

RECEIVED

DEC 22 2011

DEPT. OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 76116**MINIMUM REQUIREMENTS CHECKLIST**
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part I.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner. Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part I.)
- ☒ ☐ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☐ #9 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

DEC 22 2011

DEPT. OF WATER RESOURCES
SOUTHERN REGION**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**Name of Applicant(s) Farmland Reserve Inc. Phone (801)715-9195Mailing address 139 E. South Temple, Suite 600, Salt Lake City, UT 84111 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No RepresentativeName of Representative Frank Judd Phone (801)715-9157Mailing address 139 E. South Temple, Suite 600, Salt Lake City, UT 84111 Email fjudd@fri-slc.com☒ Send all correspondence for this application to the representative and not to the applicant.

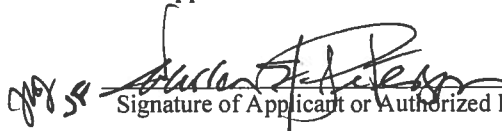
OR

☐ Send original correspondence to the applicant and copies to the representative.☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

Warren Peterson, V.P.
Print Name and Title if applicable

20 Dec 2011
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**. Farmland Reserve is applying to change all the water rights on this farm into a Permissible Place of use.
Applicant has deleted its request for a new well. The POD for 45-7034 will remain unchanged.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part					
☒ ☐	45-2415	4.72 cfs	Irrigation	Mar. 15 to Nov. 15	Groundwater
☒ ☐	45-2576	5.94 cfs	Irrigation	Mar. 15 to Nov. 15	Groundwater
☒ ☐	45-2583	1.82 cfs	Irrigation	Mar. 15 to Nov. 15	Groundwater
☒ ☐	45-2674A	4.22 cfs	Irrigation	Mar. 15 to Nov. 15	Groundwater
☒ ☐	45-2689	5.82 cfs	Irrigation	Mar. 15 to Nov. 15	Groundwater
☒ ☐	45-7020	3.52 cfs	Irrigation	Mar. 15 to Nov. 15	Groundwater
☒ ☐	45-7035	5.79 cfs	Irrigation	Mar. 15 to Nov. 15	Groundwater
☒ ☐	45-7110	3.98 cfs	Irrigation	Mar. 15 to Nov. 15	Groundwater
☒ ☐	45-7238	6.4 cfs	Irrigation	Mar. 15 to Nov. 15	Groundwater

Total authorized under rights 38.58 cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed _____ cubic feet per second and/or _____ acre-feet per annum.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			NE	NW	9	11S	21E	Cassia	Groundwater	
			SE	SE	9	11S	21E	Cassia	Groundwater	
			SW	SW	10	11S	21E	Cassia	Groundwater	
			NW	NW	15	11S	21E	Cassia	Groundwater	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	7													1.1		7.8	33	41.9
		8	26	2.7	36	40				10	40	22	40	40	40	40	40	40	416.7
		9	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		10	38	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	638
		11	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		15					40	40	40	40	40	40	40	40					320
		16	40	40	40	40									40	40	40	40	320

Total Acres (for irrigation use) 3832.6

POU + POD descriptions continued on following page

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part					
☒ ☐	45-7363	1.66 cfs	Irrigation	Mar. 15 to Nov. 15	Groundwater
☒ ☐	45-7374	3.1 cfs	Irrigation	Mar. 15 to Nov. 15	Groundwater
☒ ☐	45-10274	.07 cfs	Irrigation	Mar. 15 to Nov. 15	Groundwater
☒ ☐	45-14175	1.03 cfs	Irrigation	Mar. 15 to Nov. 15	Groundwater
☒ ☐	~~45-7100~~	~~.02 cfs~~	~~Irrigation~~	~~Mar. 15 to Nov. 15~~	~~Groundwater~~ <i>typographical error</i>
☒ ☐	45-7034	2.89 cfs	Irrigation	Mar. 15 to Nov. 15	Groundwater <i>dropped as per applicant 3/12 jc</i>
☐ ☐				to	
☒ ☐				to	
☒ ☐				to	

Total authorized under rights _____ cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed _____ cubic feet per second and/or _____ acre-feet per annum.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it Attachment #5.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			SE	NE	10	11S	21E	Cassia	Groundwater	
			SE	NE	11	11S	21E	Cassia	Groundwater	
			SE	SW	11	11S	21E	Cassia	Groundwater	
			NE	SE	11	11S	21E	Cassia	Groundwater	
			~~NE~~	~~NW~~	~~9~~	~~11S~~	~~21E~~	~~Cassia~~	~~Groundwater~~	<i>dropped per conversation with applicant on 1/17/2012 jc</i>

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	18	40	40	40	40	40	44	44	40	40	44	44	40	40	40	40	40	656
		21	40	40	40	40													160

Total Acres (for irrigation use) 3832.6

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued**

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future: _____
The diversion system starts with wells pumping water into our water delivery/diversion system. The watering system is interconnected so that we have the ability to irrigate anywhere on the farm within the permissible place of use. We will be installing meters on the wells of this system.

