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DEPARTMENT OF
WATER RESOURCES

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

JAN 20 2011

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

) Subcase 02-68

) (Harvest Farm Co.)

Case No. 39576

)

) SPECIAL MASTER REPORT

)

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, Reporting Area Basin 02* on December 29, 2006. The Director recommended the claim to Harvest Farm Company, 13735 Missouri Avenue, Nampa, Idaho, 83686, for 7.7 cfs from groundwater and the Snake River to irrigate 400 acres in Canyon County from March 1 to November 15 with a priority date of May 16, 1963, based on beneficial use.

Farm Development Corporation filed an *Objection* on December 5, 2007, objecting to quantity. On February 26, 2010, IDWR filed a *Supplemental Director's Report* and on January 14, 2011, the parties, with IDWR's concurrence, filed a *Standard Form 5*.

Conclusions of Law

Harvest Farm Company is entitled to a partial decree adjudicating a water right as described in the *SF-5* and the attached *Special Master Recommendation for Partial Decree for Water Right 02-68*.

DATED January 20, 2011.

Terrence A. Dolan

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)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 02-00068

NAME AND ADDRESS: HARVEST FARM CO
13735 MISSOURI AVE
Nampa, ID 83686

SOURCE: GROUND WATER
SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 7.70 CFS

PRIORITY DATE: 05/16/1963

POINT OF DIVERSION: T01N R03W S16 LOT 3 (NWNW) Within Canyon County
T02N R03W S22 SESE
SENW
SWNE
SESW
SWNE
S23 NENW
SWNW
SENE
SWSE
S26 SENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	7.70 CFS

PLACE OF USE:	Irrigation	Within Canyon County
T02N R03W S21	NENE 40.0	SENE 40.0
	NESE 40.0	SESE 40.0
S22	NWNW 40.0	SWNW 40.0
	NWSW 40.0	SWSW 40.0
S27	NWNW 40.0	SWNW 40.0
400.0 Acres Total		

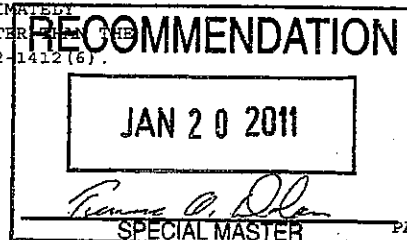
Right Nos. 02-68, 63-2754, 63-2867, 63-2975, 63-3104, 63-3490A, 63-3492, 63-7561, 63-7793 and 63-4799 are limited to the irrigation of a combined total of 1454.1 acres from ground water, and no more than 400 acres with water diverted directly from the Snake River, in a single irrigation season.

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

The diversion rate of water, and the annual volume of water, diverted at each and every point of diversion shall not exceed the amount originally licensed at that point of diversion. Each point of diversion shall maintain its original priority date, and in times of water shortage shall be regulated according to the original priority date associated with that point of diversion.

Transfer 2737

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. Wildman
Presiding Judge of the
Snake River Basin Adjudication

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
JAN 20 2011	
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

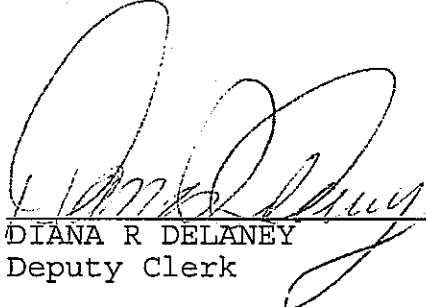
Water Right(s) : 02-00068

On January 20, 2011, 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.

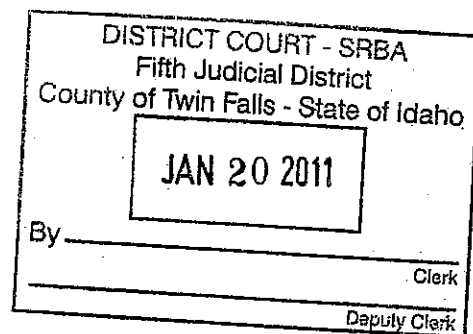
Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

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 January 20, 2011.



DIANA R DELANEY
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): 02-00068

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 January 20, 2011, with sufficient first-class postage prepaid to the following:

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

HARVEST FARM CO
Represented by:
BRUCE M. SMITH
950 W BANNOCK STE 520
BOISE, ID 83702
Phone: 208-331-1800

FARM DEVELOPMENT CORP
Represented by:
JOHN M MARSHALL
575 W BANNOCK ST, SUITE B
BOISE, ID 83702
Phone: 208-991-2701

CERTIFICATE OF MAILING

DIANA R DELANEY
Deputy Clerk

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