for domestic purpose from Jan. 1 to Dec. 31 both dates inclusive
Amount: 3.20 for commercial purpose from Jan. 1 to Dec. 31 both dates inclusive
Amount: 3.20 for irrigation purpose from March 15 to Nov. 15 both dates inclusive
5. Total quantity to be appropriated:
a. _____ cubic feet per second and/or
b. _____ acre feet per annum
6. Proposed diverting work:
a. Description of structure, machine, equipment, etc.: drilled wells, pumps, motors, pipe
7. Estimated storage capacity: _____ feet active reservoir capacity _____ feet total reservoir capacity
_____ cubic feet material to be placed in high dam
_____ feet over water with storage capacity _____ to _____ inclusive
Proposed water level: 20 _____ feet proposed depth of well: 500 feet
8. Estimated cost of the work and installation of the water to the proposed beneficial use
_____ per year
Estimated total cost: \$160,000.00
9. Estimated value of water:
a. _____ not in excess of _____
b. _____ on the _____ of water _____ of SW _____ of section 7 Township 1N
Range 2E B.M. Ada
c. Amount of work to be generated _____ horsepower _____ feet of head
d. _____ of water to be watered: Beef - 1000 head, possibly
pork or sheep
4. _____ of water to be served _____ of number of families to be
supplied with domestic water: 180 persons
5. Use of water: _____ and for other purposes: reserve Domestic - showers, restrooms, and
drinking, Commercial - Processing Plant, 1000 head capacity requiring 1000
gal. per head, Stockwater - 1000 head feed lot

Section 16, Township 1N, Range 1E, Merriam, Kansas																			
TWP	RANGE	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	
1N	1E	1									40	40	40	40					160
		2																	
		3																	
		4																	
		5																	
		6																	
		7																	
		8																	
		9																	
		10																	
		11																	
		12																	

Total number of acres irrigated 160

Is there any other water right used for the same purpose as described above? None

Who owns the property shown on this map? Missouri Beet Pickers, Inc.
 Is there any other water right used for the same purpose as described above? " " "
 Is there any other water right used for the same purpose as described above? " " "
 Is there any other water right used for the same purpose as described above? " " "

Is any commercial water will be run into sewage treatment ponds and water for
 irrigation will be pumped out of ponds.

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.

James H. H. H.
(Applicant)

Received by 10 Date 12 16 71 Time 11:00 AM
Primary fee \$ 55.00
Secondary fee \$ 0.00 Date 12 16 71
Registration fee \$ 0.00 CR 12-30-71
Idaho Statesman
1-6 & 1-13-72
12-19-71

Received by

Received by

Received by

Received by

DEPARTMENT OF WATER ADMINISTRATION

This is to certify that the following Application for Water Right is approved by the Department of Water Administration of the State of Idaho.

Application No. 61-7531 is hereby approved. APPROVED

DEPARTMENT OF WATER ADMINISTRATION

Approved by the Department of Water Administration of the State of Idaho on January 1, 1972.

NOTE: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

This is to certify that the following Application for Water Right is approved by the Department of Water Administration of the State of Idaho.

Witness my hand and seal this 1st day of January 1972


Director

STATE OF IDAHO,)
COUNTY OF ADA) ss.

Georgene Davis

Georgene Davis, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said Court during a period of twelve consecutive months prior to the first publication of the notice, a copy of _____ attached hereto; that said notice was published in a regular edition of The Idaho

Statesman for Two ~~consecutive~~ insertions.

beginning with the issue of January 6, 1972

and ending with the issue of **January 13** , 19**62**

Subscribed and sworn to before me this 14th
day of January, 19 72.

Notary Public for Idaho, Residing at Boise, Idaho

[illegible]



Jeff Koppensack #
D. Spaff

please note
in records
my

RECEIVED

SEP 11 2001

Department of Water Resources

September 7, 2001

Idaho Department of Water Resources
1301 North Orchard Street
Boise, ID 83706

RE: IBP, inc. Corporate Status Update

Dear Sir or Madam:

This letter is provided as notification that IBP, inc. is in the process of being acquired by Tyson Foods, Inc., with a projected completion date of September 28, 2001. IBP will continue to be the owner/operator of the facilities and associated permits and/or licenses, but will function as a wholly owned subsidiary of Tyson Foods.

Pertinent information regarding Tyson Foods as the parent company to IBP is presented below.

- Official Name: Tyson Foods, Inc.
- IRS Employer Identification Number: 71-0225165
- Corporate Office Physical Address: 2210 West Oaklawn Drive
Springdale, AR 72762-6999
- Corporate Office Mailing Address: P.O. Box 2020
Springdale, AR 72765-2020
- Telephone Number: 501-290-4000
- IBP Corporate Office (Environmental): IBP, inc.
800 Stevens Port Drive, Suite 710
Dakota Dunes, SD 57049-8710

Enclosed is a list of program areas where IBP holds permits and/or licenses issued by your state.

63-12546 - application
63-3362
63-7531
63-10383
63-11347

KD01-252

800 STEVENS PORT DRIVE, SUITE 710, DAKOTA DUNES, SOUTH DAKOTA 57049-8710



September 7, 2001
Page 2

This notification is provided for informational purposes inasmuch as IBP does not anticipate any need for changes to its environmental permits. All pertinent correspondence should continue to be directed to IBP at the Dakota Dunes address listed above. If you have any questions regarding this matter, please contact me at 605-235-2036.

Very truly yours,

A handwritten signature in cursive script that reads "Kim Dirks".

Kim Dirks
Environmental Engineer
Permits and Compliance

Enclosure

IBP Environmental Permits

Includes IBP, IBP Foods, PBX, TASCO, and TCCS Operations

City	State	Program Area						
		ASTs	Coolant Water	Solid Waste	Storm Water	UIC	Wastewater	Water
Amarillo	TX	X		X	X	X	X	
Amarillo (TASCO)	TX			X	X			
Boise	ID				X		X	X
Columbus Junction	IA			X	X		X	X
Council Bluffs	IA				X		X	X
Dakota City	NE			X	X		X	X
Denison	IA			X	X		X	X
Detroit	MI						X	
Emporia	KS	X			X	X	X	
Goodlettsville	TN				X		X	
Grand Rapids	MI		X		X			
Holcomb	KS	X		X		X	X	X
Joslin	IL			X	X		X	X
Lexington	NE			X	X		X	
Logansport	IN			X	X		X	
Madison	NE				X		X	X
Montgomery City	MO				X			
Norfolk	NE		X		X		X	
Ottawa	IL				X			
Pasco	WA				X		X	X
Perry	IA			X	X		X	X
Sioux City	IA				X			
Storm Lake	IA			X	X		X	
Waterloo	IA			X	X		X	
West Point	NE				X		X	X

MEMORANDUM

TO: FILE 63-07531

FROM: PAM SKAGGS

RE: TRANSFER # 5442

DATE: 4-12-99

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 63-03362.

MICROFILMED

MAR 20 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 14, 1999

IBP, Inc.
c/o Kevin Beaton
STOEL RIVES
101 South Capital Blvd
STE 1900
Boise, ID 83702-5958

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK - LICENSE NOS.
63-07531, 63-10383, 63-11347 AND 63-03362**

Dear Mr. Beaton:

The department has requested the issuance of a state warrant in the amount of \$9,896.85 as payment to IBP, Inc. for the rental of 4,398.6 acre feet of the above referenced water rights from the Water Supply Bank managed by the Idaho Water Resource Board.

The return to IBP, Inc. is based on \$2.25 per acre foot of water rented. The warrant will be issued by the Controller's office within the next thirty (30) days.

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: Fiscal - Debbie Allen

MICROFILMED

MAR 20 2000

MEMORANDUM

To: Debbie Allen
From: L. Glen Saxton *LSA*
RE: WATER SUPPLY BANK RENTAL FEE - LICENSE NOS. 63-07531,
63-10383, 63-11347 AND 63-03362
Date: April 14, 1999

The following information is provided in order that you can reimburse the owner of a water right which has been rented from the Water Supply Bank. Attached is a copy of the receipt. The following information is pertinent to the rental:

Renter: IBP, Inc.
Renter's address: P.O. Box 9346
Boise, ID 83707
Amount of water rented: 4,398.6 AF
Date of rental: April 14, 1999
Rights rented: 63-07531, 63-10383, 63-11347 and 63-03362
Total rental amount ($\$3.25 \times 4,398.6 \text{ AF}$): \$14,295.45
Return to owner ($\$2.25 \times 4,398.6 \text{ AF}$): \$9,896.85
Owner of rented right: IBP, Inc.

Please prepare a State Warrant in the amount of \$9,896.85 payable to IBP, Inc.

c: Water right nos: 63-07531, 63-10383, 63-11347 AND 63-03362

MICRO
MAR 20 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 14, 1999

Kevin Beaton
STOEL RIVES
101 South Capitol Blvd
STE 1900
Boise ID 83702-5958

RE: IBP Water Supply Bank Rental Agreement

Dear Mr. Beaton:

I have enclosed an executed copy of the Water Supply Bank Rental Agreement for IBP, Inc.

If you have any questions concerning the terms of the agreement, please contact Glen Saxton at (208)327-7955.

Sincerely,

A handwritten signature in cursive script that reads "Julie L. Yarbrough".

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

Enclosure

MAILED
APR 20 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 13, 1999

Kevin Beaton
STOEL RIVES
101 S. Capital Blvd
Boise, ID 83702-5958

RE: APPLICATION TO LEASE WATER RIGHT NOS. 63-07531, 63-10383, 63-11347 AND 63-03362 TO THE WATER SUPPLY BANK

Dear Mr. Beaton:

The department has reviewed the above referenced application which was submitted to the department on April 2, 1999 in the name of IBP, Inc. Please consider that the water rights offered for lease have been accepted into the bank and will be retained in the bank through April 1, 2000.

Forwarded with this letter is a Water Supply Bank Rental Agreement which a representative of IBP, Inc. needs to sign and return to me. Upon receipt of the signed agreement, the department will also sign it and return an executed copy for your records.

If you have questions, please feel free to contact me.

Sincerely,


L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - W. Region
Sherl Chapman

1000

MAY 20 2000

STOEL RIVES LLP

ATTORNEYS

101 SOUTH CAPITOL BOULEVARD
SUITE 1900
BOISE, IDAHO 83702-5958
Phone (208) 389-9000 Fax (208) 389-9040
Internet: www.stoel.com

RECEIVED

APR 13 1999

Department of Water Resources

April 13, 1999

KEVIN J. BEATON
Direct Dial
(208) 387-4214
email kjbeaton@stoel.com

via HAND DELIVERY

L. Glen Saxton, Chief
Water Allocation Bureau
Idaho Department of Water Resources
1301 N. Orchard Street
Boise, Idaho 83720

Re: IBP Water Supply Rental Agreement

Dear Mr. Saxton:

Enclosed is the original Water Supply Rental Agreement executed by an authorized representative of IBP on this date. Upon execution of the Rental Agreement by the Director, IBP intends to commence irrigation consistent with the Agreement. Please provide me a copy of the Agreement after it is signed by the Director.

Thank you for your prompt attention to this matter.

Sincerely,



Kevin J. Beaton

KJB:ww

Enclosure

cc: Kim Dirks (w/enc.)
Sherl Chapman (w/enc.)

MICROFILMED
MAY 20 2000

Before the Idaho Water Resource Board

WATER SUPPLY BANK RENTAL AGREEMENT

The Idaho Water Resource Board (Board) being authorized to operate a Water Supply Bank (bank) and to contract by and through the Director of the Idaho Department of Water Resources (Director) for rental of water from the bank agrees to rent water as follows:

1. Renter: IBP, Inc
2. Address: P.O. Box 9346, Boise, ID 83707
3. Source of water: Ground water
4. Volume of water rented: 4,398.6 AF, Max rate: 10.77 cfs
5. Diversion period: from April 1, 1999 to April 1, 2000
6. Use of water: Irrigation, domestic, commercial, industrial and stockwater
7. a) Renter's point of diversion:

Legal description: NWSW Section 7 (3 pts), NENW, NWNE Section 6, NWNW Section 19, all in T1N, R2E, B.M., SWSE Section 31, T2N, R2E, B.M.

Pump HP: 100 to 150 Lift: 250 to 312 feet

- b) Renter's place of use:

Legal description: 1286 acres within parts of Sections 6, 7 and 18, T1N R2E, B.M. and part of Section 31, T2N, R2E, B.M. as described on IBP's application to rent water from the water supply bank.

