

Transfer No. 77527

Receipt No. 5032527

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

RECEIVED**MAY 01 2012**DEPT. OF WATER RESOURCES
SOUTHERN REGION

1. Applicant Information FARMLAND RESERVE INC
 139 E SOUTH TEMPLE, STE 600
 SALT LAKE CITY UT 84111-1175
 (801) 715-9195

Will this transfer result in an ownership change? _____ Yes X No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
45-14355	WR/Decreed	0.05	19.2	4.8	217.0	GROUND WATER
45-14358	WR/Decreed	0.03	19.2	4.8	217.0	GROUND WATER
45-14361	WR/Decreed	0.02	7.6	2.2	104.8	GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
45-14355	NO	YES	YES	NO	YES	YES
45-14358	NO	YES	YES	NO	YES	YES
45-14361	NO	YES	YES	NO	YES	YES

Describe the reason for the proposed changes

Application proposes to convert 4.8 acres of groundwater irrigation rights to cover usage associated with potato cellars located on the same farm. Application also proposes to remove three points of diversion for this use and change the location of the remaining authorized point of diversion.

4. FOR CHANGES IN NATURE OF USE ONLY**A. Describe the expected quantity of the return flows and location of discharge after the proposed change**

N/A

B. Describe the effects on other water uses resulting from the proposed change

A total of 4.8 acres from rights 45-2282, 45-2588, and 45-2599 will be dried-up on ground previously irrigated. The irrigation component on those rights will subsequently be reduced.

5. Total Amounts Transferred

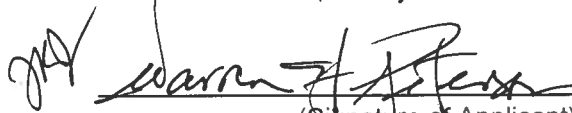
	Rate	Acre Limit	Total Acres	Volume
45-14355	0.05 cfs			14.5 af
45-14358	0.03 cfs			14.5 af
45-14361	<u>0.02 cfs</u>			<u>6.7 af</u>
TOTAL	0.10 cfs			14.5 af

Transfer No. 77527
Receipt No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Farmland Reserve, Inc. hereby asserts that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

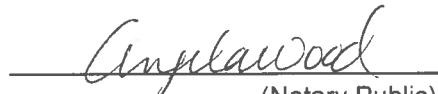
Farmland Reserve, Inc. by Warren H. Peterson


(Signature of Applicant)

Vice President

(Title or Office)

Subscribed and sworn to before me this 24th day of April, 2012.


(Notary Public)

My commission expires 01/27/2013



**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 45-14355

Priority Date: August 11, 1959

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.05 CFS	19.2 AFA	
	Total Diversion	0.05 CFS	19.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWSESW	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	SWSESW	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESWSE	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	SWSESE	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 19E 12			3.2				.5	19.0	35.0	40.0	36.0	24.0		26.0	31.0	2.3	217.0

Total Acres: 217

Conditions/Remarks:

1. USE OF RIGHTS 45-14355, 45-14356, AND 45-14357 AND THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 217 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-14361, 45-14362, 45-14363, 45-14355, 45-14356, 45-14357, 45-14358, 45-14359, 45-14360.
2. USE OF THIS RIGHT IS COMBINED WITH WATER FROM TWIN FALLS CANAL CO.

3. 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.
4. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 868.0 AF. COMBINED RIGHT NOS.: 45-14361, 45-14362, 45-14363, 45-14355, 45-14356, 45-14357, 45-14358, 45-14359, 45-14360.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

A total of 4.8 acres from rights 45-2282, 45-2588, and 45-2599 will be dried-up on ground previously irrigated.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 45-14358

Priority Date: January 18, 1960

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.03 CFS	19.2 AFA	
	Total Diversion	0.03 CFS	19.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWSESW	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	SWSESW	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESWSE	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	SWSESE	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	19E	12			3.2			.5	19.0	35.0	40.0	36.0	24.0		26.0	31.0	2.3	217.0	

Total Acres: 217

Conditions/Remarks:

- USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 868.0 AF. COMBINED RIGHT NOS.: 45-14361, 45-14362, 45-14363, 45-14355, 45-14356, 45-14357, 45-14358, 45-14359, 45-14360.

