

MAR 01 2006

DEPARTMENT OF
WATER RESOURCES

LAW OFFICES
601 W. Bannock Street
PO Box 2720, Boise, Idaho 83701
TELEPHONE: 208 388-1200
FACSIMILE: 208 388-1300
WEBSITE: www.givenspursley.com

John M. Marshall
Direct Dial: 208-388-1270
E-Mail: JMM@GivensPursley.com

Gary G. Allen
Kristen A. Atwood
Kelly T. Barbour
Christopher J. Beeson
William C. Cole
Michael C. Creamer
Thomas E. Dvorak
Roy Lewis Eiguren
Timothy P. Fearnside
Jeffrey C. Fereday
Melissa A. Finocchio*
Steven J. Hippler
Karl T. Klein
Debora K. Kristensen
Anne C. Kunkel

Jeremy G. Ladle
Franklin G. Lee
David R. Lombardi
John M. Marshall
Kenneth R. McClure
Kelly Greene McConnell
Cynthia A. Melillo
Christopher H. Meyer
L. Edward Miller
Patrick J. Miller
Judson B. Montgomery
Angela K. Nelson
Deborah E. Nelson
W. Hugh O'Riordan, LL.M.
Bradley V. Sneed

H. Barton Thomas, LL.M.
J. Wili Varin
Conley E. Ward
Robert B. White

Raymond D. Givens
RETIRED

James A. McClure
RETIRED

Kenneth L. Pursley
RETIRED
**Licensed in California*

March 1, 2006

VIA HAND DELIVERY

Don Shaff
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Re: Farm Development Corporation – Amended SRBA Claims

Dear Don:

Enclosed please find amended SRBA claims for water right numbers 2-105 and 2-2171. The amendment to right 2-2171 simply adds the 40-acre tract that inadvertently was left off the original. As discussed at our meeting a few weeks ago, this 40-acre tract was included as part of the original license and has been irrigated annually.

As for right 2-105, we amended the place of use to include the entire area irrigated by combined rights 02-105 and 2-2219C. The idea is to create a single, permissible place of use for both rights with appropriate acreage limitations on both. We also increased the total acreage irrigated under 2-105 by 47 acres, which effectively shifts acres originally claimed under 2-2219C to 2-105. Recall that the acreage total under 2-2219C is limited to 2,316 acres by the license (and the total acreage assigned to the C-portion of the right following an ownership split), and so the additional acreage developed on the project and originally claimed under right 2-2219C in excess of 2,316 acres must be claimed under the beneficial use right, 2-105. We also amended right 2-105 to include an incidental stockwater component and a small quantity for a commercial use that is for dust control. As noted in the claim, these two uses effectively are an accomplished transfer of the 40 or so formerly irrigated acres that are now covered by the feedlot.

Don Shaff
March 1, 2006
Page 2

Farm Development originally paid filing fees for a total of 2,843 acres under rights 2-105 and 2-2219C. The total now claimed under those two rights effectively is 2,774 acres, which is 69 acres fewer than originally claimed. The fee previously paid should cover the additional acreage now claimed under right 2-2171. If that is not the case, please let me know, and we will forward the appropriate fee. If you have any questions, please feel free to call.

Sincerely,



John M. Marshall

JMM:amm

Enclosures

cc: client (w/encl)

S:\CLIENTS\2988\19JUM ltr to Shaff with amended claims.DOC

RECEIVED

MAR 01 2006

DEPARTMENT OF
WATER RESOURCESIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHT TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMCIVIL CASE NUMBER: 39576
Ident. Number 2-105
Date Received _____
Receipt Number _____AMENDED
NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant(s) Farm Development Corporation Phone (208) 342-6524
Mailing Address P.O. Box 1201, Boise, Idaho Zip 83701
2. Date of Priority (only one (1) per claim) March 15, 1965
3. Source of water supply (a) Snake River
which is tributary to (b) Columbia River
4. a. Location of existing point of diversion is: Township 1N Range 03W Section 16,
1/4 of NW 1/4 of NW 1/4, Govt. Lot, B.M., County of Canyon
Additional points of diversion if any: N/A
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____
1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
Including the dates of any changes or enlargement in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. _____
Pumps, penstock, canal, distribution ponds and pumps.