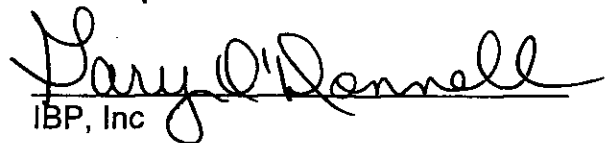
8. The rights from which water will be rented are 63-07531, 63-10383, 63-11347 and 63-03362.

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MAY 20 2000

Conditions of water use under this agreement:

1. The use of water under this agreement shall be subject to the provisions of Section 42-1766, Idaho Code.
2. Prior to diversion of water under this agreement, the renter shall provide for the measurement of the water diverted in a manner acceptable to the Director.
3. Use of water under this agreement does not constitute a dedication of the water to renter's land and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to the licensed points of diversion and place of use.
4. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of the diversion and use of water under this agreement.
5. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
6. The maximum rate of diversion for irrigation purposes when combined with all other water rights for the same land shall not exceed 0.02 cfs for each acre of land.

Dated this 13 day of April, 1999.


IBP, Inc

Having determined that this agreement satisfies the provisions of Section 42-1763, Idaho Code, and Rule 30 of the Water Supply Bank Rules, IDAPA 37.02.03030, for the rental and use of water under the terms and conditions herein provided, and none other, I hereby execute this Rental Agreement on behalf of the Idaho Water Resource Board this 14th day of April, 1999.


for KARL J. DREHER, Director
Department of ~~Water~~ Resources

MAY 20 2000

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: C045077

Date: 4/ 8/1999
Time: 13:37:41

Received I B P, INC.
From:

	Type of Payment	Program A cct	Amount
WATER SUPPLY	55109	229 21 1205	9,896.85
WATER SUPPLY	55109	229 21 1205	1,429.54
WATER SUPPLY	13602	490 2 1205	2,969.06

CHECK 106685

\$ 14,295.45
Total

Region: STATE

Signature: _____

[Handwritten Signature]

MAR 20 1999

11/92

Should questions arise during
the processing of this applica-
tion please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

Before the Idaho Water Resource Board

APPLICATION TO RENT WATER

FROM THE

WATER SUPPLY BANK

Applicant IBP, Inc. Phone 208-345-6660

Address P.O. Box 9346, Boise, ID 83707

A. DESCRIPTION OF WATER SOUGHT FOR RENTAL

1. Source of water Ground water

which is tributary to N/A

2. Maximum volume of water sought See Attachment A AF.

3. Maximum rate of diversion See Attachment A cfs.

B. DESCRIPTION OF USE PROPOSED

1. Nature of use Irrigation, domestic, commercial, industrial & stock water

2. Location of point of diversion NW 1/4 SW 1/4, Section
7, Twp 1N, Rge 2E, B.M. Ada County. (3 points)

Additional points of diversion, if any: SWSE, 31, 2N2E;

NENW, 6 & NWNE, 6, 1N, 2E; NWNW, 19, 1N, 2E (rediversion)

3. Season of use: From 3/15 to 11/15 (irrigation)
1/1 12/31 (other)

4. Description of diverting works: SEE ATTACHMENT B

Pump HP Lift Pump type

Canal name, if appropriate

5. Place of use:

a. If water is for irrigation, describe the number of acres
to be irrigated by 40 acre tract, section, township and
range.

See Attachment C

MAR 20 2000

b. If water is not for irrigation, describe the nature of the intended use and the place of use.
A portion of the water will be used for commercial, industrial and domestic purposes at the IBP, Inc. facility.

6. Describe any other water rights used for the same purposes as the rental water sought under this application.

63-02200, 63-00332 (surface water - Ten Mile Creek)

7. Who owns the property at the point of diversion?

Applicant

8. Who owns the property at the place of use? Applicant

9. Are you seeking a rental for more than one (1) year? NO

If so, how many years? _____

9. Remarks: The water is intended to be used to augment and initiate a waste water, land disposal project as required by IDEQ.

4/2/99
Date

Gary O'Donnell
Signature of applicant

FOR DEPARTMENT USE ONLY

Rec'd by VZA Date 4-2-99 Time 3:10 P.M.

Published in N/A Pub. dates _____

Protests filed by _____

Hearing held by _____ Date _____

Action recommended _____

MAR 20 2000

IBP, INC.
WATER BANK APPLICATION

ATTACHMENT "A"

Maximum Volume of Water Sought (Acre Feet)

63-07531

✓Irrigation -	720 ✓
✓Stock -	13.4 ✓
✓Commercial -	720 ✓
✓Domestic -	<u>11.2</u> ✓

TOTAL 744.6 ✓

63-11347

Irrigation - 544.5 - *when combined w/all other*

63-10383

Irrigation -	679.5 ✓
Industrial -	<u>1,593</u>

TOTAL 2,272.5 ✓

63-03362

Irrigation - 837 ✓

TOTAL VOLUME REQUESTED - 4,398.6 ✓

Maximum Rate Of Diversion (CFS)

63-07531 and 63-10383 - 5.87 ✓

63-11347 - 2.23 ✓

63-03362 - 2.67 ✓

TOTAL MAXIMUM RATE OF DIVERSION - 10.77 ✓

1998 2 0 2000

IBP, INC.
WATER BANK APPLICATION

ATTACHMENT B

PUMP	HP	LIFT (FEET)	TYPE
East Plant	100	270	Submersible
West Plant	150	275	Vertical Turbine
Farm Well	150	275	Vertical Turbine
Thermal Well	150	312	Vertical Turbine
North Well	150	250	Vertical Turbine

11/10/2000

MAR 20 2000

**IBP, INC.
WATER BANK APPLICATION
PLACE OF USE**

ATTACHMENT C

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals acres
			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	
1N	2E	6	✓35	✓40	✓40	✓40	✓40			✓40	40			40		40	39		394
1N	2E	7					40	40	40		✓40	D	✓36	✓32		✓	✓32		260
1N	2E	18	32	40		40	✓40	✓40	✓40	40	40	40	40	40					432
2N	2E	31									✓40	✓40	✓40	✓40			✓40		200
																			1286

NOTES: Acres shown indicate irrigation, industrial, commercial and stock water uses.

D indicates domestic use.

Total Place of Use acreage before the requested changes was 619 acres.

No more than 619 acres will be irrigated under the listed water rights within this place of use. Diversion rates and total volumes will not exceed the listed water right amounts. The added acreage will receive water distributed under the waste water application program permitted by IDEQ.

MEMORANDUM

To: Files 63-03362, 63-07531, 63-10383 and 63-11347
From: L. Glen Saxton
RE: TELEPHONE CONVERSATION
Date: April 9, 1999

On April 5, 1999, I called Western Region to determine whether Iowa Beef Processors (IBP) have filed an application for transfer to make permanent the proposal sought by applying to the Water Supply Bank. The region advised that IBP has filed an application for transfer which will be advertised later this month.

The purpose of the application to the water supply bank, as I understand it is to allow IBP to land apply waste water effluent in compliance with the requirements of DEQ. The application for transfer can not be processed in a time frame which will meet DEQ requirements. Hence, the application to the water supply bank is a temporary measure.

I recommend approval of the application to the water supply bank.

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MAR 20 2000

Water Supply Bank No. _____

Water Right No. _____

Should questions arise during
the processing of this applica-
tion please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE
WATER SUPPLY BANK

Name of Seller/Lessor IBP, Inc. Phone 208-345-6660

Post office address P.O. Box 9346, Boise, ID 83707

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
(Name)

in case of _____ vs _____

dated _____ in _____ county of _____
(Name of court)

b. License No. 63-07531 Issued by the Idaho Department of Water Resources.

c. Permit No. _____ Issued by the Idaho Department of Water Resources.

2. Source of water Ground Water tributary to N/A

3. Date of priority 12/10/71

4. Water is used for the following purposes:

amount 3.2 cfs for Irrigation purposes from 3/15 to 11/15

amount 0.2 cfs for Stock water purposes from 1/1 to 12/31

amount 3.2 cfs for Commercial purposes from 1/1 to 12/31
0.2 cfs Domestic 1/1 (month/day -- both dates inclusive) 12/31

5. Total amount of water under right: a. 3.6 cubic feet per second
b. 744.6 acre feet per annum
&/or

6. Location of point of diversion is NW 1/4 of SW 1/4 of Section 7

Township 1N Range 2E, B.M. in Ada County

Additional points of diversion, if any 2 wells at this P/D

RECORDED
MAR 20 2000

7. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	2E	7									10	8	15	23		1	20		79.8
1N	2E	18					28	26	25										80.2
1N	2E	7									C	C	C	C					
1N	2E	7									D	D	D	D					

Total number of acres to be irrigated 160

B. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE (If the entire right is for sale or lease, omit part B.)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum

2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____

Range _____, B.M., _____ County

Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

MICROFILMED
MAR 20 2006

C. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

1. Explain how the seller/lessor acquired the right, or portion thereof, and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right.

IBP, Inc. owns the land to which the water right is appurtenant.

2. Describe the frequency of water use under the right, or portion thereof, during the past 5 years. Attach water-master records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture:

The water described under this right has been used continuously since development.

Evidence of diversion is attached as Exhibit A. Power records are available but not attached due to volume.

3. Describe the relative availability of water to fill the right, or portion thereof. Attach evidence to support the availability:

This is a ground water right in SW Ada County. The supply is reliable. No curtailment of water rights have occurred in this area due to shortages.

4. Describe any other water rights with the same purpose and place of use as the right, or portion thereof. Will the present place of use continue to receive water from any source? If so, describe.

63-00332, 63-02200. Yes, water is intended to be rented from the Water Bank to allow IBP Inc. to continue irrigation and initiate land application of waste water as required by IDEQ.

5. If the water right is a permit, describe the work accomplished toward developing the right.

N/A

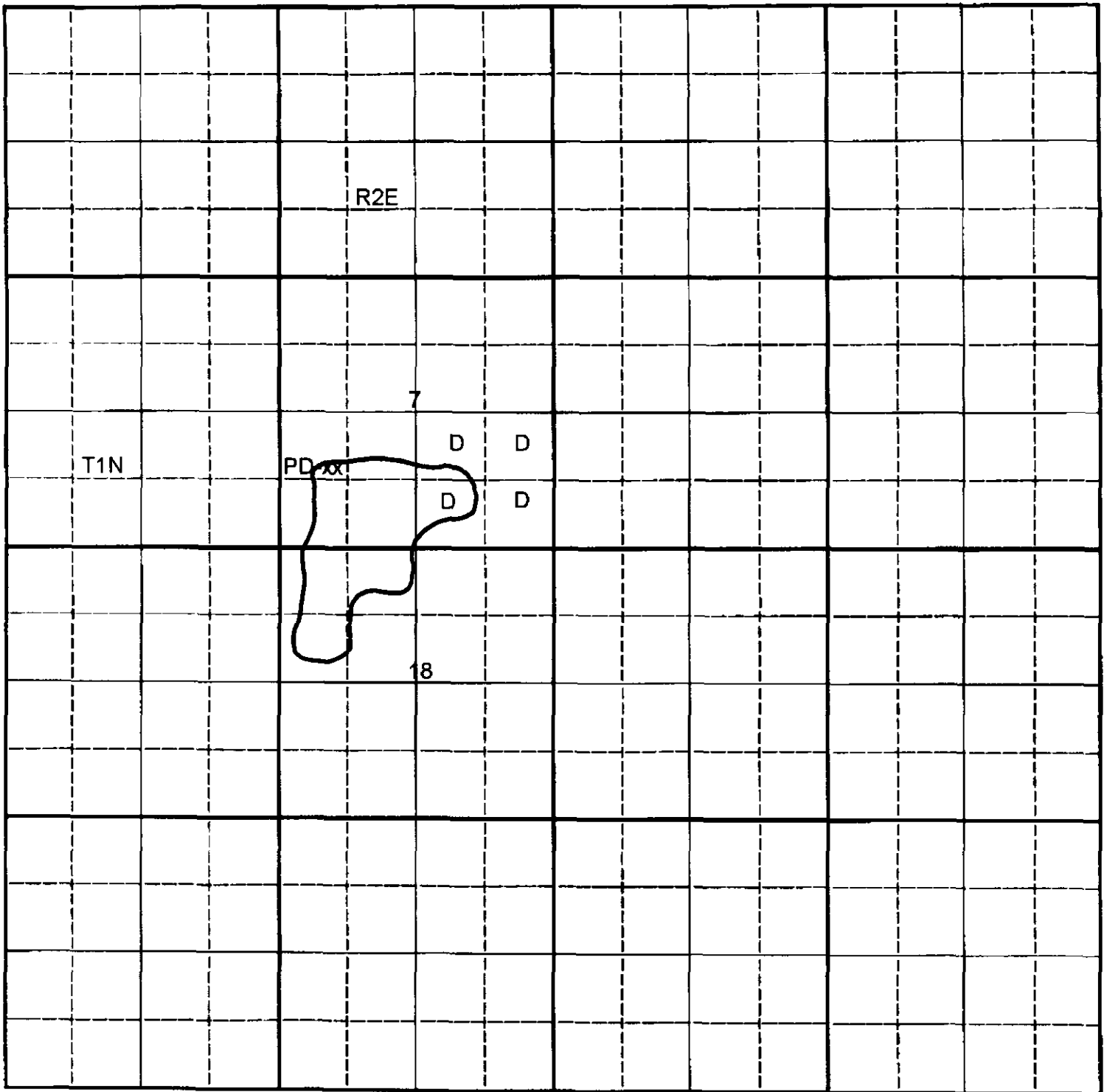
6. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached. N/A

