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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
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DEPARTMENT OF
WATER RESOURCES

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

) Subcase No. 45-2583, 45-2689, 45-7020,
) 45-7035, 45-7110, 45-7238, 45-7374

) **NOTICE OF COMPLETED**
) **ADMINISTRATIVE PROCEEDING**

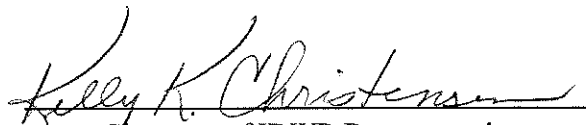
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: Aug 22, 2007


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 8/22, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Kent Foster
Holden, Kidwell, Hahn & Crapo PLLC
PO Box 50130
Idaho Falls ID 83405

Kevin Beaton
Stoel Rives LLP
101 S Capitol Blvd Ste 1900
Boise ID 83702-5958



Signature of person or attorney mailing the form

08/22/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-2583

NAME AND ADDRESS: FARMLAND RESERVE INC
139 E SOUTH TEMPLE STE 110
SALT LAKE CITY UT 84111

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.820 CFS
888.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 45-10274 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.82 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 888 AF.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 7.64 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1976 AF. COMBINED RIGHT NOS.: 45-2583,
45-2689 & 45-10274.

PRIORITY DATE: 06/19/1959

POINT OF
DIVERSION: T11S R21E S9 NENENW Within CASSIA County
T11S R21E S9 SESESE Within CASSIA County
T11S R21E S10 SWSWSW Within CASSIA County
T11S R21E S15 NWNWNW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.820 CFS 888.00 AFY

PLACE OF USE: IRRIGATION in CASSIA County

T11S R21E S08	NENE	25.00	T11S R21E S09	NENE	39.00
T11S R21E S09	NWNE	32.00	T11S R21E S09	SWNE	40.00
T11S R21E S09	SENE	40.00	T11S R21E S09	NENW	32.00
T11S R21E S09	NWNW	38.00	T11S R21E S09	SWNW	40.00
T11S R21E S09	SENW	40.00	T11S R21E S09	NESW	10.00
T11S R21E S09	NESE	40.00	T11S R21E S09	NWSE	40.00
T11S R21E S09	SWSE	39.00	T11S R21E S09	SESE	39.00

494 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 245 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 45-2689 & 45-10274 IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 494 ACRES IN A SINGLE
IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

08/22/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-2689

NAME AND ADDRESS: FARMLAND RESERVE INC
139 E SOUTH TEMPLE STE 110
SALT LAKE CITY UT 84111

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.820 CFS
1,976.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 7.64 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1976 AF. COMBINED RIGHT NOS.: 45-2583,
45-2689 & 45-10274.

PRIORITY DATE: 11/09/1962

POINT OF
DIVERSION: T11S R21E S9 NENENW Within CASSIA County
T11S R21E S9 SESESE Within CASSIA County
T11S R21E S10 SWSWSW Within CASSIA County
T11S R21E S15 NWNWNW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	5.820 CFS 1,976.00 AFY

PLACE OF USE: IRRIGATION in CASSIA County

T11S R21E S08	NENE	25.00	T11S R21E S09	NENE	39.00
T11S R21E S09	NWNE	32.00	T11S R21E S09	SWNE	40.00
T11S R21E S09	SENE	40.00	T11S R21E S09	NENW	32.00
T11S R21E S09	NWNW	38.00	T11S R21E S09	SWNW	40.00
T11S R21E S09	SENW	40.00	T11S R21E S09	NESW	10.00
T11S R21E S09	NESE	40.00	T11S R21E S09	NWSE	40.00
T11S R21E S09	SWSE	39.00	T11S R21E S09	SESE	39.00

494 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 45-2583 & 45-10274 IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 494 ACRES IN A SINGLE
IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

08/22/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-7020

NAME AND ADDRESS: FARMLAND RESERVE INC
139 E SOUTH TEMPLE STE 110
SALT LAKE CITY UT 84111

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.520 CFS
703.20 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 20.23 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 7391 AF. COMBINED RIGHT NOS.:
45-2583, 45-2689, 45-7020, 45-7035, 45-7110, 45-7238, 45-7374.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 5.9 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 2879 AF. COMBINED RIGHT NOS.:
45-7020, 45-7035, 45-7110, 45-7374.

PRIORITY DATE: 04/06/1967

POINT OF
DIVERSION: T11S R21E S9 NENENW Within CASSIA County
T11S R21E S9 SESESE Within CASSIA County
T11S R21E S10 SWSWSW Within CASSIA County
T11S R21E S15 NWNWNW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/15	3.520 CFS 703.20 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE
NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO
SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE
EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION in CASSIA County

T11S R21E S07	NESE	0.70	T11S R21E S07	SWSE	5.70
T11S R21E S07	SESE	31.00	T11S R21E S08	SENW	9.40
T11S R21E S08	NESW	35.00	T11S R21E S08	NWSW	20.00
T11S R21E S08	SWSW	39.00	T11S R21E S08	SESW	35.00

175.8 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

THE REMAINDER OF THIS RIGHT, AMOUNTING TO 12.2 ACRES, WAS
FORFEITED FOR NON-USE FROM 1976 TO 1992.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

08/22/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-7035

NAME AND ADDRESS: FARMLAND RESERVE INC
139 E SOUTH TEMPLE STE 110
SALT LAKE CITY UT 84111

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.790 CFS
1,280.00 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 5.9 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 2879 AF. COMBINED RIGHT NOS.:
45-7020, 45-7035, 45-7110, 45-7374.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 20.23 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 7391 AF. COMBINED RIGHT NOS.:
45-2583, 45-2689, 45-7020, 45-7035, 45-7110, 45-7238, 45-7374.