2. USE OF RIGHTS 45-14358, 45-14359, AND 45-14360, AND THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 217 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-14361, 45-14362, 45-14363, 45-14355, 45-14356, 45-14357, 45-14358, 45-14359, 45-14360.
3. USE OF THIS RIGHT IS COMBINED WITH WATER FROM TWIN FALLS CANAL CO.
4. 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.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

A total of 4.8 acres from rights 45-2282, 45-2588, and 45-2599 will be dried-up on ground previously irrigated.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

1. 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.
2. RIGHTS 45-14361, 45-14362, AND 45-14363 ARE LIMITED TO THE IRRIGATION OF 100 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 868.0 AF. COMBINED RIGHT NOS.: 45-14361, 45-14362, 45-14363, 45-14355, 45-14356, 45-14357, 45-14358, 45-14359, 45-14360.
4. USE OF THIS RIGHT IS COMBINED WITH WATER FROM TWIN FALLS CANAL CO.
5. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 217 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-14361, 45-14362, 45-14363, 45-14355, 45-14356, 45-14357, 45-14358, 45-14359, 45-14360.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

A total of 4.8 acres from rights 45-2282, 45-2588, and 45-2599 will be dried-up on ground previously irrigated.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

Transfer No. 77527

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 45-14355

Priority Date: August 11, 1959

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01 12/31	0.05 CFS	14.5 AFA	
	Total Diversion	0.05 CFS	14.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER SESW Sec. 12 Twp 11S Rge 19E TWIN FALLS
County

Describe the proposed diversion system**PLACE OF USE:** COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 19E 12									X		X	X					

Transfer No. 77527

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 45-14358

Priority Date: January 18, 1960

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01 12/31	0.03 CFS	14.5 AFA	
	Total Diversion	0.03 CFS	14.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER SESW Sec. 12 Twp 11S Rge 19E TWIN FALLS
County

Describe the proposed diversion system**PLACE OF USE:** COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11S 19E 12									X		X	X					

Transfer No. 77527

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 45-14361

Priority Date: November 19, 1948

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01 12/31	0.02 CFS	6.7 AFA	
	Total Diversion	0.02 CFS	6.7 AFA	

Source and Point(s) of Diversion:

GROUND WATER SESW Sec. 12 Twp 11S Rge 19E TWIN FALLS
County

Describe the proposed diversion system**PLACE OF USE:** COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	19E	12																	
										X			X	X					

Water Usage at Murtaugh Potato Storage Complex

3/5/2010

	September	October	November	December	January	February	March	April	May	June	July	August	Total
Storage #1	290.4	224.88	115.68	115.68	115.68	115.68	181.2	181.2	181.2				1,521.6
Storage #2	326.4	260.88	151.68	151.68	151.68	151.68	217.2	217.2	217.2	151.68			1,997.3
Storage #3	417	324.3	169.8	169.8	169.8	169.8	262.5	262.5	262.5	169.8			2,377.8
Storage #4	345	263.1	126.6	126.6	126.6	126.6	208.5	208.5	208.5	126.6	126.6	126.6	2,119.8
Storage #5 East	184.8	129.36	36.96	36.96	36.96	36.96	92.4	92.4	92.4				739.2
Storage #5 West	184.8	129.36	36.96	36.96	36.96	36.96	92.4	92.4	92.4				739.2
Storage #6 East	184.8	129.36	36.96	36.96	36.96	36.96	92.4	92.4	92.4				739.2
Storage #6 West	184.8	129.36	36.96	36.96	36.96	36.96	92.4	92.4	92.4				739.2
Peak GPH	2,118.0	1,590.6	711.6	711.6	711.6	711.6	1,239.0	1,239.0	1,239.0	448.1	126.6	126.6	10,973.3
Average GPH	1,059.0	795.3	355.8	355.8	355.8	355.8	619.5	619.5	619.5	224.0	63.3	63.3	5,486.6
Average GPD	25,416.0	19,087.2	8,539.2	8,539.2	8,539.2	8,539.2	14,868.0	14,868.0	14,868.0	5,377.0	1,519.2	1,519.2	131,679.4

0.5

Average GPH 457.2 Peak Monthly GPH 2,118.0
Average GPD 10,973.3 Peak Monthly GPM 35.3
Average GPM 7.6

Avg. Annual Usage 4,005,247

Humidifier = 36 gph
ClimaCell = $\frac{1.2 \times \text{CFM of airflow} \times \text{Temp drop across ClimaCell}}{10,000}$ = GPH