7. If the right is included in an ongoing adjudication, a copy of the claim must be provided with this application.

MICHO - JUNE 13

MAY 20 2005

8. Draw a map indicating the point(s) of diversion and place of use of the right, or portion thereof. Show clearly the land involved by section, township and range.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

4
1000

9. Remarks See Attachment A

D. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

_____ For sale

XXX For lease for period from April 1, 1999 to December 31, 1999
(year) (year)

_____ As a gift to the State of Idaho.

2. The minimum payment acceptable to the Seller/Lessor is: (Include the method of determining the minimum payment)

Existing rate as established by the Idaho Water Resource Board.

3. Payment contingent on subsequent sale or leasing of this right, or portion thereof, is:

XXX Acceptable _____ Not Acceptable

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer the sale or lease of this right to the Idaho Water Resource Board.

4/2/99
(Date)

Gary O'Donnell
(Signature of applicant)

Gary O'Donnell, Plant Manager

FOR DEPARTMENT USE ONLY

Received by WJA Date 4-2-99 Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

AJ0729NP
No. A63-07531

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/26/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	IOWA BEEF PROCESSORS INC PO BOX 9346 BOISE ID 83707 (208) 345-6660	12/10/1971	IRRIGATION STOCKWATER COMMERCIAL DOMESTIC	03-15 11-15 01-01 12-31 01-01 12-31 01-01 12-31	3.20 CFS 0.20 CFS 3.20 CFS 0.20 CFS	720.00 AFA 13.40 AFA 720.00 AFA 11.20 AFA
TOTAL DIVERSION:					3.60 CFS	744.60 AFA
CONSUMPTIVE USE:						560.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T01N R02E S07

NWSW

ADA County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
			:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
01N	02E	7	:					:					:	10	08	15	23	:	01	20			:	79.8	
01N	02E	18	:					:	28	26	25		:					:					:	80.2	
																						TOTAL ACRES		160.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use Legal Description for: COMMERCIAL

				NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
			:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
01N	02E	7	:					:					:	C				:					:		

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
			:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
01N	02E	7	:					:					:	D				:					:		

POU County: ADA

Non-Irrigation Uses: COMMERCIAL, PACKING HOUSE; STOCK, 1500 CATTLE; DOMESTIC, 200 EMP.

Other Rights: 63-10383

Remarks: GEN 2 points of diversion located in NWSW, S7, T1N, R2E.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

443 20 2000

ATTACHMENT "A"

The placing of this water right in the Idaho Water Bank is desired in order to allow IBP, Inc. to move ahead with land application of waste water as required by permit from IDEQ. IBP, Inc. intends to lease the water back to continue irrigation and initiate land application of wastewater as required by IDEQ. IBP, Inc. intends to file an application to lease the water simultaneously with these applications. The applicant feels the irrigation and wastewater disposal is in the local public interest and environmentally beneficial. Water rights number 63-03362 and 63-11347 offered for lease are in the name of Ida-U-Land and Beef. IBP, Inc. is now the owner of the former holdings of Ida-U-Land and Beef.

63-03362
63-11347



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

May 5, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

PAUL SHARP P E
IBP INC
PO BOX 515
DAKOTA CITY NE 68731

RE: LAND APPLICATION OF WASTE WATER

Dear Mr. Sharp:

This letter responds to your letters of February 25 and March 24, 1998 that were sent to this office. My response focuses on land application of waste water as we have discussed several times in recent months.

Your letters discuss, among other items, a possible transfer application to be filed by IBP to integrate its surface and ground water rights into a common system. A transfer application can include water right protection for the land application project.

The concept of applying waste water to land to meet evolving environmental standards introduces new challenges for water rights. The Idaho Department of Water Resources (IDWR) has developed an interim policy to address the water right issues related to land application. The IDWR policy is new and by necessity has remained flexible to meet these new challenges.

As I understand it, the IDWR policy is that land application of waste water can be considered as part of an industrial or commercial water right provided that the land application occurs within the industrial or commercial place of use described by the water right(s). Note that land application should occur under non-irrigation water right places of use instead of under irrigation water right places of use. For example, land application would be acceptable under the current configuration of right no. 63-07531 in the SW 1/4 of Sec. 7 but not for any other lands.

The main idea of the policy is that an industrial or commercial use can be considered more or less fully consumptive. This allows land application to occur within the non-irrigation place of use, even if the land application process includes a beneficial use of water for irrigation purposes on that same land. In other words, the irrigation benefit from land application is not identified as an irrigation use under the water right(s) in question.

MAY 10 2000

IBP - May 5, 1998
Page 2

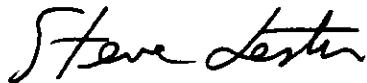
The best advice IDWR can provide to IBP with respect to land application of waste water at this time is summarized below.

(1) Limit the land application to tracts of land described under the commercial or industrial places of use in right nos. 63-07531 and 63-10383.

(2) If land application will exceed the above referenced tracts, file a transfer application to add place of use tracts to commercial or industrial uses in the same two rights. The details of land application could be included in the overall transfer proposal to which you referred in previous letters.

I hope this letter provides the clarification that you requested for this subject. Please contact this office if you would like more information about land application of waste water and/or the water rights transfer process.

Sincerely,



Steve Lester
Water Rights Supervisor

MICROFILMED
MAY 20 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

November 14, 1997

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NOV 17 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Mr. Paul Sharp, P.E.
IBP, Inc.

Department of Water Resources

Hand Delivered during office visit at Western Region

RE: WASTE WATER STORAGE POND(S), 97-52-CU IBP, INC.

Dear Mr. Sharp:

This letter follows your facsimile letter dated November 12 and our telephone conversation of yesterday regarding the proposed waste water storage treatment pond(s). The Idaho Department of Water Resources (IDWR) has no objection to the construction and use of the proposed storage facility under the following limitations.

1. The amount of water diverted from the IBP wells will not exceed the authorized diversion rate or annual volume described in right nos. 63-07531 and 63-10383.
2. Water will not be subsequently withdrawn from the storage facility for a beneficial use until additional water right questions are addressed to the satisfaction of IDWR.
3. Current land application during the winter occurs in portions of Section 18, T1N R2E within the place of use described by the above referenced water rights. The new storage pond to be located in the NW 1/4 of Section 19, T1N R2E will replace this winter land application.
4. This limited approval does not supersede, nor is it a substitute for, any other approvals required under local, state or federal laws or regulations.

I look forward to working with you on the remaining water right issues if IBP intends to withdraw water from the pond(s) for any beneficial use later in this phased approach that we discussed.

Sincerely,

Steve Lester
Water Rights Supervisor

MICROFILMED

MAR 20 2000



Post-It® Fax Note	7671	Date	11/12/97	# of Pages	1
To	Steve Lester	From	Paul Sharp		
Co./Dept.	IDWR	Co.	IBP		
Phone #	208/334-2190	Phone #	402/241-2004		
Fax #	208/334-2348	Fax #	402/241-3317		

November 12, 1997

Mr. Steve Lester
 Idaho Department of Water Resources
 2735 Airport Way
 Boise, ID 83705-5082

RE: Ada County Development Services
 Conditional Use Permit 97-52-CU IBP, inc.

Dear Mr. Lester:

IBP, inc. has been informed by Ada County Development Services that referenced permit has been approved, subject to approval of the permit application by Idaho Department of Water Resources (IDWR), Idaho Division of Environmental Quality (IDEQ) and Bureau of Land Management.

The permit involves construction of treated wastewater irrigation system expansion as well as a treated wastewater storage pond. The new storage pond is proposed to be an integral part of the existing irrigation system; the use of the storage pond will prevent the need for winter irrigation on lands involved in the existing land application irrigation system.

Your letter of August 8, 1997, recommends that IBP, inc. discuss with IDWR the water rights involved in the irrigation system expansion. IBP, inc. is currently developing information regarding needed water right steps; we will be in touch with you ASAP on this matter.

The purpose of this letter is to request IDWR approval of IBP, inc. use of the wastewater storage pond commencing within next few days. Use of this pond will prevent the need to irrigate in winter conditions on existing permitted ground. Again, it does not involve the proposed irrigation system expansion lands about which IBP, inc. will discuss in detail per paragraph above.

Daren Fluke of Ada County Development Services is aware of this request, as is IDEQ. IDEQ has approved use of the storage pond.

Call me at 402-241-2004 if you have questions. I look forward to your reply.

Sincerely,

Paul Sharp
 Paul Sharp, P.E.

Senior Environmental Project Engineer

c: Gary O'Donnell
 Kim Dirks
 Daren Fluke

PS97-704

IBP, inc. P.O. BOX 515, DAKOTA CITY, NEBRASKA 68731 TELEPHONE: 402-494-2061

C: →

Post-It® Fax Note	7671	Date	11/12/97	# of Pages	1
To	Daren Fluke	From	Paul Sharp		
Co./Dept.	Ada Co. Dev.	Co.			
Phone #	208/364-2222	Phone #			
Fax #	208/364-2406	Fax #			

M-1007-1MEL

MAR 20 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

October 16, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MR KIM DIRKS
IOWA BEEF PROCESSORS INC
PO BOX 515
DAKOTA CITY NE 68731-0515

RE: 97-52-CU IBP, INC.

Dear Mr. Dirks:

Enclosed is a copy of Sherl Chapman's August 25 reply to my letter of August 8 regarding the above referenced matter. It appears that my comment letter should be directed to you instead of to Mr. Chapman.

The issue at hand regarding water rights involves possible beneficial use of treated waste water discussed in the proposal. If a beneficial use such as irrigation will occur via waste water on lands not described in valid water rights, a water right action will be needed to protect the new beneficial use.

The suggested method to provide such protection, if needed, is to file a "transfer" application with this agency to change the place of use of an existing right(s).

Please disregard these comments if no additional beneficial use via waste water is contemplated. I will be glad to discuss this in more detail at your convenience.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosures

c: Mr. Sherl Chapman

MAILED
MAR 20 2000

Sherl L. Chapman Consulting, Inc.

410 S. Orchard / Suite 144 / Boise, Idaho 83705 / Phone (208) 344-6690 / Fax (208) 344-2744

RECEIVED

AUG 26 1997

WATER RESOURCES
WESTERN REGION

August 25, 1997

Mr. Steve Lester 
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RE: 97-52-CU IBP, INC.

Dear Steve:

Thank you for sending me the material on IBP but this transfer process is going to be handled directly by Mr. Kim Dirks at the Dakota City office of the Iowa Beef Processors. Any correspondence relating to the transfer should be sent to him directly. The address is below.

Sincerely yours,



Sherl L. Chapman
President

SLC:kje

Mr. Kim Dirks
Iowa Beef Processors, Inc.
P. O. Box 515
Dakota City, Nebraska 68731

Specialist In

Ground-Water Hydrology / Water Rights / Water Well Design / Geothermal Resources



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

October 5, 1995

IOWA BEEF PROCESSORS
PO BOX 9346
BOISE ID 83707

RE: WATER RIGHT NOS. ~~63-07531~~ AND 63-10383

Dear Water Right Holder(s):

Enclosed are copies of the Amended Water Right Licenses issued on the above referenced water rights. If you have any questions, please contact me within 10 days of receipt of these licenses.

