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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
AUG 23 2010	
By _____	Clark
Deputy 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

Case No. 39576

)
)
)
)
)

Subcases:

45-2583

45-2689

45-7020

45-7035

45-7110

45-7238

45-7374

45-10274

45-14175

(Farmland Reserve, Inc.)

SPECIAL MASTER REPORT

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report for Irrigation and Other, Reporting Area 10, IDWR Basin 45* on September 2, 2004. The Director recommended eight of the above nine claims to Cummins Farms, Inc., for between .07 cfs and 6.4 cfs from groundwater for year-'round stockwater use and to irrigate between 155 acres and 634 acres and in Cassia County from March 15 to November 15 with priority dates between June 19, 1959, and April 11, 1979, based on licenses or beneficial use.

On January 6, 2005, Cummins Farms filed *Objections* in subcases 45-2583, 45-2689, 45-7020, 45-7035, 45-7110, 45-7238 and 45-7374 objecting to quantity. On January 25, 2006, IDWR filed its *Supplemental Director's Report* in those seven subcases. IDWR filed a *Notice of Completed Administrative Proceeding* in the same subcases on August 22, 2007, for a substitution of party with a new owner: Farmland Reserve, Inc., 139 E. South Temple, Suite 110,

Salt Lake City, Utah, 84111. On September 4, 2007, IDWR filed another *NCAP* in subcase 45-10274 for a substitution of party with the same new owner.

On February 18, 2009, former SRBA Presiding Judge John M. Melanson entered an *Order Granting Motion to File Late Notice of Claim* in subcase 45-14175 allowing Farmland Reserve to claim 1.03 cfs from groundwater to irrigate 571.5 acres in Cassia County from March 15 to November 15 with a priority date of March 15, 1986, based on beneficial use. On August 18, 2010, Farmland Reserve, with IDWR's concurrence, filed a *Standard Form 5* agreeing to a priority date of June 30, 1985. The same date, Farmland Reserve, with IDWR's concurrence, filed *SF-5s* in the other eight subcases.

Conclusions of Law

Farmland Reserve, Inc., is entitled to partial decrees adjudicating water rights as described in the *SF-5s* and the attached *Special Master Recommendations for Partial Decrees for Water Rights 45-2583, 45-2689, 45-7020, 45-7035, 45-7110, 45-7238, 45-7374, 45-10274 and 45-14175*.

DATED August 20, 2010.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 45-02583

NAME AND ADDRESS: FARMLAND RESERVE INC
139 E SOUTH TEMPLE STE 600
SALT LAKE CITY, UT 84111

SOURCE: GROUND WATER

QUANTITY: 1.82 CFS
888.00 AFY

USE OF THIS RIGHT WITH RIGHT NOS. 45-10274 AND 45-14175 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, AND 45-14175.

PRIORITY DATE: 06/19/1959

POINT OF DIVERSION: T11S R21E S09 NENENW Within Cassia County
SESESE
S10 SWSWSW
S15 NWNWNW

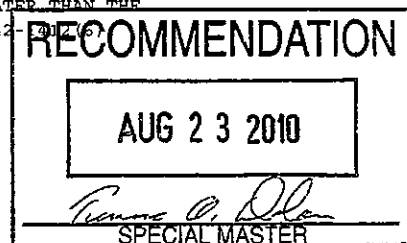
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.82 CFS 888.00 AFY

PLACE OF USE:	Irrigation	Within Cassia County
	T11S R21E S08	NENE 25.0 NWNE 2.5 SWNE 35.0 SENE 40.0
	S09	NENE 39.0 NWNE 32.0 SWNE 40.0 SENE 40.0 NENW 32.0 NWNW 38.0 SWNW 40.0 SENW 40.0 NESW 10.0 NESE 40.0 NWSE 40.0 SWSE 39.0 SESE 39.0
	571.5 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 RIGHT NOS. 45-2583, 45-2689, 45-10274 AND 45-14175 IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 571.5 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. I.C. SECTION 42-1012(6)



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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 45-02689

NAME AND ADDRESS: FARMLAND RESERVE INC
139 E SOUTH TEMPLE STE 600
SALT LAKE CITY, UT 84111

SOURCE: GROUND WATER

QUANTITY: 5.82 CFS
1976.00 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, AND 45-14175.