Max temp drop	10	7	2	2	2	2	5	5	5	2	2	2	
	Humidifiers		CFM										
Storage #1	2		182,000										
Storage #2	3		182,000										
Storage #3	3		257,500										
Storage #4	2		227,500										
Storage #5 East	0		154,000										
Storage #5 West	0		154,000										
Storage #6 East	0		154,000										
Storage #6 West	0		154,000										

	Potato Cellars	<u>GPD</u>	Annual Usage	<u>AVG. GPM</u>
	Office, Shop, Other	10,973	4,005,247	8
		2,000	730,000	1
	Total	12,973	4,735,247	9

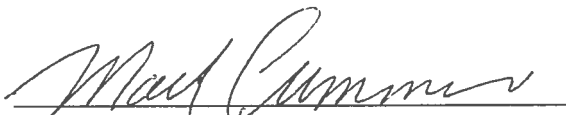
AFFIDAVIT OF MARK S. CUMMINS

STATE OF IDAHO)
 :SS.
COUNTY OF TWIN FALLS)

Mark S. Cummins, being duly sworn, deposes and says:

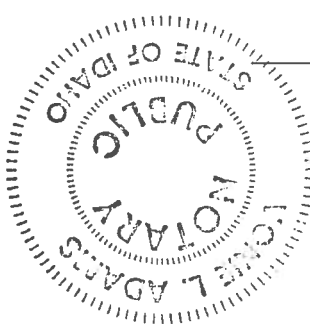
1. There are about 26 acres in the SW ¼ of Section 12, Township 11 South, Range 19 East, Twin Falls County, Idaho, on which currently exist six potato storage facilities, a shop, an office building, equipment parking area, and associated open areas.
2. This property is currently owned by Farmland Reserve, Inc. and was previously owned by Cummins Farms of which Mark S. Cummins was a principle owner.
3. Before the potato storage facilities and other improvements were placed on the property, the property was actively farmed. It was planted in alfalfa hay most of the time with an occasional planting of dry beans in rotation. At that time, it was irrigated with flood irrigation rather than sprinkler irrigation.

DATED this 7 day of 15, 2011.


MARK S. CUMMINS

Subscribed and sworn to before me this 15 day of July, 2011.


NOTARY PUBLIC



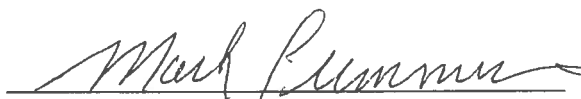
AFFIDAVIT OF MARK S. CUMMINS

STATE OF IDAHO)
 :SS.
COUNTY OF TWIN FALLS)

Mark S. Cummins, being duly sworn, deposes and says:

1. There are about 26 acres in the SW ¼ of Section 12, Township 11 South, Range 19 East, Twin Falls County, Idaho, on which currently exist six potato storage facilities, a shop, an office building, equipment parking area, and associated open areas.
2. This property is currently owned by Farmland Reserve, Inc. and was previously owned by Cummins Farms of which Mark S. Cummins was a principle owner.
3. Before the potato storage facilities and other improvements were placed on the property, the property was actively farmed. It was planted in alfalfa hay most of the time with an occasional planting of dry beans in rotation. At that time, it was irrigated with flood irrigation rather than sprinkler irrigation.

DATED this 7 day of 15, 2011.


MARK S. CUMMINS

Subscribed and sworn to before me this 15 day of July, 2011.




NOTARY PUBLIC

Judd, Frank

From: Hansing, Candy - Twin Falls, ID [Candy.Hansing@id.usda.gov]
Sent: Friday, July 01, 2011 2:15 PM
To: Judd, Frank
Subject: RE: Progress report on crop history request
Attachments: doc20110701131052.pdf

Frank:

After much hunting, I'm afraid I am not able to offer you much. Attached are two maps. The first one is a copy of the 1993 crop report map showing the crops reported that year. The photograph is from 1987, I believe. The notation 'N/C' would indicate that in 1993 the areas with that notation were not being cropped.

I was unable to locate any crop reports from earlier years.

The second photo shows the area as it looked on our 1977 aerial photo.

If I (we) can be of any further assistance, please let us know.