- b. Who owns the property at the point(s) of diversion? Farmland Reserve, Inc.
 If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6. List the name of the entity and type of lien: None**

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
None

- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
All of the water being transferred is to allow the use of water in a permissible place of use on the farm. This is irrigation water. The stock water will not be changed.

- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov/> , Water Right Transfers, Step 1.
Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov/>, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number:

[illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

[illegible]

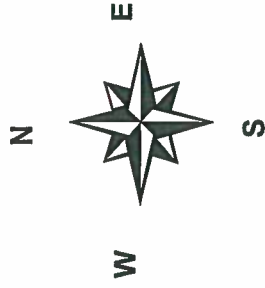
Total Acres (for irrigation use)

Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

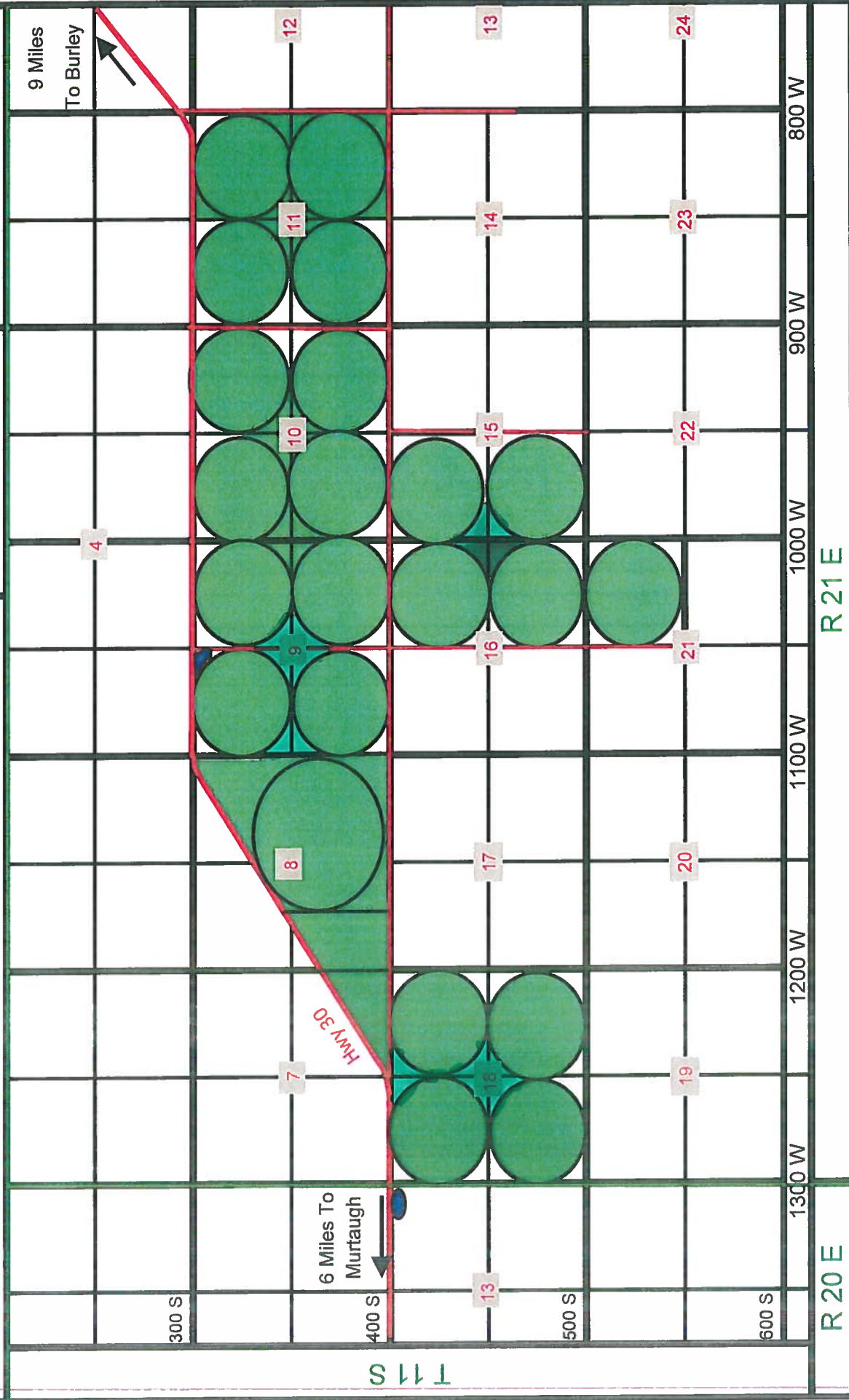
ID Burley Farm

3,325 acres

12/19/2011



Range Line	Road
Section #	Canal
12	



[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/11/2009

WATER RIGHT NO. 45-2415

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FARMLAND RESERVE INC 139 E SOUTH TEMPLE STE 110 SALT LAKE CITY, UT 84111 (801)359-1600
Original Owner	LELAND J GARNER BURLEY, ID 83318

Priority Date: 05/06/1952

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	4.72 CFS	1171.6 AFA
Total Diversion			4.72 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SESENE	Sec. 10	Township 11S	Range 21E	CASSIA County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
11S	21E	10		NENE	33		NWNE	39		SWNE	40		SENE	34.9
				NENW	39		NWNW	33		SWNW	34		SENW	40

Total Acres: 292.9

Conditions of Approval:

1.	C05	RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2.	C18	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.

Dates:

Licensed Date:

Decreed Date: 05/06/2005

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 140

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:
Mitigation Plan: False

Close

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/11/2009

WATER RIGHT NO. 45-2576

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FARMLAND RESERVE INC 139 E SOUTH TEMPLE STE 110 SALT LAKE CITY, UT 84111 (801)359-1600
Attorney	HOLDEN KIDWELL HAHN & CRAPO C/O KENT W FOSTER PO BOX 50130 IDAHO FALLS, ID 83405-0130 (208)523-0620
