

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JAN - 5 2011

By

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 Nos. 02-2202

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

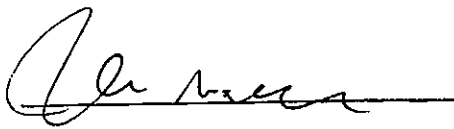
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

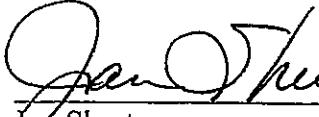
CLAIMANT:
Allen Noble Farms

OBJECTOR:
Farm Development Corp

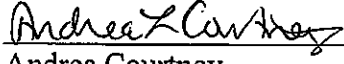

Date 12/30/10


John Marshal, Attorney
Date 12/7/2010

IDWR Concurrence:

 10-27-10

Jan Shurte Date
Senior Water Agent

 12/8/10

Andrea Courtney Date
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on January 4, ²⁰¹¹~~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

ALLEN NOBLE FARMS INC
PO BOX 1582
BOISE, ID 83701

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



Signature of person or attorney mailing the form

SF5 Right No. 2-2202

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

RIGHT NUMBER: 2-2202

NAME AND ADDRESS: ALLEN NOBLE FARMS INC
PO BOX 1582
BOISE ID 83701

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2.730 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, 2-2313, 2-10287, 2-10288, 2-10192, and 2-10193.~~

PRIORITY DATE: 02/01/1963

POINT OF DIVERSION:

T01N R03W S16 NWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	2.730 CFS

PLACE OF USE: IRRIGATION in CANYON County

T01N R03W S09	NENE	39.00	T01N R03W S09	SENE	39.00
T01N R03W S10	NWNW	39.00	T01N R03W S10	SWNW	39.00

156 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

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.

SF5 Right No. 2-2202