PRIORITY DATE: 11/09/1962

POINT OF DIVERSION: T11S R21E S09 NENENW Within Cassia County
SESESE
S10 SWSWSW
S15 NWNWNW

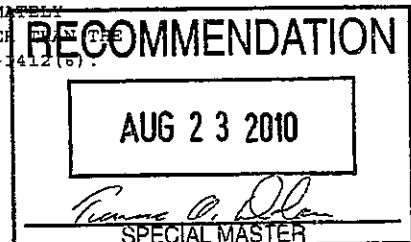
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	5.82 CFS 1976.00 AFY

PLACE OF USE:	Irrigation	Within Cassia County
	T11S R21E S08	NENE 25.0 NWNE 2.5
		SWNE 35.0 SENE 40.0
	S09	NENE 39.0 NWNE 32.0
		SWNE 40.0 SENE 40.0
		NENW 32.0 NWNW 38.0
		SWNW 40.0 SENW 40.0
		NESW 10.0 NESE 40.0
		NWSE 40.0 SWSE 39.0
		SESE 39.0
	571.5 Acres Total	

USE OF THIS RIGHT WITH RIGHT NOS. 45-2583, 45-14175 AND
45-10274 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF
571.5 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF
494 ACRES IN A SINGLE IRRIGATION SEASON.
USE OF RIGHT NOS. 45-2583, 45-2689, AND 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. I.C. SECTION 42-1412(b).



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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 45-07020

NAME AND ADDRESS: FARMLAND RESERVE INC
139 E SOUTH TEMPLE STE 600
SALT LAKE CITY, UT 84111

SOURCE: GROUND WATER

QUANTITY: 3.52 CFS
703.20 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,
45-10274 and 45-14175.

PRIORITY DATE: 04/06/1967

POINT OF DIVERSION: T11S R21E S09 NENENW Within Cassia County
SESESE
S10 SWSWSW
S15 NWNWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-15	3.52 CFS 703.20 AFY

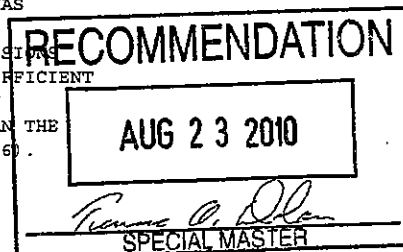
THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT
EXCEEDED. THE USE OF WATER BEFORE APRIL 1 UNDER THIS REMARK IS
SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR
LATE IRRIGATION USE AND A PRIORITY DATE EARLIER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

PLACE OF USE:	Irrigation	Within Cassia County	
	T11S R21E S07	NESE 0.7 SESE 31.0 S08 SENW 9.4 NWSW 20.0 SESW 35.0	SWSE 5.7 NESW 35.0 SWSW 39.0
	175.8 Acres Total		

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

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

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. I.C. SECTION 42-1412(6).



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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 45-07035

NAME AND ADDRESS: FARMLAND RESERVE INC
139 E SOUTH TEMPLE STE 600
SALT LAKE CITY, UT 84111

SOURCE: GROUND WATER

QUANTITY: 5.79 CFS
1280.00 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,
45-10274 AND 45-14175.

PRIORITY DATE: 02/28/1969

POINT OF DIVERSION: T11S R21E S15 NWNWNW Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	5.79 CFS 1280.00 AFY

PLACE OF USE:	Irrigation	Within Cassia County
	T11S R21E S16	NENE 40.0 NWNE 40.0 SENE 40.0 NESE 40.0 NWSE 40.0 SESE 40.0
	320.0 Acres Total	

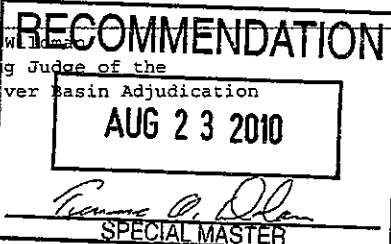
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Eric J. Williams
Presiding Judge of the
Snake River Basin Adjudication



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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 45-07110

NAME AND ADDRESS: FARMLAND RESERVE INC
139 E SOUTH TEMPLE STE 600
SALT LAKE CITY, UT 84111

SOURCE: GROUND WATER

QUANTITY: 4.00 CFS
1248.00 AFY

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.