Sincerely,

Shelley Walter Keen
Water Right Supervisor

SWK:rl

Enclosure

NOV 08 1995

MEMORANDUM

TO: File 63-07531 / Iowa Beef Processors
FROM: Brenda Chapman
DATE: November 17, 1994
RE: Amended License Recommendation Adjustment(s)

=====

The final amended licensing recommendations for the above referenced water right are based on the information below:

C. DIVERSION AND DELIVERY SYSTEM

1. Point of Diversion: Added Government Lot #3 to the NSW point of diversion description.
2. Place of Use: Added the missing acres in Section 7 that were on the exam but not on the license.
Also, added the missing Government Lots for all uses.

F. FLOW CALCULATIONS

Exam totals were incorrect: Well 1 = 1.84 cfs
Well 2 = 2.38 cfs

Capacity = 4.22 cfs

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	3-15 to 11-15	3.20	720.0
Stockwater	1-01 to 12-31	0.20	13.4
Commercial	1-01 to 12-31	3.20	720.0
Domestic	1-01 to 12-31	0.20	11.2
TOTALS		3.60 cfs	744.6 afa

Even though the acre total on the license was incorrect, the rate and volume were correct because they were based on the 160 acre exam recommendation. With the adjusted capacity amount, the total recommended rate of diversion was increased to the permitted amount of 3.60 cfs.

NOV 08 1995

WR0749NP
No. 63-07531

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/17/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	IOWA BEEF PROCESSORS INC PO BOX 9346 BOISE ID 83707	12/10/1971	IRRIGATION STOCKWATER COMMERCIAL DOMESTIC	03-15 11-15 01-01 12-31 01-01 12-31 01-01 12-31	3.20 CFS 0.20 CFS 3.20 CFS 0.20 CFS	720.00 AFA 13.40 AFA 720.00 AFA 11.20 AFA
TOTAL DIVERSION:					3.60 CFS	744.60 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 4.22 CFS

Point(s) of Diversion: T01N R02E S07 Lot 03(NWSW)

ADA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE														
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
01N	02E	7	:					:					:		10	03-08	04-15	23	:		01	20			:	79.8
01N	02E	18	:					:		28	01-26	02-25		:					:						:	80.2
																							TOTAL ACRES		160.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use Legal Description for: COMMERCIAL

NE				NW				SW				SE														
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:			
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
01N	02E	7	:					:					:		C	03-C	04-C	C	:					:		

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE														
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:			
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
01N	02E	7	:					:					:		D	03-D	04-D	D	:					:		

Pou County: ADA

Other Water Rights with Same Point(s) of Diversion and Source:
63-10383

Other Water Rights Listing Overlapping Place(s) of use:
63-00332

Remarks: Two points of diversion located within NWSW, S07, T01N, R02E.

WR0749NP
No. 63-07531

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/17/94
PAGE: 2

=====

Dates:	App. Received: 12/10/1971	Priority Date: 12/10/1971
	Proof Due Date: 01/01/1982	Proof Made Date: 10/31/1981
	Exam Made Date: 09/15/1986	Exam Sent to S.O.:
	Licensed Date: 08/23/1990	
Misc:	Water District Number:	Field Exam Fee: R (Received)
Audit:	07/23/87 05/01/88 CONVERT 12/05/88 JOHNSON 02/09/89 CURTIS	
	02/14/89 CURTIS 04/14/89 CURTIS 11/17/94 BCHAPMAN	

MEMORANDUM

Date: October 4, 1994
From: Jim Johnson
To: File
Subject: Amending Licenses

=====

Sherl Chapman met with me today to discuss amending licenses 63-07531 and 63-10383.

After reviewing the 63-07531 file I could not find an explanation for why the license was issued for 138.4 acres instead of 160 acres as shown on the field examination report.

Sherl will be sending me a formal request to amend the license. I don't see any reason not to correct the error.

License 63-10383 will also need amending to reflect the changes made to 63-07531.

NOV 08 1995

Sherl L. Chapman Consulting, Inc.

410 S. Orchard / Suite 144 / Boise, Idaho 83705 / Phone (208) 344-6690 / Fax (208) 344-2744

RECEIVED

OCT 11 1994

October 7, 1994

Department of Water Resources

Mr. Jim Johnson
Idaho Department of Water Resources
1301 North Orchard
Boise, Idaho 83706

Dear Jim:

After reviewing the Iowa Beef Processors licenses, 63-07531 and 63-10383, I think we need to amend both licenses. You and I discussed this issue a few days ago with regard to the loss of one acre between the license exam and licensing on 63-07531. However, after reviewing both licenses, it appears that 21.6 acres were left off 63-07531 during licensing with 20.6 of those acres were added back in during the licensing of 63-10383. Since all 21.6 acres were irrigated prior to the beneficial use examination for 63-07531, we would like to amend that license from the 138.4 acres licensed to the full 160 acres. While the actual affect of your combining the two licenses is only really to lose one acre, the practical affect is that 21.6 acres that was irrigated prior to examination of 63-07531 have lost significant priority since water right 63-07531 has a 1971 priority date and 63-10383 has a 1986 priority. This may not be a problem now or even in the near future, but ultimately, if priority cuts occur, it will be important to be able to irrigate as much acreage as possible under the earliest priority. We would, therefore, ask that these licenses be amended to more accurately reflect the actual acreage irrigated as evidenced by the licensing exams.

I would appreciate any effort you could make to complete the amendment process as rapidly as possible since we are also in the process of preparing an application for transfer of water right to more accurately reflect the actual acreage distribution now irrigated by Iowa Beef Processors. We also need to amend our SRBA claims once the licenses are amended. By amending the licenses and completing the transfer applications, it will not be necessary to file a new application for water right for distribution of waste water at the IBP site that we discussed earlier.

If you have any questions or we need to meet on this subject, please give me a call and we'll get time scheduled.

Sincerely yours,



Sherl L. Chapman
President

SLC:kje
cc:Mr. Kim Dirks

NOV 08 1994

Specialist In

Ground-Water Hydrology / Water Rights / Water Well Design / Geothermal Resources

August 24, 1990

IOWA BEEF PROCESSORS INC.
P.O. BOX 9346
BOISE, ID 83707

RE: PERMIT NO. 63-07531

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

SEP 18 1990

July 19, 1990

IOWA BEEF PROCESSORS INC.
P.O. BOX 9346
BOISE, ID 83707

RE: PERMIT NO. 63-07531

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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SEP 18 1990

BENEFICIAL USE FIELD REPORT REVIEW

TO: FILE 63-7531

FROM: JIM JOHNSON

RE: PRIORITY ADVANCE REVIEW

DATE: 1-FEB-1989

This review memo is prepared to show the process for determining what elements were involved in advancement of the priority.

	<u>DATE</u>	<u>JULIAN</u>
PERMIT		
Permit priority Date:	DECEMBER 10 1971	344
EXAM FEE NOTICE		
Exam Fee Notice Date:	APRIL 17 1986	107
Exam Fee/Info Sheet Received Date:	JUNE 09 1986	160
Exam Fee or Info Due Date:	JUNE 16 1986	167
Days Late:		0 DAY(S)
CERTIFIED EXAM		
Exam Received Date:	NOVEMBER 05 1986	309
Exam by Examiner Due Date:	APRIL 17 1987	107
Days Late:		0 DAY(S)
NEW PRIORITY DATE		
Original Priority Date:	DECEMBER 10 1971	344
Total Days Late:		0 DAY(S)
New Priority Date:	DECEMBER 10 1971	344

NO PRIORITY DATE ADVANCE NECESSARY.

RECEIVED
FEB 10 1989

SEP 18 1990

Department of Water Resources
Western Regional Office
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Should questions arise during
the processing of this applica-
tion please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

A. GENERAL INFORMATION

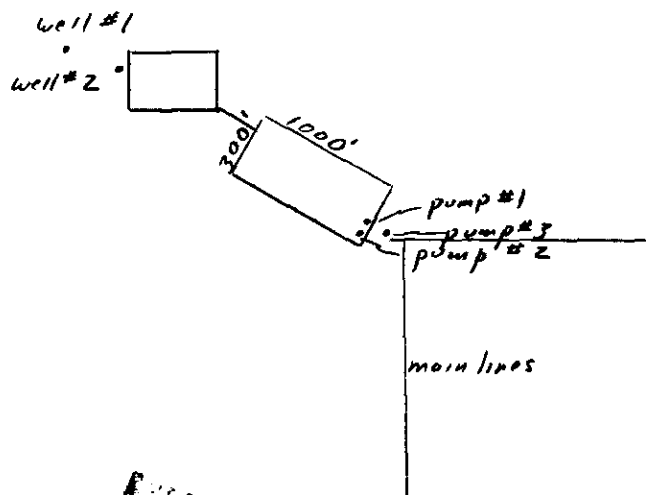
1. Owner: Iowa Beef Processors, Inc. Permit No. 63-7531
Current Address: P. O. Box 9346, Boise, Idaho 83707 Phone No. 345-6660
2. Accompanied by: Darold Gilster/Larry Maurer EXAM. DATE: 9-15-86
Address: Same Phone No. 345-6660
Relationship to Permit Holder: Employees
3. Source: Ground Water tributary to -----

B. OVERLAP REVIEW

1. Other water rights with same place of use: None
☐ Copies Attached
2. Other water rights with same point of diversion: None
☐ 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



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SEP 18 1990

Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).
☒ Aerial Photo Attached
(required for irrigation of 70 acres or more).

System Description (continued)

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

Wells 1 & 2 are pumped to two 60,000 gallon storage tanks. Water is then used for processing of 1500 cattle per day through the slaughterhouse and domestic usage for 200 employees. Water is then put into a 1000' x 300' lagoon for repumping to agricultural lands for irrigation. Water is distributed using hand lines and two pivot systems. Well #2 is equipped with a 25 HP centrifugal booster pump to increase production, SN #8263080.

☐ 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
Well #1	U.S.	150	C2688-01-567	Aurora	U74-01906
Well #2	Franklin	100	None	Berkeley	09-0014
~~Pump #1 (booster)~~	~~Westingh.~~	~~50~~	~~7706~~	~~Well line~~	~~T774464~~
Pump #2 (south)	Westingh.	50	7706	Well line	I77446
Pump #3 (press)	U.S.	30	9304029	Berkeley	7320336

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

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

[illegible]

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

Indicate Method of Determination Aerial photo

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	2E	7									10.9	8.4	15.4	23.5		1.0	20.6		79.8
1N	2E	18					28.4	26.8	25										80.2
															Total				160

Do not use this space

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SEP 18 1990

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
McCrometer Inline Met.	Propel.	McCrometer	MC01400	80-8-660	8"	1-13-86

2. Measurements:

Well #1 producing 825 gpm or 1.84 cfs

Well #2 producing 1071 gpm or 2.38 cfs 4.22

Flow produced together totals 1518 gpm or 3.38 cfs

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

McCrometer meter cross checked with Collins air/water manometer on 1-13-86

2. Alternate Method for Checking Purposes:

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) ÷ 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:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 720$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1549$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 720$

2. Volume Calculations for Other Uses:

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SEP 18 1990

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Commercial and stock water values are based upon holding and slaughtering of approximately 1500 head of cattle per day. Domestic values are based upon 200 full time employees per day.