6. Water is claimed for the following purposes

			(both dates are inclusive)			(cfs)		(acre feet)
For	Irrigation	purposes from	3/15	to	11/15	amount	9.16	or
For	Stockwater	purposes from	3/15	to	11/15	amount	0.55	or
For	Commercial	purposes from	3/15	to	11/15	amount	0.23	or
For		purposes from		to		amount		or

7. Total quantity claimed (a) 9.16 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is N/A acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number Of livestock Etc.) 2500 cattle, commercial is for dust control at feedlot.

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below. Please see Exhibit.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) Stock: same as irrigation in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	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	R3W	4											C	C					
1N	R3W	9					C	C											

Total number of acres irrigated 458 acres within a 2774 ppu

11. In which county(ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as describe above.

or None (X)

14. Remarks: Stockwater use is for incidental stockwatering from irrigation delivery facilities and troughs. Commercial use is for dust control at the feedlot. These uses are accomplished transfers. The applicant formerly irrigated the ground that is now covered by the feedlot.

Last Name Farm Development Corp. Ident. No. 02-105

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

Scale: 2 inches equals 1 mile. Please attached aerials

A full-page sheet of white graph paper. The grid consists of thin gray lines forming small squares. There are 20 columns and 20 rows of these small squares. Thicker black lines divide the page into four equal quadrants, each measuring 10 columns by 10 rows of the small squares. The quadrants are separated by a vertical line at column 10 and a horizontal line at row 10.

15. Basis of Claim (check one) Beneficial Use ☒ X Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number 02-105

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature(s)

(a.) by signing below, I/We acknowledge that I/We have received, read, and understand the form entitled

"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ X

wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 3

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am President, Farm Development Corporation

_____ Title

of Farm Development Corporation, that I have signed the foregoing

Organization

document in the space below as President of Farm Development Corporation

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Allen Noble 3/1/06

Title and Organization President, Farm Development Corporation Date _____

State of Idaho/or _____

County of Ada

Subscribed and sworn (or affirmed) before me this 1st day of March 2006

SEAL

NOTARY PUBLIC
STATE OF IDAHO

Notary Public Carol Sue

Residing at Meridian Id, 83642

My Commission Expires 4/5/2010

17. Notice of Appearance:

Please Print Name

Notice is hereby given that I, John M. Marshall will be acting as attorney at law on behalf

of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing

above should be mailed to me at the address listed below.

Signature John M. Marshall

Address 601 W. Bannock Street, Boise, Idaho 83701

Date 3/1/2006

Last Name Farm Development Corp. Ident. No. 02-105

EXHIBIT A

Township	Range	Section	QQ	Quarter	Acres	CountyName	Purpose
01N	03W	4	NE	NW	25	CANYON	Irrigation
01N	03W	4	NW	NW	35	CANYON	Irrigation
01N	03W	4	SW	NW	36	CANYON	Irrigation
01N	03W	4	SE	NW	39	CANYON	Irrigation
01N	03W	4	SE	SE	39	CANYON	Irrigation
01N	03W	4	NE	SE	40	CANYON	Irrigation
01N	03W	4	NW	SE	39	CANYON	Irrigation
01N	03W	4	SW	SE	39	CANYON	Irrigation
01N	03W	4	NE	SW	36	CANYON	Irrigation
01N	03W	4	NW	SW	30	CANYON	Irrigation
01N	03W	4	SW	SW	4	CANYON	Irrigation
01N	03W	4	SE	SW	18	CANYON	Irrigation
01N	03W	5	NE	NE	18	CANYON	Irrigation
01N	03W	5	SE	NE	34	CANYON	Irrigation
01N	03W	5	NE	SE	9	CANYON	Irrigation
01N	03W	9	NW	NE	28	CANYON	Irrigation
01N	03W	9	SW	NE	32	CANYON	Irrigation
01N	03W	9	NE	NW	31	CANYON	Irrigation
01N	03W	9	NW	NW	2	CANYON	Irrigation
01N	03W	9	SE	NW	28	CANYON	Irrigation
01N	03W	9	NE	SE	40	CANYON	Irrigation
01N	03W	9	NW	SE	37	CANYON	Irrigation
01N	03W	9	SW	SE	39	CANYON	Irrigation
01N	03W	9	SE	SE	40	CANYON	Irrigation
01N	03W	9	NE	SW	37	CANYON	Irrigation
01N	03W	9	SE	SW	25	CANYON	Irrigation
01N	03W	10	SE	SW	40	CANYON	Irrigation
01N	03W	10	SW	SW	40	CANYON	Irrigation
01N	03W	15	NE	NW	40	CANYON	Irrigation
01N	03W	15	NW	NW	40	CANYON	Irrigation
01N	03W	15	SW	NW	40	CANYON	Irrigation
01N	03W	15	SE	NW	40	CANYON	Irrigation
01N	03W	15	NW	SW	39	CANYON	Irrigation
01N	03W	15	SE	SW	39	CANYON	Irrigation
01N	03W	15	SW	SW	19	CANYON	Irrigation
01N	03W	15	NE	SW	40	CANYON	Irrigation
01N	03W	16	NE	NE	40	CANYON	Irrigation
01N	03W	16	NW	NE	39	CANYON	Irrigation
01N	03W	16	SW	NE	18	CANYON	Irrigation
01N	03W	16	SE	NE	40	CANYON	Irrigation
01N	03W	16	NE	NW	9	CANYON	Irrigation
01N	03W	16	NE	SE	20	CANYON	Irrigation
02N	03W	28	SW	SE	39	CANYON	Irrigation
02N	03W	28	NE	SW	37	CANYON	Irrigation
02N	03W	28	SW	SW	39	CANYON	Irrigation
02N	03W	28	SE	SW	27	CANYON	Irrigation
02N	03W	28	NW	SW	40	CANYON	Irrigation
02N	03W	29	SW	NE	10	CANYON	Irrigation
02N	03W	29	SE	NE	6	CANYON	Irrigation
02N	03W	29	NW	NW	4	CANYON	Irrigation

