

**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

County of Twin Falls - State of Idaho

DEC 21 2010

Subcase Nos. 02-105

By _____

Deputy Clerk

STANDARD FORM 5

**STIPULATED ELEMENTS OF A
WATER RIGHT**

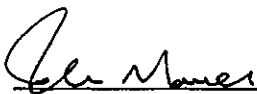
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:

Farm Development Corp



John Marshall, Attorney

12/21/2010

Date

IDWR Concurrence:

Jan Shurte 10-27-10
Jan Shurte
Senior Water Agent
Date

Andrea Z Courtney 12/8/10
Andrea Courtney
Deputy Attorney General
Date

CERTIFICATE OF MAILING

I certify that on December 20, 2010, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

FARM DEVELOPMENT CORP

Represented by:

JOHN M MARSHALL

601 W BANNOCK ST

PO BOX 2720

BOISE, ID 83701-2720

FARM DEVELOPMENT CORP

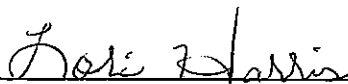
PO BOX 1201

BOISE, ID 83701

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098



Signature of person or attorney mailing the form

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

RIGHT NUMBER: 2-105

NAME AND ADDRESS: FARM DEVELOPMENT CORP
PO BOX 1201
BOISE ID 83701

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 9.160 CFS

~~The rights listed below are limited to a total combined diversion rate of 87.57 cfs. Combined Right Nos. 2-68, 2-105, 2-2168, 2-2201, 2-2202, 2-2203, 2-2219C, 2-2219D, 2-2213, 2-10287, 2-10288, 2-10192, and 2-10193~~

The combined use of water under this right for stockwater and commercial use shall not exceed 0.46 cfs.

PRIORITY DATE: 03/15/1965

POINT OF DIVERSION:

T01N R03W S16 NWNW Lot 3 Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	03/01 11/15	0.460 CFS
COMMERCIAL	03/01 11/15	0.230 CFS
IRRIGATION	03/01 11/15	9.160 CFS

Commercial use is dust abatement.

PLACE OF USE: IRRIGATION in CANYON County

T01N R03W S04 Lot 3 NENW	20.00	T01N R03W S04 Lot 4 NWNW	33.00
T01N R03W S04 SWNW	36.00	T01N R03W S04 SENW	37.00
T01N R03W S04 NESW	40.00	T01N R03W S04 NWSW	32.00
T01N R03W S04 SWSW	2.00	T01N R03W S04 SESW	19.00
T01N R03W S04 NESE	38.00	T01N R03W S04 NWSE	40.00
T01N R03W S04 SWSE	40.00	T01N R03W S04 SESE	39.00
T01N R03W S05 Lot 1 NENE	18.00	T01N R03W S05 SENE	31.00
T01N R03W S05 NESE	12.00	T01N R03W S09 NWNE	32.00
T01N R03W S09 SWNE	32.00	T01N R03W S09 NENW	27.00
T01N R03W S09 NWNW	2.00	T01N R03W S09 SENW	29.00
T01N R03W S09 NESW	37.00	T01N R03W S09 SESW	25.00
T01N R03W S09 NESE	40.00	T01N R03W S09 NWSE	38.00
T01N R03W S09 SWSE	39.00	T01N R03W S09 SESE	40.00
T01N R03W S10 SWSW	40.00	T01N R03W S10 SESW	40.00
T01N R03W S15 NENW	40.00	T01N R03W S15 NWNW	40.00

Sum

T01N R03W S15	SNNW	40.00	T01N R03W S15	SENN	40.00
T01N R03W S15	NESW	40.00	T01N R03W S15	NWSW	40.00
T01N R03W S15	SWSW	19.00	T01N R03W S15	SESW	39.00
T01N R03W S16	NENE	40.00	T01N R03W S16	NWNE	39.00
T01N R03W S16	SWNE	20.00	T01N R03W S16	SENE	40.00
T01N R03W S16	NENW	9.00	T01N R03W S16	NESE	21.00
T02N R03W S28	NESW	37.00	T02N R03W S28	NWSW	40.00
T02N R03W S28	SWSW	39.00	T02N R03W S28	SESW	27.00
T02N R03W S28	SWSE	39.00	T02N R03W S29	SWNE	10.00
T02N R03W S29	SENE	4.00	T02N R03W S29	NENW	2.00
T02N R03W S29	NWNN	4.00	T02N R03W S29	SNNW	34.00
T02N R03W S29	SENN	36.00	T02N R03W S29	NESW	39.00
T02N R03W S29	NWSW	40.00	T02N R03W S29	SWSW	37.00
T02N R03W S29	SESW	39.00	T02N R03W S29	NESE	40.00
T02N R03W S29	NWSE	40.00	T02N R03W S29	SWSE	40.00
T02N R03W S29	SESE	40.00	T02N R03W S30	SENE	4.00
T02N R03W S30	NESE	34.00	T02N R03W S30	NWSE	4.00
T02N R03W S30	SWSE	33.00	T02N R03W S30	SESE	39.00
T02N R03W S31	NENE	37.00	T02N R03W S31	NWNE	8.00
T02N R03W S31	SENE	9.00	T02N R03W S32	NENE	40.00
T02N R03W S32	NWNE	36.00	T02N R03W S32	SWNE	38.00
T02N R03W S32	SENE	40.00	T02N R03W S32	NENW	40.00
T02N R03W S32	NWNN	40.00	T02N R03W S32	SNNW	23.00
T02N R03W S32	SENN	38.00	T02N R03W S32	NESW	10.00
T02N R03W S32	NESE	39.00	T02N R03W S32	NWSE	31.00
T02N R03W S32	SWSE	2.00	T02N R03W S32	SESE	23.00
T02N R03W S33	NWNE	40.00	T02N R03W S33	SWNE	40.00
T02N R03W S33	NENW	39.00	T02N R03W S33	NWNN	40.00
T02N R03W S33	SNNW	40.00	T02N R03W S33	SENN	39.00
T02N R03W S33	NESW	19.00	T02N R03W S33	NWSW	25.00
T02N R03W S33	SWSW	12.00			

STOCKWATER in CANYON County

T01N R03W S04	SWSW	T01N R03W S04	SESW
T01N R03W S09	NENW	T01N R03W S09	NWNN

COMMERCIAL in CANYON County

T01N R03W S04	SWSW	T01N R03W S04	SESW
T01N R03W S09	NENW	T01N R03W S09	NWNN

2774 ACRES TOTAL

SF5 Right No. 2-105

Right Nos. 2-105 and 2-2219C are limited to the irrigation of a combined total of 2774 acres in a single irrigation season.

This right is limited to the irrigation of 458 acres within the place of use described above 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 - Beneficial Use

The following rights are also diverted through point of diversion described above: 2-68, 2-105, 2-2168, 2-2201, 2-2202, 2-2203, 2-2219C, 2-2219D, 2-2313, 2-10287, 2-10288, 2-10192, and 2-10193.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.