Candy Hansing
Program Technician
Twin Falls Co. FSA Office

From: Judd, Frank [mailto:FJudd@fri-slc.com]
Sent: Monday, June 27, 2011 7:03 PM
To: Hansing, Candy - Twin Falls, ID
Subject: RE: Progress report on crop history request

Candy,

Thanks for the update. I will watch for the information later this week.

Frank

From: Hansing, Candy - Twin Falls, ID [mailto:Candy.Hansing@id.usda.gov]
Sent: Monday, June 27, 2011 9:10 AM
To: Judd, Frank
Subject: Progress report on crop history request

Good morning Frank. I apologize that I have not gotten back to you before this. We have been busy doing crop reports so I have not had time to hunt down the old crop reports you requested. I will hopefully be able to satisfy your request this week.

Candy Hansing
Program Technician
Twin Falls Co. FSA
(208) 733-5380

"USDA is an equal opportunity provider, employer and lender."

2 1
11 12

S. T. R.
12-11-19

195

22-F

A
1095

29-F

30-15

B
1095

A
36.3

42-F
F-21

B
B.O

P
40.3

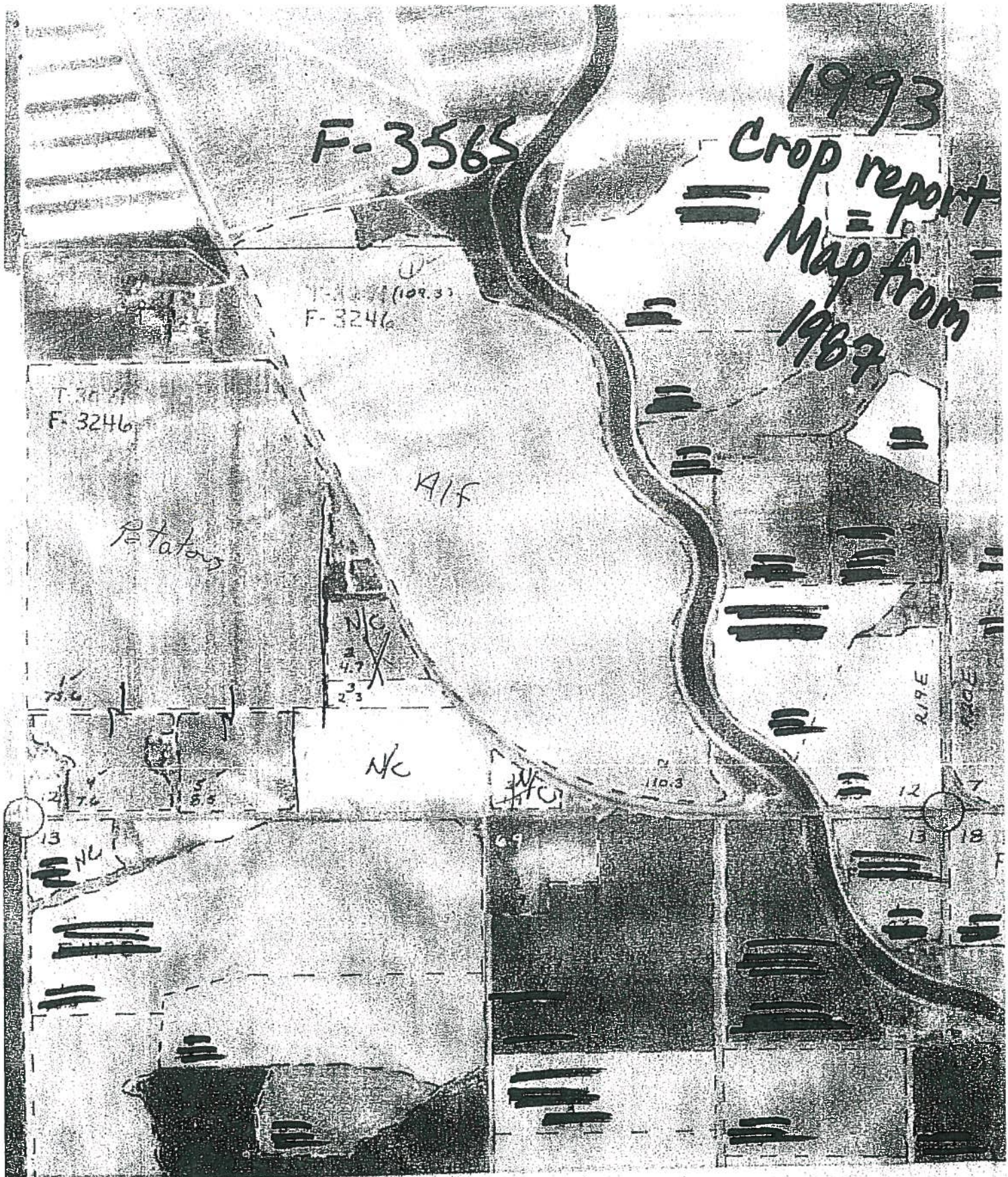
C
9.4

D
8.9

13

1977

Photo



F-3565

1993
Crop report
Map from
1987

T-30 57
F-3246

T-30 57
F-3246

AIF

Potatoes

N/C

2
4.7
3
2.3

N/C

N/C

R19E

R20E

110.3

12

7

13