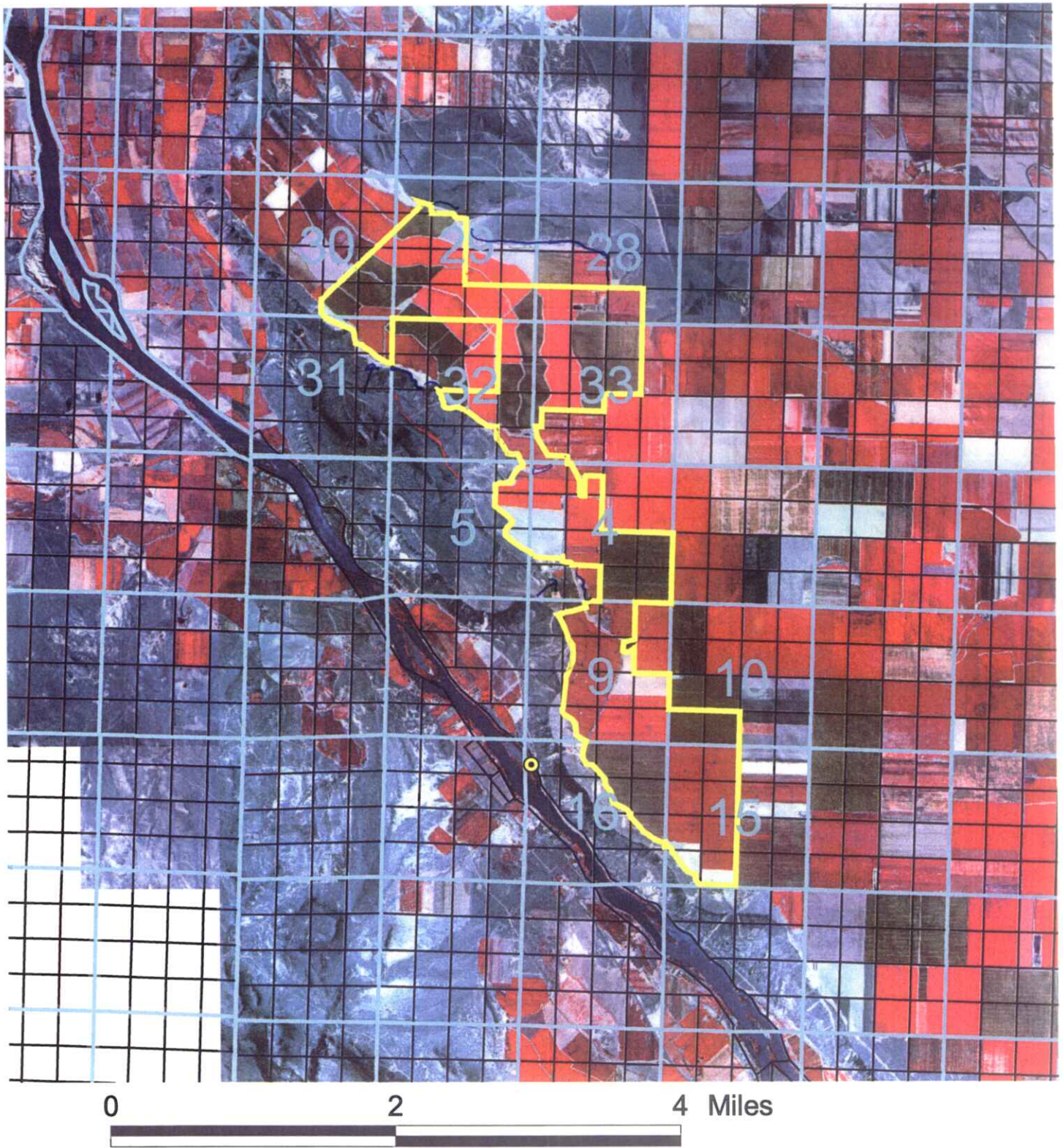
EXHIBIT A

02N	03W	29	SW	NW	39	CANYON	Irrigation
02N	03W	29	SE	NW	36	CANYON	Irrigation
02N	03W	29	NE	NW	1	CANYON	Irrigation
02N	03W	29	SW	SE	40	CANYON	Irrigation
02N	03W	29	SE	SE	40	CANYON	Irrigation
02N	03W	29	NE	SE	40	CANYON	Irrigation
02N	03W	29	NW	SE	40	CANYON	Irrigation
02N	03W	29	NW	SW	40	CANYON	Irrigation
02N	03W	29	SW	SW	37	CANYON	Irrigation
02N	03W	29	SE	SW	39	CANYON	Irrigation
02N	03W	29	NE	SW	39	CANYON	Irrigation
02N	03W	30	SE	NE	4	CANYON	Irrigation
02N	03W	30	NE	SE	34	CANYON	Irrigation
02N	03W	30	NW	SE	6	CANYON	Irrigation
02N	03W	30	SW	SE	33	CANYON	Irrigation
02N	03W	30	SE	SE	39	CANYON	Irrigation
02N	03W	30	SE	SW	0	CANYON	Irrigation
02N	03W	31	NE	NE	37	CANYON	Irrigation
02N	03W	31	NW	NE	5	CANYON	Irrigation
02N	03W	31	SE	NE	5	CANYON	Irrigation
