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DEPARTMENT OF
WATER RESOURCES

Attorneys for The Amalgamated Sugar Company LLC

**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 No. 01-10483
	)	
Case No. 39576	)	TASCO'S BRIEF IN SUPPORT OF
	)	MOTION TO ALTER OR AMEND
_____	)	SPECIAL MASTER'S REPORT

The Amalgamated Sugar Company, LLC (TASCO), by and through its counsel of record, Beeman & Associates, P.C., and pursuant to SRBA Administrative Order No. 1, Section 13a, and Rules 7(b)(1) and 7(b)(3), I.R.C.P., hereby submits its Brief in Support of Motion to Alter or Amend the January 17, 2012 Special Master's Report and Recommendation for water right 1-10483.

The motion and the information provided with this brief are presented to ensure that the Special Master's duty to accurately report water right recommendation to the SRBA Court is fulfilled for 1-10483, in accordance with *In Re SRBA*, 128 Idaho 246, 258, 912 P.2d 614, 626 (1995). Under this duty, the Special Master has the authority to review and make any necessary corrections to the January 17, 2012 recommendation.

The Motion to Alter or Amend the Special Master's Report was filed because:

- (1) The total irrigated acreage for 1-10483 may not have been included in the Special Master's Report and Recommendation.

- (2) The place of use for the recommended acreage may not be accurately shown in the Special Master's Report and Recommendation or the Idaho Department of Water Resources (IDWR) shape file. Any additional irrigated acreage would also change the IDWR shape file and the place of use in the Special Master's Report and Recommendation.

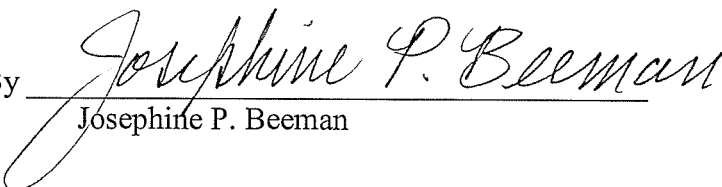
Based on the aerial photos attached to the March 13, 2012 Affidavit of Norman C. Young (in support of the Motion to Alter or Amend), TASCO has been able to determine that the shape file for 1-10483 does not include all of the irrigated acreage for water right 1-10483. In addition, the irrigated acreage is farmed as a single unit; however, it is unclear who the additional owners are. Granting the Motion to Alter or Amend will allow TASCO time to identify and notify the additional owners and to work with IDWR in formulating and making a recommendation to the Special Master.

TASCO respectfully requests that the Special Master grant the Motion which will allow further work regarding the information from Mr. Young's affidavit.

Although TASCO has requested a hearing, if there is no opposition to the motion, a hearing is not necessary.

Dated this 14th day of March 2012.

BEEMAN & ASSOCIATES, P.C.
Attorneys for The Amalgamated Sugar Company LLC

By 
Josephine P. Beeman

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of March 2012, I caused to be served the foregoing document by U.S. Mail on:

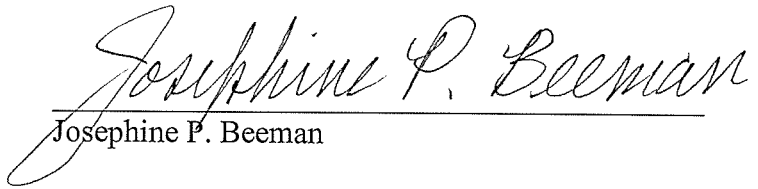
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