Original Owner	WAYNE L BECK 270 S 200 W BURLEY, ID 83318 (208)678-7957
Original Owner	GLEN W BECK RT 1 MURTAUGH, ID 83344 (208)678-7023

Priority Date: 04/10/1959

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
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IRRIGATION	3/15	11/15	5.94 CFS	
Total Diversion			5.94 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SESESW	Sec. 11	Township 11S	Range 21E	CASSIA County
GROUND WATER	NENESE	Sec. 11	Township 11S	Range 21E	CASSIA County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
11S	21E	11		NESW	40		NWSW	34		SWSW	37		SESW	39
				NESE	38		NWSE	40		SWSE	39		SESE	30

Total Acres: 297

Conditions of Approval:

1.	C18	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.	E60	USE OF THIS RIGHT WITH RIGHT NO. 45-7363 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.52 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1744 AF.
3.	C05	RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 05/06/2005

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:
State or Federal: S
Owner Name Connector: OR
Water District Number: 140
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Combined Acres Limit:
Combined Volume Limit: 1744
Combined Rate Limit: 6.52
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

8/28/2009

WATER RIGHT NO. 45-2583

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FARMLAND RESERVE INC 139 E SOUTH TEMPLE STE 110 SALT LAKE CITY, UT 84111 (801)359-1600
Directors Report Owner	CUMMINS FARMS INC PO BOX 30 MURTAUGH, ID 83344-0033 (208)432-6675
Attorney	HOLDEN KIDWELL HAHN & CRAPO C/O KENT W FOSTER PO BOX 50130 IDAHO FALLS, ID 83405-0130 (208)523-0620
Original Owner	HOWARD E CONRAD 325 S 1200 W MURTAUGH, ID 83344 (208)432-5444
Original Owner	CONRAD LAND & LIVESTOCK INC RT 1 MURTAUGH, ID 83344 (208)432-5444

Priority Date: 06/19/1959

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	1.82 CFS	
Total Diversion			1.82 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWNWNE	Sec. 09	Township 11S	Range 21E	CASSIA County
GROUND WATER	SESESE	Sec. 09	Township 11S	Range 21E	CASSIA County
GROUND WATER	SWSWSW	Sec. 10	Township 11S	Range 21E	CASSIA County
GROUND WATER	NWNWNW	Sec. 15	Township 11S	Range 21E	CASSIA County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
11S	21E	7		NESE	3		SESE	3						
		8		NENE	9		NWNE	4		SWNE	34		SENE	40
				NWSW	3									

Total Acres: 96

Conditions of Approval:

1.	THIS CLAIM IS BASED ON THE UNRECORDED TRANSFER OF LIC. 45-02583 FROM GROUNDWATER TO THOSE LANDS WHICH HAVE BEEN WATERED FROM AN UNNAMED STREAM DEVELOPMENT CLAIMED AS A45-07034. THIS CHANGE IS BEING MADE SINCE THESE LANDS ARE ALSO WATERED FROM GROUNDWATER BY THE PIPELINE NETWORK CONNECTING THE FOUR WELLS & THE PUMP DIVERTING FROM THE UNNAMED STREAM. ***** 10/21/99, CHANGED OWNERSHIP: CONRAD TO CUMMINS AS PER FORM 1409 AND DEED REC'D 2/11/99. C.T.
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Dates:

Licensed Date: 05/31/1979

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/11/2009

WATER RIGHT NO. 45-2674A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FARMLAND RESERVE INC 139 E SOUTH TEMPLE STE 110 SALT LAKE CITY, UT 84111 (801)359-1600
Attorney	HOLDEN KIDWELL HAHN & CRAPO C/O KENT W FOSTER PO BOX 50130 IDAHO FALLS, ID 83405-0130 (208)523-0620
Original Owner	KAY MC MURRAY
Original Owner	MEZ MC MURRAY C/O EDWARD L BENOIT PO BOX 366 TWIN FALLS, ID 83301

Priority Date: 09/11/1962

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	4.22 CFS	1148 AFA
Total Diversion			4.22 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SESENE	Sec. 11	Township 11S	Range 21E	CASSIA County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
11S	21E	11		NENE	28		NWNE	39		SWNE	37		SENE	36
				NENW	39		NWNW	38		SWNW	33		SENW	37

Total Acres: 287

Conditions of Approval:

1.	C05	RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2.	C18	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.
3.	S40	THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Dates:

Licensed Date:

Decreed Date: 05/06/2005

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 140

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

8/28/2009

WATER RIGHT NO. 45-2689

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FARMLAND RESERVE INC 139 E SOUTH TEMPLE STE 110 SALT LAKE CITY, UT 84111 (801)359-1600
Directors Report Owner	CUMMINS FARMS INC PO BOX 30 MURTAUGH, ID 83344-0033 (208)432-6675
Attorney	HOLDEN KIDWELL HAHN & CRAPO C/O KENT W FOSTER PO BOX 50130 IDAHO FALLS, ID 83405-0130 (208)523-0620
Original Owner	HOWARD E CONRAD 325 S 1200 W MURTAUGH, ID 83344 (208)432-5444
Original Owner	CONRAD LAND & LIVESTOCK INC RT 1 MURTAUGH, ID 83344 (208)432-5444

Priority Date: 11/09/1962

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	5.82 CFS	
Total Diversion			5.82 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWNWNE	Sec. 09	Township 11S	Range 21E	CASSIA County
GROUND WATER	SESESE	Sec. 09	Township 11S	Range 21E	CASSIA County
GROUND WATER	SWSWSW	Sec. 10	Township 11S	Range 21E	CASSIA County
GROUND WATER	NWNWNW	Sec. 15	Township 11S	Range 21E	CASSIA County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
11S	21E	8		NENE	17									
		9		NENE	40		NWNE	40		SWNE	40		SENE	40
				NENW	37		NWNW	40		SWNW	40		SENW	40
				NESE	40		NWSE	40		SWSE	40		SESE	40

Total Acres: 494

Conditions of Approval:

1.	10/21/99, CHANGED OWNERSHIP AS PER FORM 1409 AND DEED REC'D 2/11/99: CONRAD TO CUMMINS. C.T.
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Dates:

Licensed Date: 06/05/1979

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

8/28/2009

WATER RIGHT NO. 45-7020

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FARMLAND RESERVE INC 139 E SOUTH TEMPLE STE 110 SALT LAKE CITY, UT 84111 (801)359-1600
Directors Report Owner	CUMMINS FARMS INC PO BOX 30 MURTAUGH, ID 83344-0033 (208)432-6675
Attorney	HOLDEN KIDWELL HAHN & CRAPO C/O KENT W FOSTER PO BOX 50130 IDAHO FALLS, ID 83405-0130 (208)523-0620
Original Owner	HOWARD E CONRAD 325 S 1200 W MURTAUGH, ID 83344 (208)432-5444
Original Owner	CONRAD LAND & LIVESTOCK INC RT 1 MURTAUGH, ID 83344 (208)432-5444

Priority Date: 04/06/1967

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	3.76 CFS	
Total Diversion			3.76 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWNWNE	Sec. 09	Township 11S	Range 21E	CASSIA County
GROUND WATER	SESESE	Sec. 09	Township 11S	Range 21E	CASSIA County
GROUND WATER	SWSWSW	Sec. 10	Township 11S	Range 21E	CASSIA County
GROUND WATER	NWNWNW	Sec. 15	Township 11S	Range 21E	CASSIA County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
11S	21E	7		NESE	3		SWSE	7		SESE	30			
		8		SENE	10									
				NESW	38		NWSW	20		SWSW	40		SESW	40