02N	03W	32	NE	NE	40	CANYON	Irrigation
02N	03W	32	SE	NE	40	CANYON	Irrigation
02N	03W	32	NW	NE	36	CANYON	Irrigation
02N	03W	32	SW	NE	38	CANYON	Irrigation
02N	03W	32	NE	NW	40	CANYON	Irrigation
02N	03W	32	NW	NW	40	CANYON	Irrigation
02N	03W	32	SW	NW	25	CANYON	Irrigation
02N	03W	32	SE	NW	38	CANYON	Irrigation
02N	03W	32	NE	SE	39	CANYON	Irrigation
02N	03W	32	NW	SE	31	CANYON	Irrigation
02N	03W	32	SW	SE	3	CANYON	Irrigation
02N	03W	32	SE	SE	23	CANYON	Irrigation
02N	03W	32	NE	SW	8	CANYON	Irrigation
02N	03W	33	NW	NE	39	CANYON	Irrigation
02N	03W	33	SW	NE	39	CANYON	Irrigation
02N	03W	33	NE	NW	39	CANYON	Irrigation
02N	03W	33	NW	NW	40	CANYON	Irrigation
02N	03W	33	SW	NW	40	CANYON	Irrigation
02N	03W	33	SE	NW	39	CANYON	Irrigation
02N	03W	33	NE	SW	20	CANYON	Irrigation
02N	03W	33	NW	SW	25	CANYON	Irrigation
02N	03W	33	SW	SW	13	CANYON	Irrigation