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

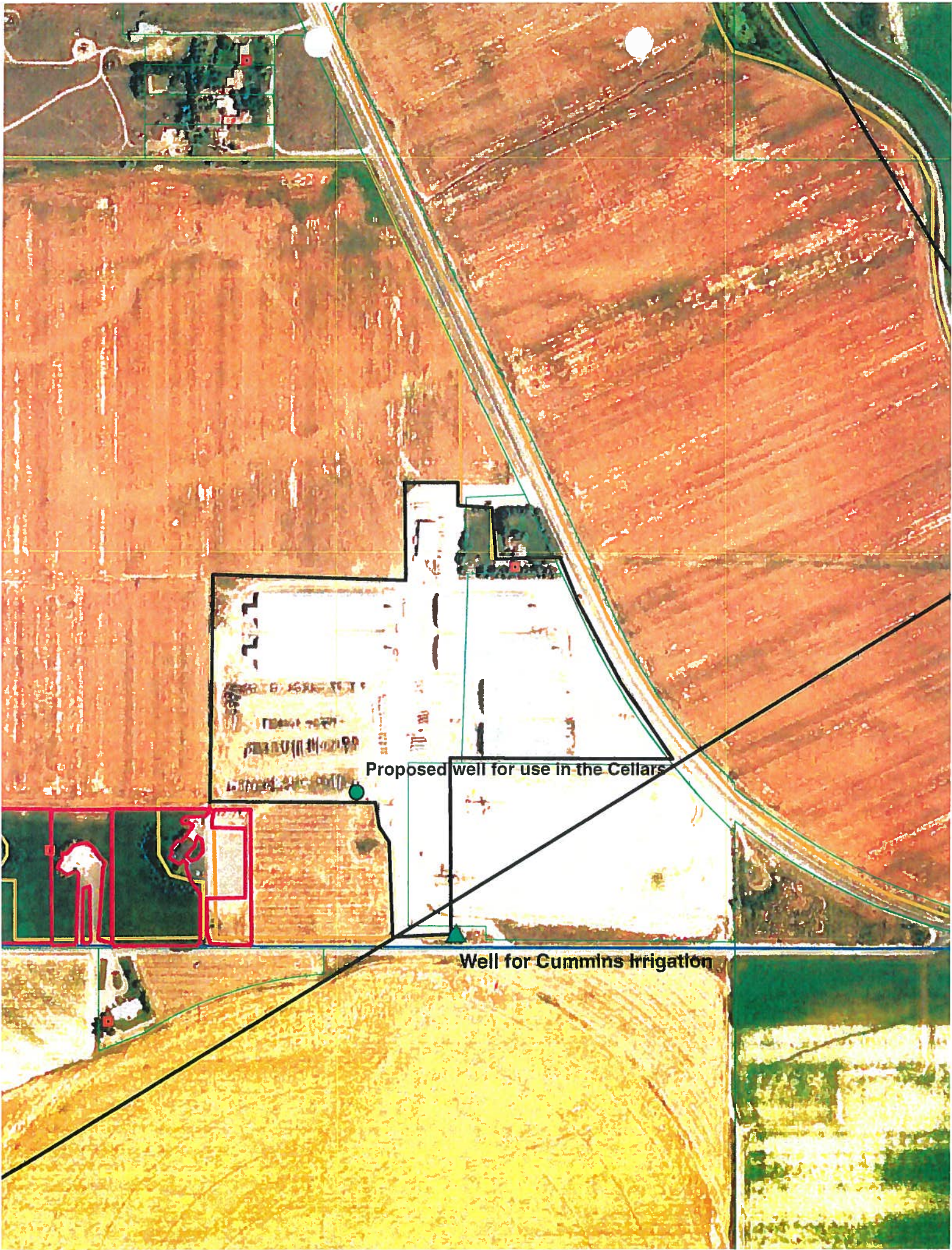
40

NOT TO scale

BB-15

Summary of FSA 578 for Murtaugh home place farm

	Year	Acres	FSA Farm Number	Tract Number	Crop Grown
FSA	2007	68.8	5782	3071	SBEET
FSA	2007	109.8	5782	3291	SBEET
FSA	2007	13.3	3913	31843	WHEAT
FSA	2007	20.4	3913	31843	SBEET
		212.3			
FSA	2008	68.8	5782	3071	SBEET
FSA	2008	109.8	5782	3291	SBEET
FSA	2008	13.3	3913	31843	PTATO
FSA	2008	20.4	3913	31843	SBEET
		212.3			
FSA	2009	68.8	5782	3071	WHEAT
FSA	2009	109.8	5782	3291	WHEAT
FSA	2009	13.3	3913	31843	WHEAT
FSA	2009	20.4	3913	31843	WHEAT
		212.3			
FSA	2010	68.8	6144	33164	PTATO
FSA	2010	109.8	6144	3291	PTATO
FSA	2010	13.3	6144	33156	WHEAT
FSA	2010	20.4	6144	33156	PTATO
		212.3			



Proposed well for use in the Cellars

Well for Cummins Irrigation

Judd, Frank

From: Judd, Frank
Sent: Wednesday, March 03, 2010 12:25 PM
To: 'jeff.cooper@idwr.idaho.gov'
Subject: FW:
Attachments: 20100303121608219.pdf

Jeff,

The letter from Twin Falls Canal Company shows 35.29 shares for SW1/4 SE1/4. This should be 35.59 shares as evidenced by the water right certificate. The attachment contains a copy of the TFCC letter and the certificate for your reference. Please let me know if anything else is needed.