Total Acres: 188

Conditions of Approval:

1.	10/21/99, CHANGED OWNERSHIP AS PER FORM 1409 AND DEED REC'D 2/11/99: CONRAD TO CUMMINS. C.T.
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Dates:

Licensed Date: 06/05/1979

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

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Adjudication Recommended Right Report

9/11/2009

WATER RIGHT NO. 45-7035

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FARMLAND RESERVE INC 139 E SOUTH TEMPLE STE 110 SALT LAKE CITY, UT 84111 (801)359-1600
Directors Report Owner	CUMMINS FARMS INC PO BOX 30 MURTAUGH, ID 83344-0033 (208)432-6675
Attorney	HOLDEN KIDWELL HAHN & CRAPO C/O KENT W FOSTER PO BOX 50130 IDAHO FALLS, ID 83405-0130 (208)523-0620
Original Owner	HOWARD E CONRAD 325 S 1200 W MURTAUGH, ID 83344 (208)432-5444
Original Owner	CONRAD LAND & LIVESTOCK INC RT 1 MURTAUGH, ID 83344 (208)432-5444

Priority Date: 02/28/1969

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	5.79 CFS	1280 AFA
Total Diversion			5.79 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWNWNW	Sec. 15	Township 11S	Range 21E	CASSIA County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
11S	21E	16		NENE	40		NWNE	40		SWNE	40		SENE	40
				NESE	40		NWSE	40		SWSE	40		SESE	40

Total Acres: 320

Conditions of Approval:

1.		USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.9 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2879 AF. COMBINED RIGHT NOS.: 45-7020, 45-7035, 45-7110, 45-7374.
2.	C18	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.
3.	C03	RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
4.	E61	USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 20.23 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 7391 AF. COMBINED RIGHT NOS.: 45-2583, 45-2689, 45-7020, 45-7035, 45-7110, 45-7238, 45-7374.

Dates:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 140

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

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Adjudication Recommended Right Report

9/11/2009

WATER RIGHT NO. 45-7110

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FARMLAND RESERVE INC 139 E SOUTH TEMPLE STE 110 SALT LAKE CITY, UT 84111 (801)359-1600
Directors Report Owner	CUMMINS FARMS INC PO BOX 30 MURTAUGH, ID 83344-0033 (208)432-6675
Attorney	HOLDEN KIDWELL HAHN & CRAPO C/O KENT W FOSTER PO BOX 50130 IDAHO FALLS, ID 83405-0130 (208)523-0620
Original Owner	HOWARD E CONRAD 325 S 1200 W MURTAUGH, ID 83344 (208)432-5444
Original Owner	CONRAD LAND & LIVESTOCK INC RT 1 MURTAUGH, ID 83344 (208)432-5444

Priority Date: 09/18/1972

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	3.98 CFS	1240 AFA
STOCKWATER	01/01	12/31	0.02 CFS	8 AFA
Total Diversion			4 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWNWNW	Sec. 15	Township 11S	Range 21E	CASSIA County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
11S	21E	15		NENW	39		NWNW	38		SWNW	39		SENW	39
				NESW	39		NWSW	39		SWSW	38		SESW	39

Place of Use Legal Description: STOCKWATER CASSIA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
11S	21E	15		NWNW										

Total Acres: 310

Conditions of Approval:

1.	E61	USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 20.23 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 7391 AF. COMBINED RIGHT NOS.: 45-2583, 45-2689, 45-7020, 45-7035, 45-7110, 45-7238, 45-7374.
2.	C18	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.
3.		USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.9 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2879 AF. COMBINED RIGHT NOS.: 45-7020, 45-7035, 45-7110, 45-7374.

4.	C10	RIGHT INCLUDES ACCOMPLISHED CHANGE IN SEASON OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
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Dates:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 140

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

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Adjudication Claim Report

8/28/2009

WATER RIGHT NO. 45-7238

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FARMLAND RESERVE INC 139 E SOUTH TEMPLE STE 110 SALT LAKE CITY, UT 84111 (801)359-1600
Directors Report Owner	CUMMINS FARMS INC PO BOX 30 MURTAUGH, ID 83344-0033 (208)432-6675
Attorney	HOLDEN KIDWELL HAHN & CRAPO C/O KENT W FOSTER PO BOX 50130 IDAHO FALLS, ID 83405-0130 (208)523-0620
Original Owner	HOWARD E CONRAD 325 S 1200 W MURTAUGH, ID 83344 (208)432-5444
Original Owner	CONRAD LAND & LIVESTOCK INC RT 1 MURTAUGH, ID 83344 (208)432-5444