I. RECOMMENDATIONS

1. Recommended Amounts

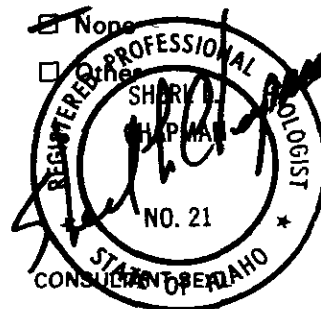
Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	March 15	Nov. 15	3.20	4.5
Stock water	Jan. 1	Dec. 31	.20	---
Commercial	Jan. 1	Dec. 31	3.20	---
Domestic	Jan. 1	Dec. 31	.20	---
Totals:			3.38	720

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above

J. AUTHENTICATION

Field Examiner's Name Sheryl L. Chapman
Signature Sheryl L. Chapman
Certification Date June 5 1986
Field Report Preparation Date 9/15/86

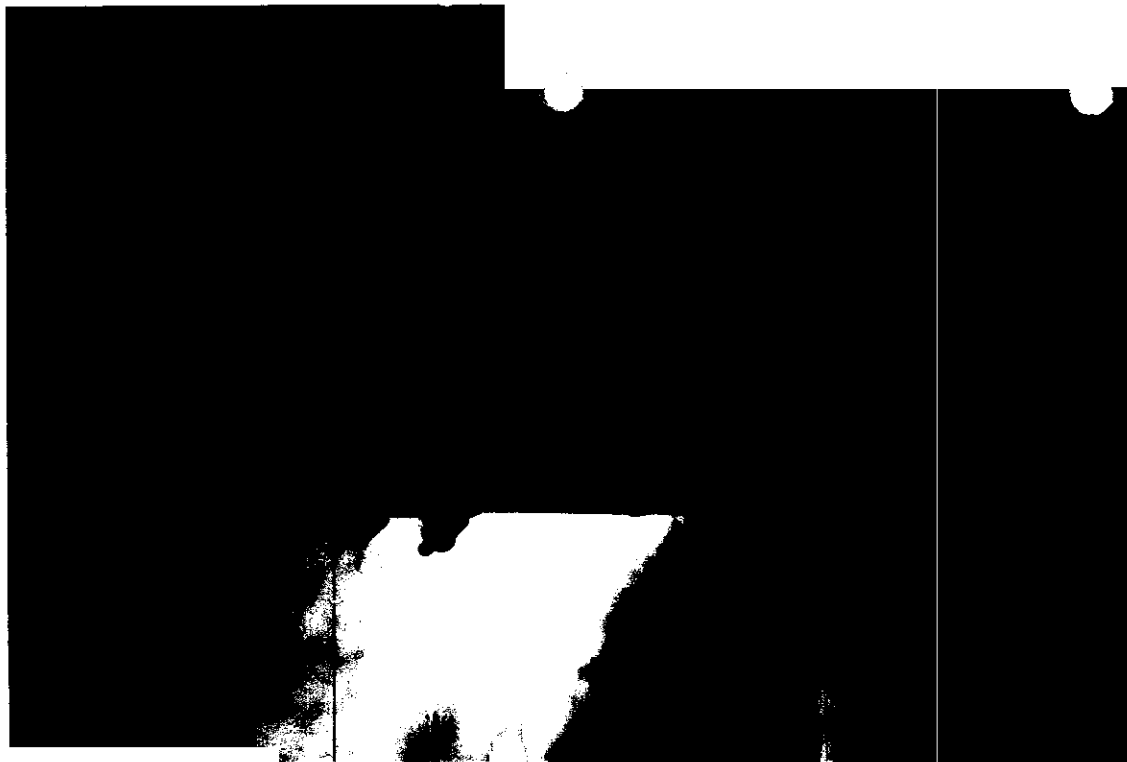


K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

JDM 1/31/89

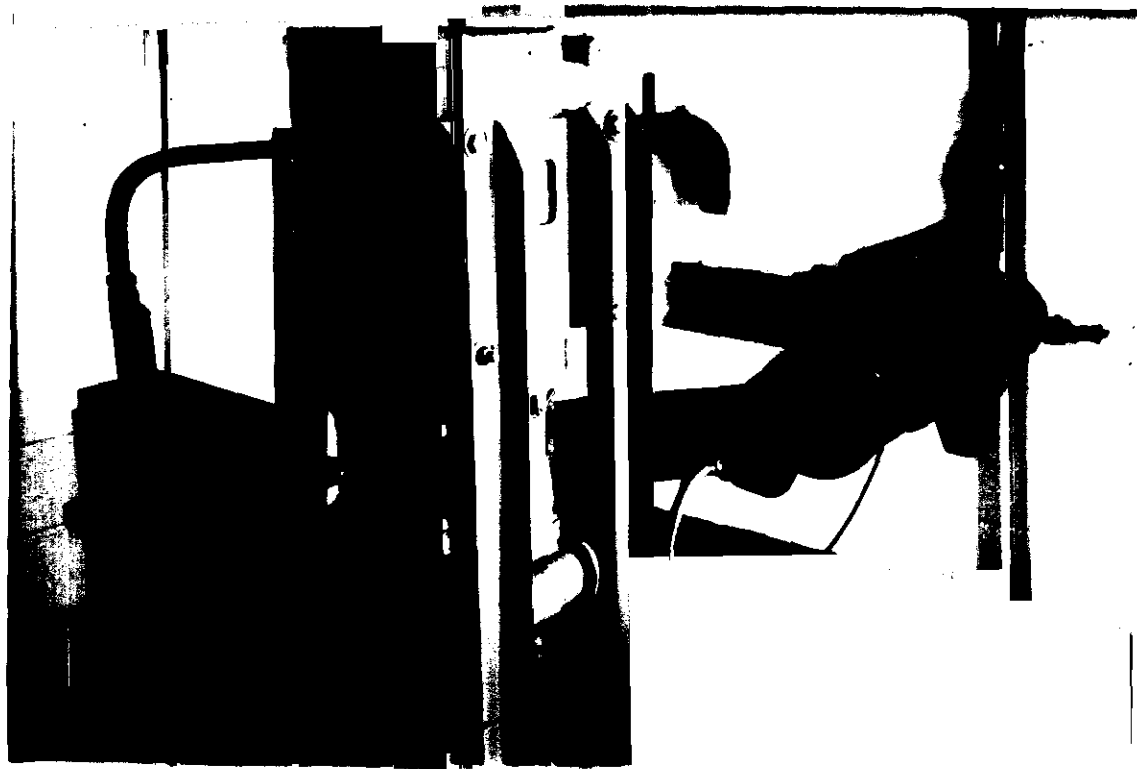
MICROFILMED

SEP 18 1990



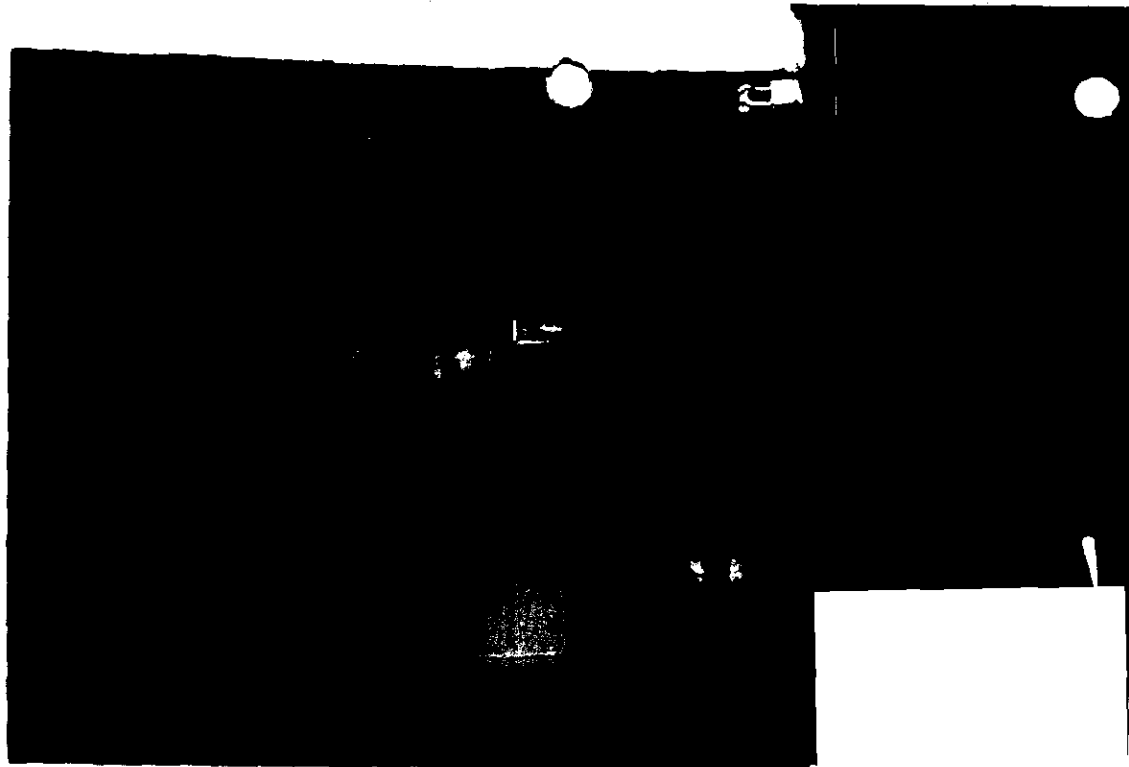
IBP McCrometer in line
meter on 8" discharge
line to twin 60000 gallon
storage tanks

63-7531



IBP Well #2 showing
valving and Centrifugal
booster. 100 HP primary
pump is a submersible
turbine

Permit 63-7531



IBR Well #1
Permit 63 7531



pump # 1 & pump # 2 & lagoon
looking west

63-7531

F012741E

POLACOLOR



Temp # 3 - pressure

63-7531

POLACOLOR F012741E



POLACOLOR F612741E

Print #1

63-7531



03/86

Should questions arise during
the processing of this applica-
tion please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6660

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only

Fee Received _____

Date _____

Receipt # _____

Receipt by _____

Reviewed by _____

Sent to region _____

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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. 63-7531Name(s) of Permit Holder: Iowa Beef ProcessorsPost Office Address: P. O. Box 9346, Boise, Idaho 83707Telephone No. 345-6660Source of Water: Ground Water

Extent of Use:

Domestic 200 ind. (number of households) Stockwater 1500 cattle (number and type of stock)Irrigation 160 (acres) Other/Remark Commercial slaughterhouseTotal rate and/or volume for which proof is submitted 3.38 cfs 1479 acre-feetShow the date water was first diverted and beneficially used under this permit: 12-10-71Measuring Device: Required? ☒ Yes ☐ No
Installed? ☒ Yes ☐ NoFee enclosed \$ _____
(See License Examination Fee Schedule)Flow Measurement Port: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No

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

(Name) _____

(Telephone Number) _____

(Address) _____

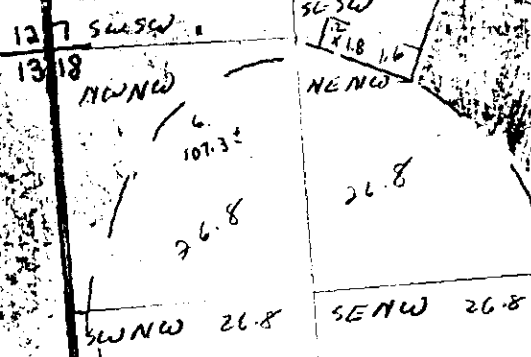
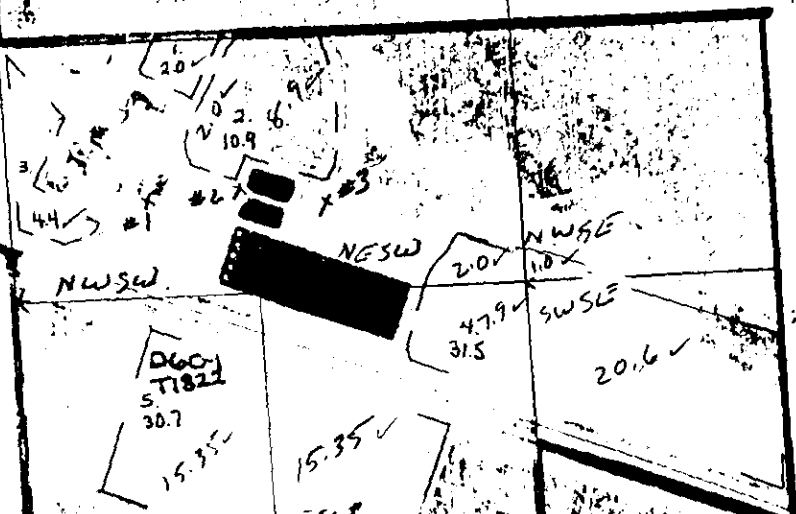
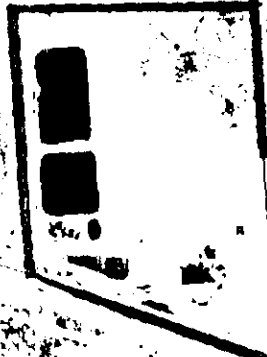
The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

MICROFILMED

SEP 18 1990

x 10-25-86
Datex David LaFleur
Signature of Permit Holder (and title, if appropriate)

9-15-86
SLC



965

MICROFILMED

SEP 18 1990



Sherl L. Chapman

CONSULTANT

410 S. ORCHARD / SUITE 144 / BOISE, IDAHO 83705 / PHONE 344-6690

November 4, 1986

Mr. Dave Tuthill
Department of Water Resources
Statehouse
Boise, Idaho 83720

Jim Johnson

11/6/86

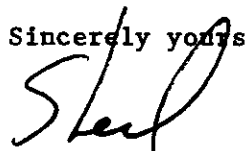
Der

Dear Dave:

Please find enclosed Proof of Beneficial Use for Iowa
Beef Processors permit #63-7531.