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, 45-10274,
AND 45-14175.

PRIORITY DATE: 09/18/1972

POINT OF DIVERSION: T11S R21E S15 NWNWNW Within Cassia County

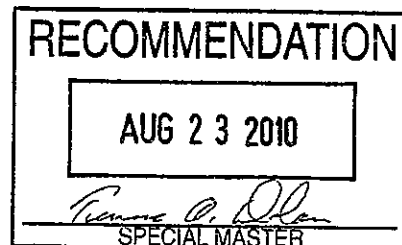
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	3.98 CFS 1240.00 AFY
	Stockwater	01-01 TO 12-31	0.02 CFS 8.00 AFY

PLACE OF USE:	Irrigation	Within Cassia County
	T11S R21E S15	NENW 39.0 SNNW 39.0 NESW 39.0 SWSW 38.0
		NWNW 38.0 SENNW 39.0 NWSW 39.0 SESW 39.0
	310.0 Acres Total	
	Stockwater	Within Cassia County
	T11S R21E S15	NWNW

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

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

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. I.C. SECTION 42-1412(6).



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)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 45-07238

NAME AND ADDRESS: FARMLAND RESERVE INC
139 E SOUTH TEMPLE STE 600
SALT LAKE CITY, UT 84111

SOURCE: GROUND WATER

QUANTITY: 6.40 CFS
2536.00 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, 45-10274,
AND 45-14175.

PRIORITY DATE: 05/02/1975

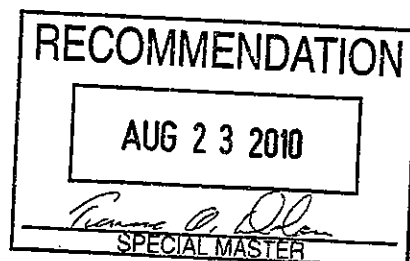
POINT OF DIVERSION: T11S R21E S09 NENENW Within Cassia County
SESESE
S10 SWSWSW
S15 NWNWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	6.40 CFS 2536.00 AFY

PLACE OF USE:	Irrigation		Within Cassia County
	T11S R21E S18	NENE 40.0	NWNE 40.0
		SWNE 40.0	SENE 40.0
		NENW 39.0	LOT 1 (NWNW) 38.0
	LOT 2 (SNNW) 39.0		SENE 40.0
	NESW 40.0	LOT 3 (NWSW) 39.0	
	LOT 4 (SWSW) 39.0		SESE 40.0
	NESE 40.0		NWSE 40.0
	SWSE 40.0		SESE 40.0
	634.0 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. I.C. SECTION 42-1412(6).



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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 45-07374

NAME AND ADDRESS: FARMLAND RESERVE INC
139 E SOUTH TEMPLE STE 600
SALT LAKE CITY, UT 84111

SOURCE: GROUND WATER

QUANTITY: 3.10 CFS
620.00 AFY

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.
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,
45-10274 AND 45-14175.

PRIORITY DATE: 04/11/1979

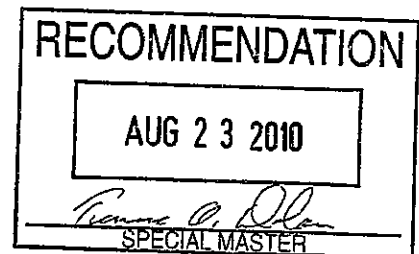
POINT OF DIVERSION: T11S R21E S09 NENENW Within Cassia County
SESESE
S10 SWSWSW
S15 NWNWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation		03-15 TO 11-15	3.10 CFS 620.00 AFY

PLACE OF USE:	Irrigation	Within Cassia County
T11S R21E S10	NESW 40.0 SWSW 36.0	NWSW 40.0 SESW 39.0
155.0 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
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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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 45-10274

NAME AND ADDRESS: FARMLAND RESERVE INC
139 E SOUTH TEMPLE STE 600
SALT LAKE CITY, UT 84111

SOURCE: GROUND WATER

QUANTITY: 0.07 CFS
34.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 45-2583 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 THIS RIGHT WITH 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, AND 45-14175.