Priority Date: 05/02/1975

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	6.4 CFS	
Total Diversion			6.4 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWNWNE	Sec. 09	Township 11S	Range 21E	CASSIA County
GROUND WATER	SESESE	Sec. 09	Township 11S	Range 21E	CASSIA County
GROUND WATER	SWSWSW	Sec. 10	Township 11S	Range 21E	CASSIA County
GROUND WATER	NWNWNW	Sec. 15	Township 11S	Range 21E	CASSIA County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
11S	21E	18		NENE	40		NWNE	40		SWNE	40		SENE	40
				NENW	39		NWNW	38		SWNW	39		SENE	40
				NESW	40		NWSW	39		SWSW	39		SESW	40
				NESE	40		NWSE	40		SWSE	40		SESE	40

Total Acres: 634

Conditions of Approval:

1.	10/21/99, CHANGED OWNERSHIP AS PER FORM 1409 AND DEED REC'D 2/11/99: CONRAD TO CUMMINS. C.T.
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Dates:

Licensed Date: 02/03/1981

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/11/2009

WATER RIGHT NO. 45-7363

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FARMLAND RESERVE INC 139 E SOUTH TEMPLE STE 110 SALT LAKE CITY, UT 84111 (801)359-1600
Attorney	HOLDEN KIDWELL HAHN & CRAPO C/O KENT W FOSTER PO BOX 50130 IDAHO FALLS, ID 83405-0130 (208)523-0620
Original Owner	WAYNE L BECK 270 S 200 W BURLEY, ID 83318 (208)678-7957
Original Owner	GLEN W BECK RT 1 MURTAUGH, ID 83344 (208)678-7023

Priority Date: 01/08/1979

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
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IRRIGATION	03/15	11/15	1.66 CFS	556 AFA
Total Diversion			1.66 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NENESE	Sec. 11	Township 11S	Range 21E	CASSIA County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
11S	21E	10		NESE	35		NWSE	35		SWSE	34		SESE	35

Total Acres: 139

Conditions of Approval:

1.	E60	USE OF THIS RIGHT WITH RIGHT NO. 45-2576 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.52 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1744 AF.
2.	C18	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.

Dates:

Licensed Date:

Decreed Date: 05/13/2005

Permit Proof Due Date: 2/1/1980

Permit Proof Made Date: 1/28/1980

Permit Approved Date: 1/18/1979

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 11/28/1978

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number: 140

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit: 1744

Combined Rate Limit: 6.52

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

8/28/2009

WATER RIGHT NO. 45-7374

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FARMLAND RESERVE INC 139 E SOUTH TEMPLE STE 110 SALT LAKE CITY, UT 84111 (801)359-1600
Directors Report Owner	CUMMINS FARMS INC PO BOX 30 MURTAUGH, ID 83344-0033 (208)432-6675
Attorney	HOLDEN KIDWELL HAHN & CRAPO C/O KENT W FOSTER PO BOX 50130 IDAHO FALLS, ID 83405-0130 (208)523-0620
Original Owner	HOWARD E CONRAD 325 S 1200 W MURTAUGH, ID 83344 (208)432-5444
Original Owner	CONRAD LAND & LIVESTOCK INC RT 1 MURTAUGH, ID 83344 (208)432-5444

Priority Date: 04/11/1979

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	3.1 CFS	
Total Diversion			3.1 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWNWNE	Sec. 09	Township 11S	Range 21E	CASSIA County
GROUND WATER	NESE	Sec. 09	Township 11S	Range 21E	CASSIA County
GROUND WATER	NESE	Sec. 09	Township 11S	Range 21E	CASSIA County
GROUND WATER	SESESE	Sec. 09	Township 11S	Range 21E	CASSIA County
GROUND WATER	SWSWSW	Sec. 10	Township 11S	Range 21E	CASSIA County
GROUND WATER	NWNWNW	Sec. 15	Township 11S	Range 21E	CASSIA County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
11S	21E	10		NESW	40		NWSW	40		SWSW	36		SESW	39

Total Acres: 155

Conditions of Approval:

1.	3/23/2000 TF; OWNERSHIP CHANGED CONRAD TO CUMMINS FARMS PER 1409(6), WARRANTY DEEDS AND TITLE INS POLICY.
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Dates:

Licensed Date: 06/08/1982

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

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Adjudication Claim Report

8/28/2009

WATER RIGHT NO. 45-10274

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FARMLAND RESERVE INC 139 E SOUTH TEMPLE STE 110 SALT LAKE CITY, UT 84111 (801)359-1600
Directors Report Owner	CUMMINS FARMS INC PO BOX 30 MURTAUGH, ID 83344-0033 (208)432-6675
Attorney	HOLDEN KIDWELL HAHN & CRAPO C/O KENT W FOSTER PO BOX 50130 IDAHO FALLS, ID 83405-0130 (208)523-0620
Original Owner	HOWARD E CONRAD 325 S 1200 W MURTAUGH, ID 83344 (208)432-5444
Original Owner	CONRAD LAND & LIVESTOCK INC RT 1 MURTAUGH, ID 83344 (208)432-5444

Priority Date: 06/19/1959

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	0.28 CFS	
Total Diversion			0.28 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWNWNE	Sec. 09	Township 11S	Range 21E	CASSIA County
GROUND WATER	SESESE	Sec. 09	Township 11S	Range 21E	CASSIA County
GROUND WATER	SWSWSW	Sec. 10	Township 11S	Range 21E	CASSIA County
GROUND WATER	NWNWNW	Sec. 15	Township 11S	Range 21E	CASSIA County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
11S	21E	9		NESW	14									

Total Acres: 14

Conditions of Approval:

1.	THESE LANDS HAVE BEEN WATERED FROM MY IRRIG. SYSTEM AND FARMED BY ME FOR MANY YEARS; HOWEVER I DO NOT OWN THE LAND AND NO WATER RIGHT HAS EVER BEEN RECORDED FOR THIS USE. ***** 10/21/99, CHANGED OWNERSHIP AS PER FORM 1409 AND DEED REC'D 2/11/99: CONRAD TO CUMMINS. C.T.
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Dates:

Licensed Date:

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

8/28/2009

WATER RIGHT NO. 45-14175

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FARMLAND RESERVE INC 139 E SOUTH TEMPLE STE 110 SALT LAKE CITY, UT 84111 (801)359-1600
Attorney	ROBERT L HARRIS HOLDEN KIDWELL HAHN & CRAPO PO BOX 50130 IDAHO FALLS, ID 83405-0130 (208)523-0620

Priority Date: 03/15/1986

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	1.55 CFS	310 AFA
Total Diversion			1.55 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NENENW	Sec. 09	Township 11S	Range 21E	CASSIA County
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GROUND WATER	SESESE	Sec. 09	Township 11S	Range 21E	CASSIA County
GROUND WATER	SWSWSW	Sec. 10	Township 11S	Range 21E	CASSIA County
GROUND WATER	NWNWNW	Sec. 15	Township 11S	Range 21E	CASSIA County

IRRIGATION Use:

Acre Limit: 77.5

Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
11S	21E	8		NWNE	2.5		SWNE	35		SENE	40			

Total Acres: 77.5

Conditions of Approval:

1.	Other water rights used at the same place and for the same purposes: 45-2583, 45-2689, 45-7020, 45-7035, 45-7110, 45-7238, 45-7374, 45-7034, 1-9, 1-17, 1-23A and 1-2050.
2.	This claim is an enlargement of Water right Nos. 45-2583, 45-2689, 45-7020, 45-7035, 45-7110, 45-7238 and 45-7374 in an amount of 77.5 acres. This claim and the water right listed in the preceding sentence should, in combination, be limited to a combined diversion rate of 20.24 cfs and annual volume of 7701 afa.

Dates:

Licensed Date:

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

Farmland Reserve, Inc.

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

RECEIVED

NOV 07 2009

DEPT. OF WATER RESOURCES
SOUTHERN REGION

INCUMBENCY CERTIFICATE

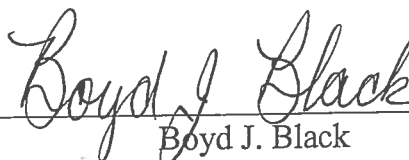
I, Boyd J. Black, certify that:

1. I am the Associate General Counsel and duly elected and acting Assistant Secretary of Farmland Reserve, Inc., a Utah nonprofit corporation (the "Corporation").

2. Warren H. Peterson is the duly elected and acting Vice President of the Corporation.

3. Pursuant to the Corporation's Articles of Incorporation and Bylaws, Warren H. Peterson, in his capacity of the Corporation's Vice President, is authorized to execute instruments, documents, applications and agreements on behalf of the Corporation and otherwise to represent the Corporation before and in dealing with individuals, other entities and governmental bodies and authorities.

IN WITNESS WHEREOF, I have signed my name and affixed the Corporation's corporate seal this 31st day of August, 2009.



Boyd J. Black
Associate General Counsel/Assistant Secretary

316186

316186

139

WHEN RECORDED, MAIL TO:

Mr. Wally Felsted, Esq.