PRIORITY DATE: 02/28/1969

POINT OF
DIVERSION: T11S R21E S15 NWNWNW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	5.790 CFS 1,280.00 AFY

PLACE OF USE: IRRIGATION in CASSIA County

T11S R21E S16	NENE	40.00	T11S R21E S16	NWNE	40.00
T11S R21E S16	SWNE	40.00	T11S R21E S16	SENE	40.00
T11S R21E S16	NESE	40.00	T11S R21E S16	NWSE	40.00
T11S R21E S16	SWSE	40.00	T11S R21E S16	SESE	40.00

320 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

08/22/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-7110

NAME AND ADDRESS: FARMLAND RESERVE INC
139 E SOUTH TEMPLE STE 110
SALT LAKE CITY UT 84111

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 4.000 CFS
1,248.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 20.23 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 7391 AF. COMBINED RIGHT NOS.: 45-2583,
45-2689, 45-7020, 45-7035, 45-7110, 45-7238, 45-7374.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 5.9 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 2879 AF. COMBINED RIGHT NOS.: 45-7020,
45-7035, 45-7110, 45-7374.

PRIORITY DATE: 09/18/1972

POINT OF
DIVERSION: T11S R21E S15 NWNWNW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	3.980 CFS 1,240.00 AFY
STOCKWATER	01/01 12/31	0.020 CFS 8.00 AFY

PLACE OF USE: IRRIGATION in CASSIA County

T11S R21E S15	NENW	39.00	T11S R21E S15	NWNW	38.00
T11S R21E S15	SWNW	39.00	T11S R21E S15	SENW	39.00
T11S R21E S15	NESW	39.00	T11S R21E S15	NWSW	39.00
T11S R21E S15	SWSW	38.00	T11S R21E S15	SESW	39.00

STOCKWATER in CASSIA County

T11S R21E S15 NWNW

310 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SEASON OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

08/22/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-7238

NAME AND ADDRESS: FARMLAND RESERVE INC
139 E SOUTH TEMPLE STE 110
SALT LAKE CITY UT 84111

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 6.400 CFS
2,536.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 20.23 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 7391 AF. COMBINED RIGHT NOS.: 45-2583,
45-2689, 45-7020, 45-7035, 45-7110, 45-7238, 45-7374.

PRIORITY DATE: 05/02/1975

POINT OF
DIVERSION: T11S R21E S9 NENENW Within CASSIA County
T11S R21E S9 SESESE Within CASSIA County
T11S R21E S10 SWSWSW Within CASSIA County
T11S R21E S15 NWNWNW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	6.400 CFS 2,536.00 AFY

PLACE OF USE: IRRIGATION in CASSIA County

T11S R21E S18	NENE	40.00	T11S R21E S18	NWNE	40.00
T11S R21E S18	SWNE	40.00	T11S R21E S18	SENE	40.00
T11S R21E S18	NENW	39.00	T11S R21E S18 Lot 1	NWNW	38.00
T11S R21E S18 Lot 2	SWNW	39.00	T11S R21E S18	SENW	40.00
T11S R21E S18	NESW	40.00	T11S R21E S18 Lot 3	NWSW	39.00
T11S R21E S18 Lot 4	SWSW	39.00	T11S R21E S18	SESW	40.00
T11S R21E S18	NESE	40.00	T11S R21E S18	NWSE	40.00
T11S R21E S18	SWSE	40.00	T11S R21E S18	SESE	40.00

634 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

08/22/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-7374

NAME AND ADDRESS: FARMLAND RESERVE INC
139 E SOUTH TEMPLE STE 110
SALT LAKE CITY UT 84111

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.100 CFS
620.00 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 20.23 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 7391 AF. COMBINED RIGHT NOS.:
45-2583, 45-2689, 45-7020, 45-7035, 45-7110, 45-7238, 45-7374.

USE OF THIS RIGHT WITH RIGHT NO. 45-7110 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 5.47 CFS.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 5.9 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 2879 AF. COMBINED RIGHT NOS.:
45-7020, 45-7035, 45-7110, 45-7374.

PRIORITY DATE: 04/11/1979

POINT OF
DIVERSION: T11S R21E S9 NENENW Within CASSIA County
T11S R21E S9 SESESE Within CASSIA County
T11S R21E S10 SWSWSW Within CASSIA County
T11S R21E S15 NWNWNW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	3.100 CFS 620.00 AFY

PLACE OF USE: IRRIGATION in CASSIA County

T11S R21E S10	NESW	40.00	T11S R21E S10	NWSW	40.00
T11S R21E S10	SWSW	36.00	T11S R21E S10	SESW	39.00

155 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.