If you have any questions, please call me directly.

Sincerely yours,



Sherl L. Chapman
Consultant

SLC:kje
enclosures

MICROFILMED

SEP 10 1990

NOV 3 1986

Department of Water Resources
Western Regional Office

exam made
date routed
for entry
kw
1/13/87

SPECIALIST IN

GROUND-WATER HYDROLOGY / WATER RIGHTS / WATER WELL DESIGN / GEOTHERMAL RESOURCES

Sherl L. Chapman

CONSULTANT

410 S. ORCHARD / SUITE 144 / BOISE, IDAHO 83705 / PHONE 344-6690

Mr. A. Kenneth Dunn, Director
Idaho Department of Water Resources
Statehouse
Boise, Idaho 83720

Dear Mr. Dunn:

I hereby verify that I have been retained to conduct the water
right examination for water right permit # 63-7531 in accordance
with the laws and regulations of the State of Idaho.

Sherl L. Chapman
Sherl L. Chapman

Dated: 8/20/86

MICROFILMED

SEP 1 5 1986

RECEIVED

AUG 21 1986

Department of Water Resources
Western Regional Office

SPECIALIST IN

GROUND-WATER HYDROLOGY / WATER RIGHTS / WATER WELL DESIGN / GEOTHERMAL RESOURCES

4/86

RECEIVED

JUN 9 1986

Department of Water Resources
Western Regional Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received 200.00
Date 6/17/86
Receipt # 40377
Receipt by LP
Sent to S.O. 7/1/86

RECEIVED

JUN 9 1986

1. Permit No. 63-7531

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE. Department of Water Resources

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: IBP, inc.

3. Post Office Address: P. O. Box 9346, Boise, Idaho 83707

Telephone No. 208-345-6660

4. Source of Water: Wells

5. Extent of Use:

Domestic (No. of households) Stockwater (No. and type of stock)

Irrigation (acres) Other/Remark

Beef Slaughter Plant

6. Total rate &/or volume for which proof is submitted 3.6 cfs 497.7 acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

December 3, 1976

8. Person to contact to accompany the department representative for the field examination:

Darold Gilster (Name) SEP 18 1990

South Cole Road Boise, Idaho 208-345-6660
(Address) (Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

6/6/86
Date

PLANT MANAGER
Signature of Permit Holder (and title, if appropriate)



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

July 29, 1986

Darold Gilster
IBP, Inc.
P.O. Box 9346
Boise, Idaho 83707

Re: Permit No. 63-7531

Dear Mr. Gilster:

I am writing you to verify your telephone conversation with Quentin Nesbitt on July 23, 1986. In this conversation you stated that you have contracted Sherl Chapman to conduct the field examination for Permit No. 63-7531. We are assuming that this is the case; we must therefore receive a written statement from Sherl Chapman to verify that he has been retained to conduct the field examination.

Please contact our office if any problems arise.

Sincerely,

Brad E. Dingee
Senior Water Resource Agent

BD: amb

MICROFILMED
SEP 18 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720

63-7531
IOWA BEEF PROCESSORS INC.
P.O. BOX 511
DAKOTA CITY, NE 68731

April 17, 1986

CERTIFIED MAIL

138353

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

RECEIVED
SEP 18 1990

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

MICROFILMED

SEP 18 1990

3/79

IDENT. NO. 63-7531

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

WATER RIGHT
DATA ENTRY LOG

[illegible]

November 3, 1982

Kelli Hanley Crabb
Iowa Beef Processors, Inc.
P. O. Box 511
Dakota City, NE 68731

Dear Ms. Crabb:

Re: Permit No. 63-7531

The Department of Water Resources has accepted the Proof of Beneficial Use affidavit and reinstated the permit with an Order of Reinstatement (copy enclosed).

The Department will now initiate the steps necessary to continue the processing of the permit until it becomes a water right license. To do this, a representative from our regional office will conduct a field examination. His findings will be forwarded to your office and based upon his recommendations, a water right license will be issued.

If you have any questions concerning this matter, please feel free to contact us.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enclosure



STATE OF IDAHO

OFFICE OF THE ATTORNEY GENERAL

BOISE 83720

DAVID H. LEROY
ATTORNEY GENERAL

DEPARTMENT OF WATER RESOURCES
STATEHOUSE, BOISE, IDAHO 83720
TELEPHONE: (208) 334-4448

October 26, 1982

MEMORANDUM

TO: Glen Saxton
FROM: Phil Rassier *PR*
RE: Permit 63-7531

It is my recommendation that Permit No. 63-7531, which has been lapsed by the Department for failure of the named permit holder to submit timely proof of beneficial use should be reinstated without advancement of the priority date.

The file shows that proof of beneficial use was due January 1, 1982. The Department sent notice of proof due to the named permit holder, Columbia Foods, Inc. on October 31, 1981.

Timely proof of beneficial use for Permit 63-7531 was received on December 3, 1981 from Iowa Beef Processors, Inc. The proof of beneficial use was returned to Iowa Beef on January 28, 1982 because Department records showed the permit was still owned by Columbia Foods. The Department's letter indicated that an assignment of the permit was required for Columbia Foods by March 29, 1982 or the permit would no longer be of any force or effect.

On February 10, 1982 an attorney for Iowa Beef called and said that Columbia Foods had been merged into Iowa Beef. On February 11, 1982 the Department requested by phone that Iowa Beef provide documentation of the merger. The necessary merger documentation was received on April 12, 1982. In a follow-up letter received May 24, 1982 Iowa Beef returned to the Department the proof of beneficial use form which had first been filed on December 3, 1981.

On August 25, 1982 the Department sent a letter to Iowa Beef stating that the permit had lapsed because the evidence of permit ownership was received more than 60 days after the January 28, 1982 notice of lapsing.

In my opinion, the owner of the permit, Iowa Beef, did provide timely proof of beneficial use in compliance with the

Memo
Glen Saxton
October 26, 1982
Page 2

requirements of I.C. § 42-217 on December 3, 1981. Iowa Beef was the proper party to file the proof. The Department's only concern thereafter was that the file be supplemented to show that Iowa Beef was the record owner of the permit. There is no statutory requirement that such information be filed within a certain period to avoid lapse of the permit. The supplemental material was filed within a reasonable period of time after it was requested. *? How long*

It is suggested that the permit be reinstated in the name of Iowa Beef Processors, Inc. with its original priority date of December 10, 1971.

August 25, 1962

Billie Mae Cobb
1000 1st Street, S.E.
Atlanta, Georgia

Analysis

63-7531

Oct. 31, 1981

sent notice b/p is due,
notice sent to Columbia
Foods, Inc.
- 100-10-22

Dec. 3, 1981

received b/p from
Iowa Beef Processors, Inc.

Jan. 28, 1982

returned b/p because
Iowa Beef Processors, Inc.
are not the permit
holders.

sent lapse notice to
Columbia Foods, Inc.

Feb. 10, 1982

received telephone call
from Mr. Kelly Crabbe
attorney for Iowa Beef.
She stated that Columbia
Foods had merged with
Iowa Beef Processors, Inc.

Feb. 11, 1982

Phil Passin, attorney
for I D W R contacted
Mr. Crabbe indicating

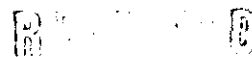
a need of documenting
the merger for our
records before accept-
ing b/p.

April 12, 1982

Received documentation
of the merger. However,
the b/p was not
returned.

May 24, 1982

Received b/p.



MAY 21 1982

Department of Water Resources

LEGAL DIVISION

May 18, 1982

Reply to Mail #41

Phil Rassier, Esq.
State of Idaho
Department of Water Resources
State Office
450 West State Street
Boise, ID 83720

Re: Permit No. 63-7531--
Columbia Foods, Inc.

Dear Mr. Rassier:

I am writing in regard to my letter to you of April 6, 1982 pursuant to which copies of various merger documents between Columbia Foods, Inc. ("Columbia") and Iowa Beef Processors, Inc. ("IBP") were furnished to your department. I trust that the documents previously submitted were sufficient to establish IBP's interest in Permit No. 63 7531, which permit was previously issued to Columbia.

Consequently, I am returning to your department a Proof of Application of Water to Beneficial Use filed on behalf of IBP. Please advise if anything further need be done to secure the issuance of the above-referenced permit in the name of IBP. Thank you for your assistance.

Sincerely,

Kelli Hanley Crabb
Kelli Hanley Crabb
Staff Attorney

KHC/rjm

Phil Rassier, Esq.
Page Two
April 6, 1982

If you have any questions in this regard, please do
not hesitate to contact me at the address below.

Sincerely,

Kelli Hanley Crabb
Kelli Hanley Crabb
Staff Attorney

KHC/jlm

Enclosures

cc: Rita Fleck
Sr. Secretary

STATE OF IOWA
DEPARTMENT OF WATER RESOURCES

Identification No.

Permit No.

RECEIVED

581

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Iowa Beef Processors, Inc.
b) Post Office Address P.O. Box 511, Dakota City, Nebraska 68731
2. Permit Number 63-7531
3. Date of Priority that you are prepared to establish 12-10-71
4. a) Source from which water was appropriated Groundwater
b) Location of the point of diversion 1/4 Sec. 34, T. 1N, R. 20E, S. 21N, Section 7
Township 1N, Range 20E, Boise Meridian, Other points of diversion _____
5. a) The amount of water and use to which the water has been applied:
Amount 366.6 ac-ft/yr for In-plant purposes from January 1 to December 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 366.6 ac-ft/yr for Irrigation purposes from January 1 to December 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 366.6 acre-feet per annum ~~80% of 458.4 acre-feet per annum~~
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement Darold Gilster - meter readings
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of tunnel, ditch or other works by which the water is conducted to the place of use
NA
b) Describe the agreement or understanding by which you take water from the works:
NA
7. a) Briefly describe the works for diverting and conveying the water to the place of use: (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) See Attachment I.
b) Describe the type and size of measuring device which you have installed at your point of diversion:
Raw Water Flow Meter: 8" McCrometer as manufactured by American Water Meters
c) Give well driller's name and address and the date the well was completed:
See Attachment I
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
Water is used for process and clean-up operations for beef slaughtering plant. Treated wastewater from these operations is then reused for irrigation.

Irrigation system consists of 2 center pivot systems at 108 acres each plus 37 acres of solid set irrigation sprinklers.

[illegible]

Total number of acres irrigated	253
---------------------------------	-----

10. Remarks:

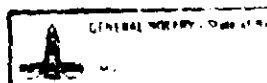
The above information is a true statement of the extent to which the above numbered permit has been developed.

12-1-81
(Date)

William F. Harvey
(Signature)

State of Nebraska)
) ss
County of Dakota)

On this 1st day of December, 19 81, personally appeared before me the signers of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



Linda W. Johnson
Notary Public residing at 313 W. 18th,
So. Sioux City, Nebraska 68776

My commission expires October 3, 1984

ATTACHMENT I

Item 7a.

East Well:

Total Depth: 458 feet
Casing Diameter: 14 inches
Screen Diameter: 10 inches
Screen Settings: From 368 ft. to 408 feet
From 438 ft. to 448 ft.
Pump Data: 75 H.P. Berkely Submersible Pump
Model: 855M6

West Well:

Total Depth: 340 feet
Casing Diameter: 16 inches
Screen Diameter: 12 inches
Screen Setting: From 290 ft. to 330 ft.
Pump Data: 150 H.P. Manufacturer Unknown
6 stages, 8" column pipe

Item 7c.

East Well:

Completed Feb. 1974 by W.E. Stevens and Son
Well Drilling

Deepened March, 1980 by Elsing Drilling

West Well:

Completed June, 1972 by W.E. Stevens & Sons

APR 12 1982

Idaho Department of Water Resources

LEGAL DIVISION

April 6, 1982

Reply to Mail #41

Phil Rassier, Esq.
State of Idaho
Department of Water Resources
State Office
450 W. State Street
Boise, ID 83720

Re: Permit No. 63-7531--
Columbia Foods, Inc.

