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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
FEB 18 2009
Clerk Clerk

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

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Subcase: 45-14175

Case No. 39576

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

On November 19, 2008, Farmland Reserve, Inc., by and through counsel, Robert L. Harris, filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on February 17, 2009. This *Motion* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to this late Notice of Claim.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for the above-captioned water right is **granted**.

The original Notice of Claim, as well as any attached filing fees, and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claim will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of *SRBA Administrative Order 1* 4d(2)(h).

IT IS SO ORDERED.

Dated February 18, 2009.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM was mailed on February 18, 2009, with sufficient first-class postage to the following:

FARMLAND RESERVE INC

Represented by:

ROBERT L HARRIS

1000 RIVERWALK DR, STE 200

PO BOX 50130

IDAHO FALLS, ID 83405

Phone: 208-523-0620

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

FEB 20 2009

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSDEPARTMENT OF
WATER RESOURCESIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 45-14175

Date Received

Receipt Number

2-20-2009 SRJ

05880001

SRBA

Fifth Judicial District

County of Twin Falls - State of Idaho

NOV 19 2008

By _____

Clerk

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW1. Name of Claimant(s) Farmland Reserve Inc. Phone (801) 359-1600Mailing Address 139 E. South Temple, Ste. 110, Salt Lake City, UT Zip 841112. Date of Priority (Only (1) per claim) March 15, 19863. Source of water supply (a) Groundwater

which is tributary to (b) _____

4.a. Location of existing point of diversion is:

Township 11S Range 21E Section 9, NE 1/4 of NE 1/4 of NW 1/4, Govt. Lot _____,
County of CASSIAAdditional points of diversion if any: T11S, R21E, Sec. 9, SESESE; T11S, R21E, Sec. 10, SWSWSW;
T11S, R21E, Sec. 15, NWNWNW

If Available, GPS Coordinates: _____

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 enlargements in use, the dimensions of the diversion works as constructed and as enlarged
and the depth of each well. Wells and pumps

6. Water is claimed for the following purposes: _____ (Both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 03/15 to 11/15 amount 1.55 cfs or 310 afa7. Total quantity claimed (a) 1.55 (cfs) and/or (b) 310 (acre feet)8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of
livestock Etc.) None.

9. Description of place of use:

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TLS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	8		2.5	35	40													77.5

Total number of acres irrigated 77.5

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

11. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.
45-2583, 45-2689, 45-7020, 45-7035, 45-7110, 45-7238, 45-7374, 45-7034, 1-9, 1-17, 1-23A, and 1-2050
or None ()

13. Remarks:

This claim is an enlargement of Water right Nos. 45-2583, 45-2689, 45-7020, 45-7035, 45-7110, 45-7238, and 45-7374 in an amount of 77.5 acres. This claim and the water right listed in the preceding sentence should, in combination, be limited to a combined diversion rate of 20.24 cfs and annual volume of 7701 afa.

14. Basis of Claim (Check one) Beneficial Use ☒ Posted Notice ☐ Permit ☐ Decree ☐ License ☐
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Number of Attachments _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am the attorney of Farmland Reserve, Inc., that I have signed the foregoing document in the space below as the attorney of Farmland Reserve, Inc., and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Robert L. Flannery

Title and Organization Attorney, Farmland Reserve, Inc. Date Nov. 18, 2008

Last Name Farmland Reserve, Inc. Ident. Number _____

17. Notice of Appearance:

Notice is hereby given that I, Robert L. Harris, 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 Robert L. Harris
Address PO Box 50130, Idaho Falls, ID 83405-0130
Date Nov. 18, 2000

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