I have talked with Mark Cummins again. We will begin to prepare an agreement for the transfer of 7.25 acres of water rights to the Cummins. When it is signed and ready, I will get back in touch with you to work out the change application for this along with which well to designate as the POD for the yards irrigation.

Thanks again for all your help!!

Frank K. Judd
Farmland Reserve, Inc.
139 E. South Temple, Suite 600
Salt Lake City, UT 84111
fjudd@fri-slc.com
(801) 715-9157 Office
(801) 674-0175 Cell
(801) 715-9108 Fax

**TWIN FALLS CANAL COMPANY**

357 6TH AVE WEST
POST OFFICE BOX 326
TWIN FALLS, IDAHO 83303-0326



March 3, 2010

Jeffrey S. Cooper
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

Re: Farmland Reserve water shares

Dear Jeff,

Frank Judd from Farmland Reserve asked me to find the Twin Falls Canal Company shares on the following parcels of land:

12-11-19	SW1/4 - No Twin Falls Canal Company Water Shares
12-11-19	SW1/4 NW1/4 17.40 shares
	SE1/4 NW1/4 13.00 shares
	NW1/4 SE1/4 29.70 shares
	SW1/4 SE1/4 35.29 shares

Please accept this as the true and correct number of shares on these parcels
Please call me at (208) 733-6731 if you have any questions.