KIRTON & McCONKIE

60 East South Temple, #1800

PO Box 45898

Salt Lake City, Utah 84111

MAIL TAX STATEMENTS TO:

FARMLAND RESERVE, INC.

139 East South Temple, Suite 110

Salt Lake City, Utah 84111

CASSIA COUNTY, IDAHO

LARRY A. MICKELSEN

RECORDER

FEE

4200

DEPUTY

JM

2007 MAY 30 PM 4 15

RECORDED AT THE REQUEST OF

LAND TITLE & ESCROW

Space Above for Recorder's Use Only

*43386

SPECIAL WARRANTY DEED
(CASSIA COUNTY)

ZIONS FIRST NATIONAL BANK, a national banking association of 10 East South Temple, Floor 5, Salt Lake City, Utah 84133 ("Grantor"), hereby grants, conveys, transfers, demises, bargains, sells, assigns and warrants against all and every person or persons claiming the whole or any part of the Premises, by, through or under Grantor, to FARMLAND RESERVE, INC., a Utah non-profit corporation ("Grantee"), whose mailing address is 139 East South Temple, Suite 110, Salt Lake City, Utah 84111, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described real property situated in Cassia County, State of Idaho (the "Premises"):

See Exhibit "A" attached hereto and made a part hereof.

TOGETHER with all rents, remainders and reversions, redemption rights, and all appurtenances and hereditaments, issues and profits, improvements and fixtures, easements, mineral rights, water rights and all other permits, licenses and rights of way appertaining to the Premises.

SUBJECT TO the encumbrances described on Exhibit "B" attached hereto and made a part hereof ("Permitted Exceptions").

IN WITNESS WHEREOF, Grantor has executed this instrument this 24th day of May, 2007.

GRANTOR:

ZIONS FIRST NATIONAL BANK,

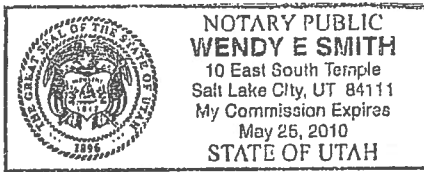
BY: David S. Meeks

NAME: DAVID S. MEEKS

ITS: SR. Vice President

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

On this 24th day of May, 2007, before me, a notary public, personally appeared David S. Weeks known or identified to me (or proved to me on oath of _____) to be the president, or vice-president, or secretary or assistant secretary of ZIONS FIRST NATIONAL BANK, a national banking association, the entity that executed the instrument or the person who executed the instrument on behalf of said entity, and acknowledged to me that such entity executed the same.



Wendy E. Smith
NOTARY PUBLIC
Residing at: SLC, UT

*Cassia County***PARCEL NO. 1**

Township 11 South, Range 21 East, Boise Meridian, Cassia County, Idaho

Section 11: NE $\frac{1}{4}$

EXCEPTING THEREFROM the following described parcel of land:

BEGINNING at the Northeast corner of said Section 11;

THENCE South 700 feet along the section line common to Sections 11 and 12, Township 11 South,

Range 21 East, Boise Meridian;

THENCE Northwest to a point on the section line common to Sections 11 and 2 that is 800 feet

West of the Northeast corner of Section 11;

THENCE East 800 feet to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM that portion devoted to the State of Idaho for highway purposes.

PARCEL NO. 2

Township 11 South, Range 21 East, Boise Meridian, Cassia County, Idaho

Section 11: Part of the NE $\frac{1}{4}$ NB $\frac{1}{4}$ more particularly described as follows:

BEGINNING at the Northeast corner of said Section 11;

THENCE South 700 feet along the section line common to Sections 11 and 12, Township 11 South,

Range 21 East, Boise Meridian;

THENCE Northwest to a point on the section line common to Sections 11 and 2 that is 800 feet West of the Northeast corner of Section 11;

THENCE East 800 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM that portion devoted to the State of Idaho for highway purposes.

PARCEL NO. 3

Township 11 South, Range 21 East, Boise Meridian, Cassia County, Idaho

Section 2: All that part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying South of State Highway No. 30 (formerly U.S. Highway No. 30)**PARCEL NO. 4**

Township 11 South, Range 21 East of the Boise Meridian, Cassia County, Idaho

Section 8: SE $\frac{1}{4}$ Section 9: SW $\frac{1}{4}$ **PARCEL NO. 5**

Township 11 South, Range 21 East of the Boise Meridian, Cassia County, Idaho

Section 10: SW $\frac{1}{4}$

Section 18: ALL

Section 21: NE $\frac{1}{4}$

EXHIBIT "A"