Dear Mr. Rassier:

I am writing in regard to Permit No. 63-7531 which was previously issued in the name of Columbia Foods, Inc. ("Columbia") and is now held by Iowa Beef Processors, Inc. ("IBP"). As I previously explained to you, IBP acquired Columbia on December 3, 1975, and on October 17, 1978, Columbia was merged with and into IBP. Consequently, Columbia no longer exists as a separate corporate entity.

Pursuant to your request, I enclose herewith copies of the relevant merger documents. I trust that these documents are sufficient to establish the merger of Columbia and IBP.

In light of the fact that Columbia no longer exists as a separate legal entity and that IBP now holds the assets formerly belonging to Columbia, it is my opinion that an assignment of the above-referenced permit is not required and that IBP has assumed all rights under the permit by resubmitting a Proof of Application of Water to Beneficial Use. Accordingly, please take the necessary steps to renew the above permit in the name of IBP. Thank you.

Phil Kassier, Esq.
Page Two
April 6, 1982

If you have any questions in this regard, please do
not hesitate to contact me at the address below.

Sincerely,

Kelli Hanley Crabb
Kelli Hanley Crabb
Staff Attorney

KHC/jlm

Enclosures

cc: Rita Fleck
Sr. Secretary

F-06128
REV. 10-6-69



FOREIGN

STATE OF WASHINGTON | DEPARTMENT OF STATE

I, **BRUCE K. CHAPMAN**, Secretary of State of the State of Washington and custodian of its seal hereby certify that a duly authenticated copy of the

ARTICLES OF MERGER

of IOWA BEEF PROCESSORS, INC.
a foreign corporation of Delaware
(Merging with and into itself COLUMBIA FOODS, INC.)

were filed for record in this office at 8:00 o'clock P. on this date, and
I further certify that such copy remains on file in this office.

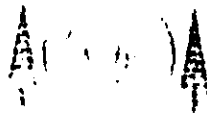
In witness whereof I have signed and here
affixed the seal of the State of Washington to
this certificate at Olympia, the State Capital

November 6, 1978

Bruce K. Chapman

BRUCE K. CHAPMAN
SECRETARY OF STATE

217500
10-10-78



10-10-78

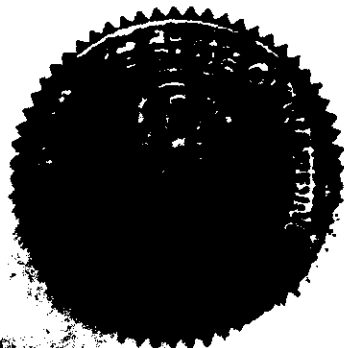
STATE OF WASHINGTON | DEPARTMENT OF STATE

I, **BRUCE K. CHAPMAN**, Secretary of State of the State of Washington and in and to whom all business is hereby certified that

ARTICLES OF MERGER

of COLUMBIA FOODS, INC.
a domestic corporation of Pasco, Washington
(Merged with IOWA BEEF PROCESSORS, INC. (Delaware corp. qualified in Wash.))

was filed for record in this office at 8:02 o'clock A.M. on this date, and
I further certify that such Articles remain on file in this office



In witness whereof I have signed and have
affixed the seal of the State of Washington to
this certificate at Olympia, the State Capital,

October 30, 1978

Bruce K. Chapman

BRUCE K. CHAPMAN
SECRETARY OF STATE

THE STATE



OF KANSAS

OFFICE OF SECRETARY OF STATE
JACK H. BRIER • SECRETARY OF STATE

To all to whom these presents shall come, Greeting:

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the following and hereto attached is a true copy of Certificate of Certificate of Ownership of the IOWA BEEF PROCESSORS, INC., a Delaware corporation authorized to do business in the State of Kansas, merging COLUMBIA FOODS, INC., a Washington corporation not authorized to do business in the State of Kansas, filed in the State of Delaware on the thirtieth day of October, A.D. 1978.

FILED:

December 20, 1978

STATE OF KANSAS
TO THE SECRETARY OF STATE
FROM THE
RECEIVED
1978

the original of which is now on file and a matter of record in this office.

IN TESTIMONY WHEREOF:

I hereto set my hand and cause to be affixed my official seal.

Done at the City of Topeka, this twentieth day of

December A.D. 19 78

Jack H. Brier
JACK H. BRIER
SECRETARY OF STATE

By *William M. Roe*
ASSISTANT SECRETARY OF STATE

Form No. 100 CU

21134 761

17 000 20 ME 04 15

JOHN F. BERRY
SECRETARY OF STATE
KANSAS



State
of
DELAWARE

Office of SECRETARY OF STATE

I, Glenn C. Kenion *Secretary of State of the State of Delaware*,
do hereby certify that the Certificate of Incorporation of the "TOMMY HILL PROCESSORS, INC.",
a corporation organized and existing under the laws of the State of Delaware, merging
"COLUMBIA FOODS, INC.", a corporation organized and existing under the laws of the
District of Columbia, pursuant to Section 252 of the General Corporation Law of the
State of Delaware, was received and filed in this office the thirtieth day of October,
A.D. 1978, at 10 o'clock A.M.

In Testimony Whereof, I have hereunto set my hand
and official seal at Dover this twenty-eighth day
of November in the year of our Lord
one thousand nine hundred and seventy-eight.

Glenn C. Kenion, Secretary of State

Assistant Secretary of State

STATE OF DELAWARE
OFFICE OF SECRETARY OF STATE

I, GLENN C. KENION, Secretary of State of the State of Delaware, do hereby certify that the Certificate of Incorporation of the "IOWA BEEF PACKERS, INC." was received and filed in this office the twenty third day of June, A.D. 1969, at 10 o'clock A.M.

And I do hereby further certify that the said "IOWA BEEF PACKERS, INC." filed a Certificate of Amendment of Name on the first day of August, A.D. 1969, at 3 o'clock P.M.

And I do hereby further certify that the said "IOWA BEEF PACKERS, INC." filed a Certificate of Amendment, changing its corporate title to "Iowa Beef Processors, Inc.", on the first day of May, A.D. 1970, at 9 o'clock A.M.

And I do hereby further certify that the said "Iowa Beef Processors, Inc." filed a Certificate of Ownership on the fourth day of January, A.D. 1972, at 9 o'clock A.M.

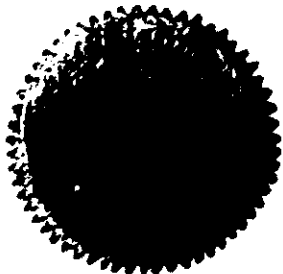
And I do hereby further certify that the said "Iowa Beef Processors, Inc." filed a Certificate of Amendment on the fourth day of April, A.D. 1977, at 10 o'clock A.M.

And I do hereby further certify that the said "Iowa Beef Processors, Inc." filed a Certificate of Ownership, on the twenty-seventh day of March, A.D. 1978, at 10 o'clock A.M.

And I do hereby further certify that the said "Iowa Beef Processors, Inc." filed a Certificate of Ownership, on the thirtieth day of October, A.D. 1978, at 10 o'clock A.M.

And I do hereby further certify that the aforesaid Certificates are the only Certifications on record of the aforesaid Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and
official seal at Dover this thirteenth day of
November in the year of our Lord one thousand nine
hundred and seventy-eight.



Glenn C. Kenion
Glenn C. Kenion, Secretary of State

John D. [Signature]
Assistant Secretary of State



Phil Ressler, Esq.
State of Idaho
Department of Water Resources
State Office
450 W. State Street
Boise, ID 83720

INTER-DEPARTMENT MEMO -- 1

FROM Phil Bassier

DATE 2/21/82

TO File 63-7531

SUBJECT Assignment of Permit

I called Ms. Kelly Crabbe, an attorney for Iowa Beef (Ph 402 - 494-2061 Ext 2144), and explained to her the Department's need for some documentation showing that Columbia Foods has been merged into Iowa Beef before the Department may consider the permit to have been assigned.

She said that she would try to come up with such documentation and provide it to the Department. Our last letter of January 28, 1982 gives Iowa Beef 60 days from the date of the letter in which to provide the necessary documentation.

7/10/82 11:11 AM 11-11-82

PIR

SIGNATURE

January 28, 1982

Iowa Beef Processors, Inc.
P. O. Box 511
Dakota City, NE 68731

Gentlemen:

Re: Permit No. 63-7531 -- Columbia Foods, Inc.

Enclosed is the Proof of Application of Water to Beneficial Use which was submitted to this office on December 3, 1981.

Please be advised that Permit No. 63-7531 is still recorded in the name of Columbia Foods, Inc. and until the permit is conveyed to Iowa Beef Processors, Inc. by a notarized assignment only the permit holder can take further action on this permit.

For your convenience, I'm sending an assignment form and a copy of this letter to Columbia Foods, Inc.

Since I have received nothing from Columbia Foods, Inc., the permit has lapsed as of January 1. Within sixty days of January 28, 1982, the permit will no longer be of any force or effect.

If you have any questions concerning this matter, please feel free to contact me at 334-4290.

Sincerely,

RENE I. FLECK
Sr. Secretary

Enclosure

cc: Columbia Foods, Inc.

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

JANUARY 1 1982

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-214A OF THE IDAHO CODE, PERMIT NO. 63-7531 HAS Lapsed. THIS OFFICE DID NOT RECEIVE EITHER A NOTICE THAT YOU HAVE COMPLETED THE PROJECT BY THE DATE REQUIRED ON YOUR PERMIT, OR A REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR NOTICE TO YOU DATED OCTOBER 31, 1981.

A STATEMENT OF BENEFICIAL USE POSTCARD AND A REQUEST FOR EXTENSION OF TIME
FUNDS ARE ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST
ACCOMPANY AN EXTENSION OF TIME REQUEST.

ENCLOSURE

CERTIFICATION OF MAILING

[Handwritten signature]

44

CERTIFIED
P15 4547317
MAIL

RETURN RECEIPT REQUESTED

DEPARTMENT OF WATER RESOURCES
STATE CAPITOL
BOISE, IDAHO 83720

RECEIVED
DEC 8 1961
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138776

COLUMBIA FOODS INC.
P.O. BOX 926
PASCO, WA 99301

OCTOBER 31, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 61-7531 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JANUARY 31, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE. OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 430 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

January 30, 1981

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the Regional Office nearest to you.

Sincerely,

David R. Tutthill Jr.

DAVID R. TUTTHILL JR., P.E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

Northern Region Office
Rt. #5 Box 203, Government Way
Coeur d'Alene, Idaho 83814

Southern Region Office
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301

Eastern Region Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Western Region Office
92 South Cole Road
Boise, Idaho 83705

December 15, 1996

Permit No. 63-7531

Columbia Falls, Inc.

Box 925

Pease, Washington 98067

Re: Permit

is acknowledged receipt of the assignment conveying the right referred to in the permit. The assignment has been recorded and the permit is hereby assigned to you.

Witness my hand and the seal of the County of Pierce, Washington, this 15th day of December, 1996.

Notary Public

My Comm. Expires 12/31/97

RECEIVED

DEC 6 1976

HAWLEY TROXELL ENNIS & HAWLEY
ATTORNEYS AND COUNSELORS
ONE CAPITAL CENTER
POST OFFICE BOX 1617
BOISE, IDAHO 83761

Department of Water Resources
AREA CODE 208
TELEPHONE: 333-7500

ROBERT L. TROXELL
JOSE E. HAWLEY
PAUL E. ENNIS
JOHN T. ENNIS
THOMAS A. HALLER
J. KIM HENNINGSEN
ROBERT J. BRUCE
GREG L. SHADWIN
ROBERT L. BRUCE
JEREMY D. BRIDGEMAN, JR.
WAYNE D. BRIDGEMAN, JR.
JOSE E. HAWLEY II
DAVE D. BRUCE
P. BRUCE STEVEN
EDWARD P. BRUCE

December 4, 1976

Department of Water Resources
Statehouse
Boise, Idaho 83720

Attn: Mr. Bobbie Fleener

Gentlemen:

Enclosed herewith in connection with Water Permit No. 63-7531 standing in the name of "Thomas M. Bevan and/or Missouri Beef Packers, Inc." are the following:

1. Photocopy of Certificate of the Secretary of State showing the merger of Missouri Beef Packers, Inc., into MHPXL Corporation effective 4-18-75.
2. Original and one copy of Assignment of Permit No. 63-7531 by Thomas M. Bevan, et al., to MHPXL Corporation (formerly Missouri Beef Packers, Inc.) dated 11-29-75.
3. Original and one copy of Assignment of Permit No. 63-7531 by MHPXL Corporation (formerly Missouri Beef Packers, Inc.) to Columbia Foods, Inc. dated 12-3-75.
4. Original and two copies of Assignment of Submission of Time of Permit No. 63-7531 to Columbia Foods, Inc., dated 12-3-75.

