

09/08/2006

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

RIGHT NUMBER: 63-31623

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.150 CFS

This right when combined with Right No. 63-31624 is limited to .24 cfs and 13,000 gallons per day.

PRIORITY DATE: 03/01/1963

POINT OF DIVERSION:

T02N R03W S28 SESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.150 CFS
Domestic use is for 1 home, 7 mobile homes, 1 shop.		

PLACE OF USE: DOMESTIC Within CANYON County

T02N R03W S28 SESW

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

REAL PROPERTY INQUIRY

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01 6R30224-000- -0 157-00 SCH139+ 01 62,600 114.00
+++++
FARM DEVELOPMENT CORP + 10 30,000 1.00
+ 18 37,500 1.00
+ 19 4.00
+ 31 151,200
+ 32 167,900
+
PO BOX 1201 +
BOISE ID 83701 +
+++++
28-2N-3W SW + TOTAL 449,200 120.00
W1/2 SW, SE SW ++++++
+ SURVEY INST
+ DRAIN DR VALUE APPR RET
+ CLASS R2 REAP 05 MAN 04 UNIT 2
+ PARCEL 6R02N03W285400 H/O N C/B N
+ PRIOR ACCOUNT 5R30224-000- -0
+ 02 MH on Property YES
+ 03 Traits 04 Companion Sheet

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MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R30224000 0 UNIT 001 TOTAL UNITS 2

SITE 15605 ROSS LN NA SEC/TWN/RNG 28-2N-3W

ASSESSED VALUE 449,200 ACREAGE 120.00

SUB/PARK NAME YEAR/MAKE

CLASS R2 RENTAL HOUSE CLASS '2' SPACE LOT BLOCK

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YR BUILT 1966 AIR COND CENTRAL AIR CARPORT N
STORY 1 STORY HEATING OIL CARPORT SQ FT
FIRST SQ FT 1916 EXTERIOR BRICK DECK/PATIO? Y
SECOND SQ FT ROOF COMP POOL? N
BEDS 4 BSMT SQ FT 672 SPA? N
BATHS 2.00 % BSMT FIN LOT SIZE
FRPLC 1 GARAGE D2 NEIGHBORHOOD 0
GARAGE SQ FT 520

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COMMENTS (1 OF 2) 2 UNITS

MOBILE HOME ONLY

WIDTH/LENGTH

EXPANDO

REAL ACCOUNT

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-31623
Date Received: 2/5/2003
Receipt No: W030036
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FARM DEVELOPMENT CORP
PO BOX 1201
BOISE ID USA 83701

Phone: (208)342-6524

2. Date of Priority: 03/01/1963

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	03W	28	SE SW	CANYON	

5. Description of diverting works:

Well, pump, 2800 gal storage tank, 510 ft deep.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	01/01	12/31	0.15	

7. Total Quantity Appropriated is:
0.15 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	03W	28	SE	SW	DOMESTIC	

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

A63-31624

14. Remarks:

This right when combined with A63-31624 shall not exceed 13,000 gpd.

Domestic use is for 7 mobile homes, 1 shop, and 1 home. Internal use only for less than 13,000 gpd

15. Basis of Claim: Beneficial Use

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

Identification No. AL63-311623
Date Received 2-5-03
Receipt Number W030036

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

FEB 05 2003

WATER RESOURCES
WESTERN REGION

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Farm Development Corp. Phone (208) 342-6524

Mailing Address P.O. Box 1201 Boise, ID. Zip 83701

2. Date of Priority (Only one per claim) 3/1/1963 Month/Day/Year

3. Source of water supply (Check one) (☒ Groundwater or Other () (a) _____
Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 2N Range 3W

Section 28, _____ 1/4 of SE 1/4 of SW 1/4, Govt. Lot _____, BM.,

County of Canyon

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. well pump, 2800 gal storage tank
510' Deep

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For dom purposes from 1/1 to 12/31 amount .15 (cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .15 (cfs) ≤ 13,000 GPD

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 7 mobile homes, 1 shop, 1 home
internal use only < 13000 GPD

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place of use is: Township: 2N Range 3W

Section 28, SE 1/4 of SW 1/4, Govt. Lot _____, B.M.,

County of Canyon for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes / No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

2002 domestic well (see associated claim)
14. Remarks: This rt when combined with 2002
rt will not exceed 13000 gpd

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do _____ do not / wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Allen Spake pres. Date 1-30-03

Title and Organization President - Farm Development Corp.