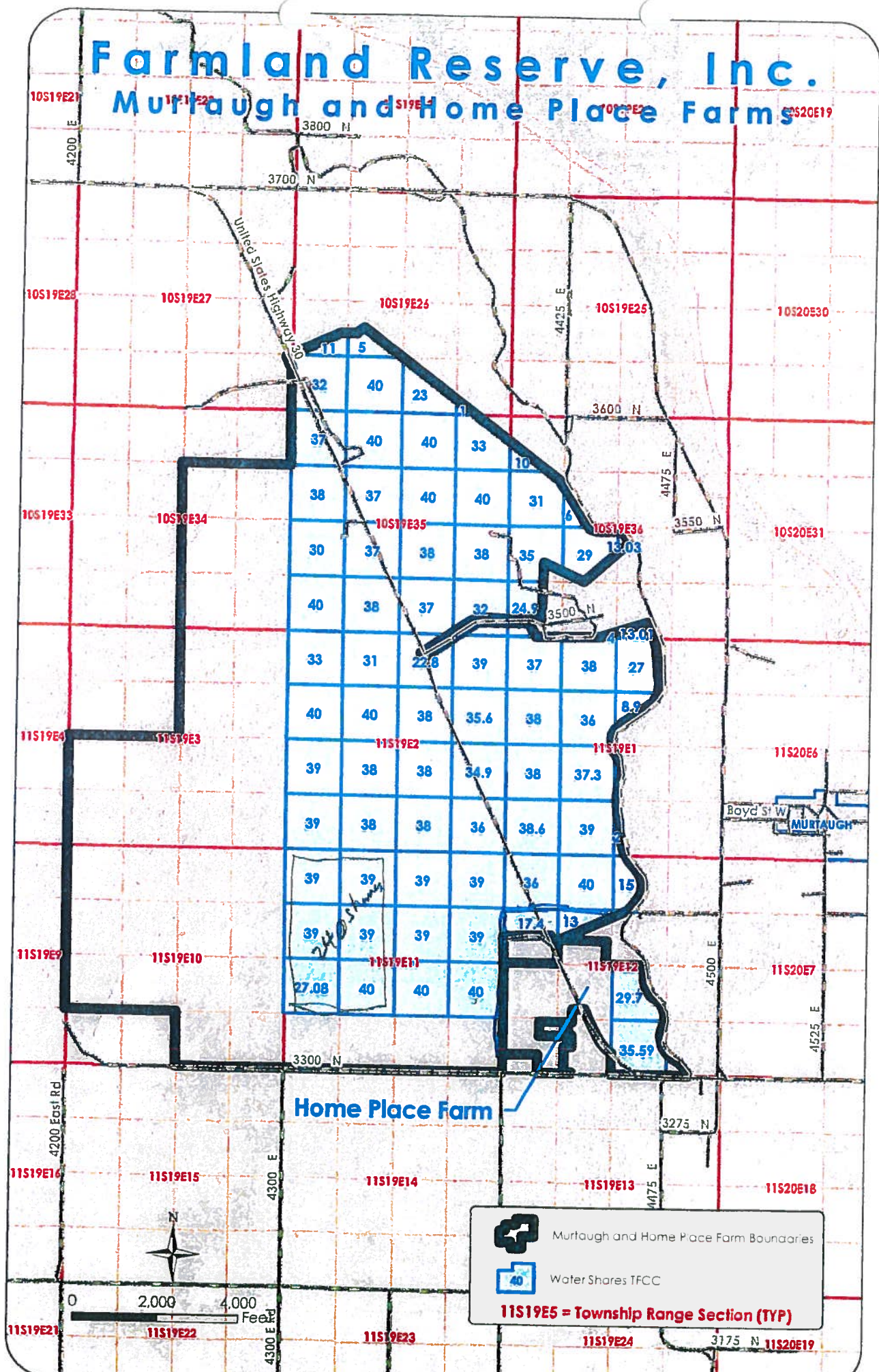
Sincerely

Kay Puschel
Water Rights Specialist

Cc: Farmland Reserve
Frank Judd

Farmland Reserve, Inc.

Murtaugh and Home Place Farms



Nº 39207

Incorporated Under the Laws of Idaho

Shares

Twin Falls Canal Company

Principal Place of Business: Twin Falls, Idaho

June 27 2007

This is to Certify That Farm Land Reserve, Inc., a Utah non-profit is the owner of Sixty Five and $\frac{29}{100}$ Shares of the Capital Stock of the Twin Falls Canal Company.

This Certificate entitles the owner thereof to receive one-eighth of a cubic foot of water per second of time per acre for the following described land: 29.70 Shares NW $\frac{1}{4}$ SE $\frac{1}{2}$ lying West of main line Canal.

35.59 Shares SW $\frac{1}{4}$ SE $\frac{1}{2}$ lying West of main line Canal.

12-11-19

in accordance with the terms of the contract between the State of Idaho and the Twin Falls Land and Water Company.

And this Certificate also entitles the owner to a proportionate interest in the dam, canal, water rights and all other rights and franchises of the Twin Falls Land and Water Company, based upon the number of shares finally sold, in accordance with the said contract between the said Company and the State of Idaho.

In Witness Whereof, the said Corporation has caused its corporate name and seal to be hereto affixed.