PRIORITY DATE: 03/15/1962

POINT OF DIVERSION: T11S R21E S09 NENENW Within Cassia County
SESESE
S10 SWSWSW
S15 NWNWNW

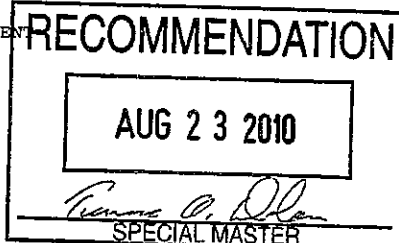
PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 03-15 TO 11-15 0.07 CFS
34.00 AFY

PLACE OF USE: Irrigation
T11S R21E S08 NENE 25.0 NWNE 2.5
SWNE 35.0 SENE 40.0
S09 NENE 39.0 NWNE 32.0
SWNE 40.0 SENE 40.0
NENW 32.0 NWNW 38.0
SWNW 40.0 SENW 40.0
NESW 10.0 NESE 40.0
NWSE 40.0 SWSE 39.0
SESE 39.0
571.5 Acres Total

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 10 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 571.5 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2583, 45-2689,
45-14175 AND 45-10274.

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
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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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 45-14175

NAME AND ADDRESS: FARMLAND RESERVE INC
139 E SOUTH TEMPLE STE 600
SALT LAKE CITY, UT 84111

SOURCE: GROUND WATER

QUANTITY: 1.03 CFS

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, 45-10274
and 45-14175.

USE OF THIS RIGHT WITH 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 & 45-14175.

PRIORITY DATE: 06/30/1985

POINT OF DIVERSION: T11S R21E S09 NENENW Within Cassia County
SESESE
S10 SWSWSW
S15 NWNWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.03 CFS

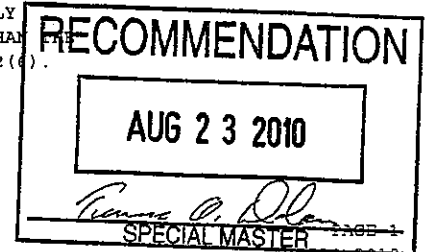
PLACE OF USE:	Irrigation	Within Cassia County
T11S R21E S08	NENE 25.0	NWNE 2.5
	SWNE 35.0	SENE 40.0
S09	NENE 39.0	NWNE 32.0
	SWNE 40.0	SENE 40.0
	NENW 32.0	NWNW 38.0
	SWNW 40.0	SENW 40.0
	NESW 10.0	NESE 40.0
	NWSE 40.0	SWSE 39.0
	SESE 39.0	
	571.5 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 77.5 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 571.5 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 45-2583, 45-2689, 45-10274 AND 45-14175.

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

THIS RIGHT IS AN EXPANSION OF RIGHT NOS. 45-2583, 45-2689, AND
45-10274 pursuant to Section 42-1416B, Idaho Code.

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. I.C. SECTION 42-1412(d).



DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
AUG 23 2010	
By _____	Clerk
_____	Deputy 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)
)
Case No. 39576)
)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 45-02583
45-02689 45-07020 45-07035
45-07110 45-07238 45-07374
45-10274 45-14175

On August 23, 2010, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED August 23, 2010.



DIANA R DELANEY
Deputy Clerk

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
AUG 23 2010	
By _____	Clerk
_____	Deputy 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)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 45-02583
45-02689 45-07020 45-07035
45-07110 45-07238 45-07374
45-10274 45-14175

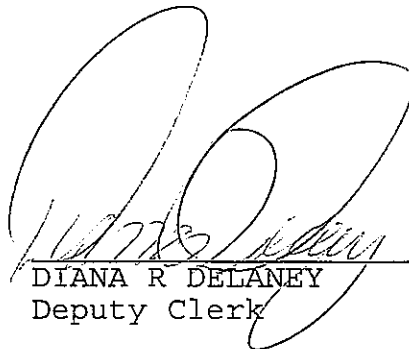
CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on August 23, 2010, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

FARMLAND RESERVE INC
Represented by:
ROBERT L HARRIS
1000 RIVERWALK DR, STE 200
PO BOX 50130
IDAHO FALLS, ID 83405
Phone: 208-523-0620

CERTIFICATE OF MAILING


DIANA R DELANEY
Deputy Clerk

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08/23/10