Enclosure No. 1 is to show the status of the original corporate permittee.

Enclosure No. 2 is to show the status of the original corporate permittee.

Department of Water Resources
Attn: Mr. Bobbie Plesner
Page 2

December 4, 1976

Enclosure No. 3 of course transfers the permit to the new holder, Columbia Foods, Inc., our client.

By Enclosure No. 4 Columbia Foods, Inc. requests a maximum extension of five years to file the requisite proofs for licensing.

Please lodge Enclosure No. 1 in your permit file and file Enclosures 2, 3 and 4 therein. Please stamp one copy each of Enclosures 2, 3 and 4 with your filing stamp and return the same to us in the enclosed, self-addressed, stamped envelope.

Please present the application for extension to the Director for his action. If he approves it, kindly send us a signed or conformed copy thereof to complete our file.

If you have any questions, please do not hesitate to call me. Thank you for your usual consideration.

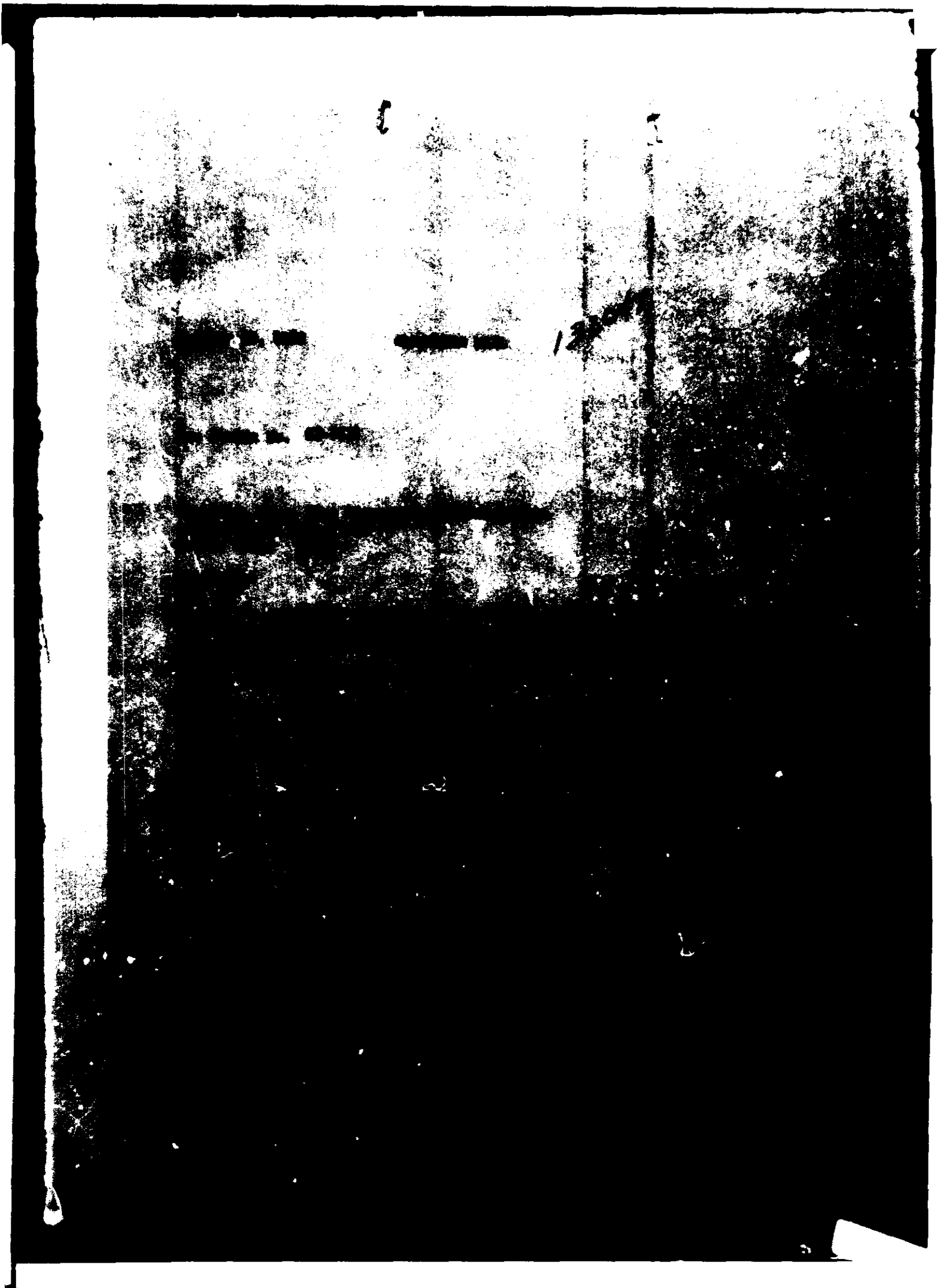
Yours truly,

HAWLEY TROCKELL HENIS & HENIS



Thomas A. Miller

TAM:et
Enclosures



State of Idaho
Department of Water Administration
WELL DRILLER'S REPORT

State law requires that this report be filed with the State Registration Engineer within 10 days after completion of the work.

[illegible]

February 2, 1972

Re: Permit No. 63-7531 - Thomas M. Bevan &/or Missouri Beef Packers, Inc.

Thomas M. Bevan &/or
Missouri Beef Packers, Inc.
1322 Mt. View Drive
Boise, Idaho 83705

Dear Mr. Bevan:

Enclosed is a copy of your approved Application for Permit No. 63-7531. We direct your attention to the conditions of approval as listed on the fourth page.

The approval of this permit does not relieve you of the responsibility of complying with the rules and regulations of the Department of Health. These rules and regulations should be followed in regard to both the standards for the domestic supply of the water and the standards for the treatment of the effluent from the plant.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Very truly yours,

BOBBY D. FLEENER
Assistant Director

BD

Enc. 100-600

63-7531

DEPARTMENT OF WATER ADMINISTRATION

STATE APLYSIC

Application No. 63-7531 Name Thomas M. Vevan &/or Missouri Beef Packers, Inc.

Source Groundwater

Point of Diversion Two points in the NW1/4, Sec. 7, T. 1N, R. 2E, B.M.

Quantity	<u>1.20</u>	Use	<u>Stockwater</u>	Period	<u>Jan. 1 - Dec. 31</u>
Quantity	<u>1.20</u>	Use	<u>Domestic</u>	Period	<u>Jan. 1 - Dec. 31</u>
Quantity	<u>3.20</u>	Use	<u>Commercial</u>	Period	<u>Jan. 1 - Dec. 31</u>
	<u>3.20</u>		<u>Irrigation</u>		<u>March 15 - Nov. 15</u>
Well Size		Diameter	<u>20</u>	Proposed Depth	<u>500</u> Feet

Use 160 acres - Irrigation; Showers, restrooms and drinking - Domestic;

Processing plant, 1000 head capacity requiring 1000 gal. per head - Co.

1,000 head of cattle - Stockwater.

Date Forwarded 1-3-72 Date Returned 1-12-72 Received by [Signature]

NOTES

COMMENTS

Applied: Qty.	Use	Period	AF/A	AF
Qty.	Use	Period	AF/A	AF
Qty.	Use	Period	AF/A	AF
Maximum Qty.	Use	Period	AF/A	AF
Qty.	Use	Period	AF/A	AF
Qty.	Use	Period	AF/A	AF

APPROVED [Signature] Denied

Conditions of approval or reason for denial:

INVESTIGATION By [Signature] Title

Date



January 11, 1972

Mr. Donald W. McEldowney
Appropriation Supervisor
Department of Water Administration
Statehouse
Boise, Idaho 83707

Re: Application No. 95-7165 - J. Howard Coon
69-7000 - Wilma L. Robbins
75-7019 - E. and H. Enterprises
47-7130 - Raymond B. Williams - Williams Meat Prod.
63-7531 - Thomas N. Beyans, Missouri Beef Packers
37-7122 - William F. Stewart
37-7123 - "
65-7242 - Francis Goslin

Dear Mr. McEldowney:

We have received the above applications for permits to appropriate public water for the State of Idaho and have the following comments.

In regard to application numbers 37-7123, 37-7122 - William F. Stewart, 69-7000 - Wilma L. Robbins, 47-7130 - Raymond B. Williams, 75-7019 - E. and H. Enterprises, we have no comments other than that the applicants comply with the District Health Department Regulations that apply in the particular districts where the water is to be appropriated.

Application No. 94-7165 - J. Howard Coon has been sent to the regional engineer in Lewiston for his comments.

In regard to Application 65-7531 - Thomas N. Beyans and Application No. 65-7242 - Francis Goslin, we have not received or approved any engineering plans and/or specifications regarding these projects; therefore, we would recommend that a hold be placed on these two applications until such a time that engineering plans and specifications have been approved by this department.

Sincerely,

JERRY L. YODER
Sr. Public Health Engineer
Water Pollution Control Section
Environmental Improvement Division

JLY/ged

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STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



K. Keith Haggard
Director

Water Rights Administration
Water Resource Investigation
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

Re: Application No. 63-7531 - Thomas M. Bevan &/or Missouri River Packers, Inc.
" " " 63-7122 & 63-7123 - William E. Stewart

John Anderson
Ironpoint Improvement
P.O. Box 1614
Boise, Idaho

Dear Mr. Anderson:

We are enclosing copies of the above referenced applications that may be of interest to your agency. Please review the applications and if you have any comments, please submit them to our Department as soon as possible. We normally complete the processing of an application within a 6-week period and we are required to take final action shortly thereafter.

If you need further assistance, please contact us.

Sincerely,

Donald L. McIlwaine
Administrative Assistant

DL:mg

enclosure

January 3, 1972

Re: Application No. 53-7531 - Thomas H. Bevan &/or Missouri Beef Packers, Inc.

Ada County Planning & Zoning Commission
525 W. Jefferson
Boise, Idaho

Gentlemen:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, please submit them to our Department as soon as possible. We normally complete the processing of an application within a 6-week period and we are required to take final action shortly thereafter.

If we may be of further assistance, please contact us.

Very truly yours,

Donald W. McElowney
Appropriation Supervisor

DWM/BB

Enclosure

682 17-11

December 30, 1971

Re: Application No. 63-7531 - Thomas A. Bavan &/or Missouri Beef Packers, Inc.
" " 63-7534 - Bertha E. Kasar
" " 63-7535 - Mr. &/or Mrs. Stanley D. Ramsey
" " 63-7536 - Cecil &/or Elisabeth Hunsaker

The Idaho Statesman
Box 2640
Boise, Idaho 83701

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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. In order to receive payment, the following certification must appear on the bill.

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

(signature of claimant)

Very truly yours,

Fred Eisenbach
Appropriation Examiner

FE:cr

Enc: Legal Notices

63-7531

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Thomas M. Beyan &/or Missouri Beef Packers, Inc.
3322 Mt. View Drive, Boise, Idaho
have
on December 10, 1971 submitted application to. 63-7531
for a permit to appropriate 3.00 cubic feet per second ~~approximately 3.00 cubic feet per second~~
of water from a ground water source
by means of well and pump OR
within the NW1/4 (2 points), NE1/4 OR SW1/4, &/or SE1/4, Sec. 7, T. 1N, R. 2E,
B.M., Ada County
to be used from Jan. 1 to Dec. 31
for stockwatering, domestic (for 180 persons), and commercial purposes, and from
March 15 to Nov. 15 for the irrigation of 160 acres
within the SW1/4, Sec. 7, T. 1N, R. 2E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of Water
Administration, Statehouse, Boise, Idaho, 83727, on or before January 24, 1972.

W. KEITH HARRIS

Director

Published in the Idaho Statesman, Boise, Idaho
on Jan. 6 and Jan. 13, 1972

63-7531

December 13, 1971

Thomas M. Bevan
3322 Mt. View Drive
Boise, Idaho

Dear Mr. Bevan:

Attached herewith is your receipt No. 8570 in the amount of \$ 55.00
for your application for permit
which was received in this office.

Very truly yours,

R. RUSSELL BOSCH
Administrative Assistant

ARB:efv

Enclosure: Receipt