Twin Falls Canal Company

By

President

ATTEST

Raymond B. Bell

Asst. Secy



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

June 23, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

FARMLAND RESERVE INC
139 E SOUTH TEMPLE STE 600
SALT LAKE CITY UT 84111

RE: Water Right Nos. 45-2282, 45-2588, and 45-2599

Dear Water Right Holder

Enclosed is a copy of the approved Application for Extension of Time to Avoid Forfeiture for the above referenced water right. Please note that resumption of beneficial use of water for this right shall occur on or before **November 15, 2014**.

Please notify the Department as soon as you resume use of the water. If you have not notified the Department sixty (60) days prior to the resumption deadline, the Department will send you a Resumption of Use Notice by certified mail.

Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Sincerely,

Emalee Rushing
Office Services Supervisor

Enclosure

COPY



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

June 15, 2012

FARMLAND RESERVE INC
139 E SOUTH TEMPLE STE 600
SALT LAKE CITY, UT 84111-1175

RE: Transfer No. 77527
Water Right No(s). 45-14355, 45-14358, 45-14361

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS** on **6/21/2012** and **6/28/2012**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**July 9, 2012**).

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline
Administrative Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

June 15, 2012

BRIAN HIGGS
WATER DISTRICT #140
355 W 500 S
BURLEY, ID 83318

RE: Transfer No. 77527

Water Right No(s): 45-14355, 45-14358, 45-14361

Dear Mr. Higgs:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Friday, June 15, 2012 9:01 AM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News Ad.docx

Attached please find (1) legal notice being submitted for publication on June 21st & 28th, 2012. Please contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Dept of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

June 15, 2012

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Application For Permit No.(s): 47-17576

RE: Transfer No. 77527
Water Right No(s): 45-14355, 45-14358, 45-14361

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before July 9, 2012. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

47-17576

RICK YAVRUIAN

JANELLE YAVRUIAN

4078 MEADOW RIDGE CIRCLE

TWIN FALLS, ID 83301

Point of Diversion NWNE S1 T10S R17E TWIN FALLS County Source WASTE WATER Tributary SNAKE RIVER

Use: DOMESTIC 03/15 to 11/15 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 5/21/2012

Place Of Use: DOMESTIC

T10S R17E S1 NWNE

Application proposes to divert up to 0.02 cfs from a waste water stream for domestic uses on property located approximately 1.7 miles east and 0.75 miles north of the city of Twin Falls, commonly known as 4078 Meadow Ridge Circle.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 77527**

FARMLAND RESERVE INC, 139 E SOUTH TEMPLE STE 600, SALT LAKE CITY, UT 84111-1175 has filed Application No. 77527 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 45-14355, 45-14358, 45-14361. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change the point of diversion (POD), nature of use, and season of use for a portion of three groundwater irrigation rights: 45-14355 (45-2588) for 0.05 CFS; 45-14358 (45-2599) for 0.03 CFS; and 45-14361 (45-2282) for 0.02 CFS. Combined, this portion of the water rights have provided up to 4.8 acres of irrigation and 19.2 AFA at a farm located approximately 0.5 to 1.1 miles S & 0.6 to 1.5 miles W of the town of Murtaugh. Application proposes to dry up these 4.8 acres of irrigation at the current place of use (POU) and change the nature of use and season of use to provide up to 0.1 CFS & 14.5 AFA for year-round commercial use at existing potato cellars located on the same farm. Application also proposes to relinquish three (of four) authorized PODs (wells) and change the location of the remaining to a new well proposed to be located adjacent to the cellars, approximately 1.0 mi S & 1.2 mi W of Murtaugh.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before July 9, 2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on June 21st & 28th, 2012

Farmland Reserve, Inc.

139 E. South Temple, Suite 600
Salt Lake City, UT 84111-1103
(801) 715-9195

April 30, 2012

RECEIVED

MAY 01 2012

DEPT. OF WATER RESOURCES
SOUTHERN REGION

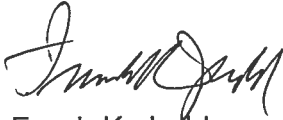
Jeff Cooper
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Dear Jeff:

Enclosed are transfer applications 77452, 77527, and 77528 along with check #8076 for the filing fees for these applications.

Thank you for your help with these. Please contact me if you have any questions.

Sincerely,



Frank K. Judd
Property Manager