State of Idaho/or _____ } SS.

County of Ada }

Subscribed and sworn to before me this 30th day of January 19 2003

SEAL



Notary Public Marcia Seibel

Residing at Boise, ID

My Commission Expires 12/21/05

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

W.S. 4.5

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.



GIVENS PURSLEY LLP

RECEIVED
FEB 06 2007
WATER RESOURCES
WESTERN REC

LAW OFFICES
601 W. Bannock Street
PO Box 2720, Boise, Idaho 83701
TELEPHONE: 208 388-1200
FACSIMILE: 208 388-1300
WEBSITE: www.givenspursley.com

John M. Marshall
DIRECT DIAL: 208 388-1270
EMAIL: johnmarshall@givenspursley.com

RECEIVED

JAN 31 2007

DEPARTMENT OF
WATER RESOURCES

Gary G. Allen
Kristen A. Atwood
Kelly T. Barbour
Peter G. Barton*
Christopher J. Beeson
William C. Cole
Michael C. Creamer
Thomas E. Dvorak
Roy Lewis Eiguren
Jeffrey C. Fereday
Martin C. Hendrickson
Steven J. Hippler
Debora K. Kristensen
Anne C. Kunkel

Jeremy G. Ladle
Michael P. Lawrence
Franklin G. Lee
David R. Lombardi
John M. Marshall
Kenneth R. McClure
Kelly Greene McConnell
Cynthia A. Melillo
Christopher H. Meyer
L. Edward Miller
Patrick J. Miller
Judson B. Montgomery
Angela K. Nelson
Deborah E. Nelson

W. Hugh O'Riordan, LL.M.
Angela M. Reed
H. Barton Thomas, LL.M.
Scott A. Tschirgi, LL.M.
J. Will Varin
Conley E. Ward
Robert B. White
Terri R. Yost

RETIRED
Kenneth L. Pursley
Raymond D. Givens
James A. McClure

* Licensed in New York
and Washington DC

January 30, 2007

Mr. Don Shaff
Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

Records Modified 2-2-07

ENCAP required.

Re: Change Attorney of Record for IDWR Files

Dear Don:

Please update IDWR's files to list John M. Marshall of Givens Pursley, LLP as the attorney of record for the following water rights:

Owner	Water Rights	
✓ Farm Development Corp.	2-105	51-10362 - P.D.
	2-2219C	63-31623
	2-2371	63-31624
	2-10032	63-31626
	2-10043	
✓ Allen Noble Farms	2-2160A	2-2202
	2-2171	63-31627
	2-2175E	
✓ Allen Noble	2-10035	51-10306
	51-10303	51-10358 } P.D.
	51-10304 } P.D.	51-10361
	51-10305	
✓ A D Cattle Co.	2-2160B	61-10446 P.D.

SCANNED

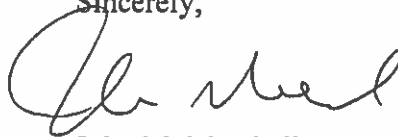
FEB 01 2007

Don Shaff
January 30, 2007
Page 2

✓ Grindstone Butte Mutual 2-2262
✓ Canal Company 2-2314

Please delete any other attorneys that may show of record for these rights. If you have any questions, please do not hesitate to call me.

Sincerely,

A handwritten signature in black ink, appearing to read "John M. Marshall", written in a cursive style.

John M. Marshall

JMM:amm

cc: Allen Noble

Daniel V. Steenson

S:\CLIENTS\2988\12UMM to Shaff re Noble water rights.DOC