Total: 2774

Idaho Department of Water Resources

1987 NAAPP Photo



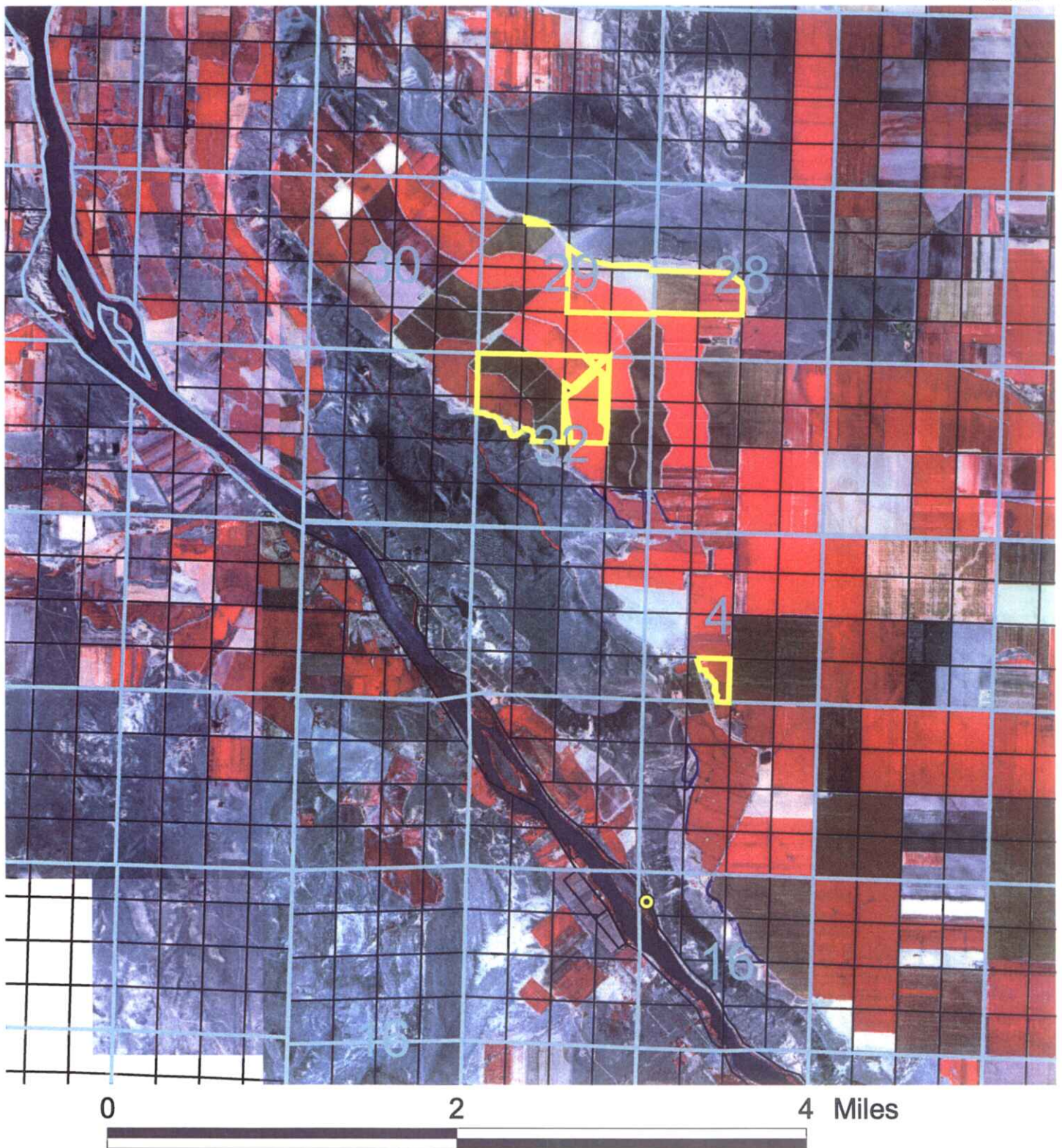
Claim Number: 02-2219C
Legal: T02N, R03W, S28, 30, 31,
32, 33, 34
T01N, R03W, S4, 5, 9, 10, 15, 16
Reviewed By: BTD 6/13/05

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



Idaho Department of Water Resources

1987 NAPP Photo



Claim Number: 02-105
Legal: T01N, R03W, S4 & 16
T02N, R03W, S28, 29, 30, 32
Reviewed By: BTB 6/10/05

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

