

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF TRANSFER NO.)
70431 IN THE NAME OF FARMLAND)
RESERVE INC.)
_____)

**PRELIMINARY ORDER CORRECTING
TRANSFER APPROVAL**

This matter having come before the Department of Water Resources (Department) as a result of an application for transfer of water rights, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On April 21, 2003, the Department approved Application for Transfer No. 70431 (transfer) changing the place of use and adding points of diversion under several water rights including Water Right No. 45-13403.
2. Water Right License No. 45-13403 was approved by the Department on December 14, 2003 in the amount of 3 cfs for irrigation of 150 acres with a priority date of December 22, 2000.
3. Water Right No. 45-13403 as described on pages 15 and 16 of the transfer approval did not list the priority date of the water right due to a clerical error.

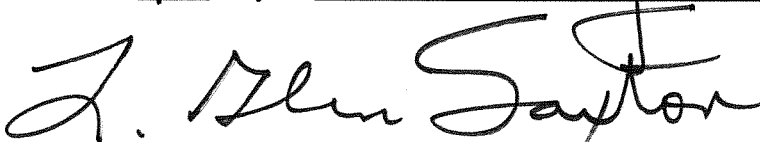
CONCLUSIONS OF LAW

1. The transfer approval should accurately describe each established water right as changed by the transfer pursuant to Section 42-222, *Idaho Code*.
2. The Department should correct the transfer approval to show the priority date established under Water Right No. 45-13403 as December 22, 2000.

ORDER

IT IS HEREBY ORDERED that the approval for Transfer No. 70431 is **CORRECTED** by adding the priority date of December 22, 2000 to Water Right No. 45-13403.

Dated this 12th day of May, 2003.



L. GLEN SAXTON, P.E.
Administrator
Water Management Division

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70431

This is to certify that: FARMLAND RESERVE INC

C/O OLS 2WW
 50 E N TEMPLE ST
 SALT LAKE CITY UT 84150
 (801)715-9100

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
45-7497	AJC/License	04/03/1982	3.88 cfs	1893 af		1,177.0	GROUND WATER
45-2530	AJC/License	06/19/1956	1.94 cfs	636 af		159.0	GROUND WATER
45-2541	AJC/License	03/13/1957	1.7 cfs	829.6 af	307.0	307.4	GROUND WATER
45-2518	AJC/License	03/13/1956	1.78 cfs	400 af	100.0	206.0	GROUND WATER
45-2503	AJC/License	09/08/1955	2.1 cfs	880 af		220.0	GROUND WATER
45-7019	AJC/License	09/25/1967	1.5 cfs	376 af	94.0	94.5	GROUND WATER
45-13403	WR/License	12/22/2000	3 cfs	N/A		150.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
45-7497	NO	NO	YES	YES	NO	NO
45-2530	NO	NO	YES	YES	NO	NO
45-2541	NO	NO	YES	YES	NO	NO
45-2518	NO	NO	YES	YES	NO	NO
45-2503	NO	NO	YES	YES	NO	NO
45-7019	NO	YES	YES	YES	NO	NO
45-13403	NO	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
45-7497	45-7497	3.88 cfs	1893 af	1,177.0	3887.4		N/A	N/A	N/A	N/A
45-2530	45-2530	1.94 cfs	636 af	159.0	3887.4		N/A	N/A	N/A	N/A
45-2541	45-2541	1.7 cfs	829.6 af	307.0	3887.4		N/A	N/A	N/A	N/A
45-2518	45-2518	1.78 cfs	400 af	100.0	3887.4		N/A	N/A	N/A	N/A

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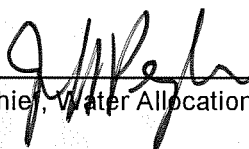
WATER RIGHT NO. 45-2503
As Modified by Transfer No. 70431

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
45-2503	45-2503	2.1 cfs	880 af	220.0	3887.4		N/A	N/A	N/A	N/A
45-7019	45-7019	1.5 cfs	376 af	94.0	3887.4		N/A	N/A	N/A	N/A
45-13403	45-13403	3 cfs	311.4 af	150.0	3887.4		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		12.9 cfs	5326.0 af	2207.0	3887.4		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 21 day of April, 2003

For 
 Chief, Water Allocation Bureau

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WATER RIGHT NO. 45-2503
As Modified by Transfer No. 70431

In accordance with the approval of Transfer No. 70431, Water Right No. 45-2503 is now described as follows.

Right Holder: FARMLAND RESERVE INC
 C/O OLS 2WW
 50 E N TEMPLE ST
 SALT LAKE CITY UT 84150

Priority Date: September 08, 1955

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	2.10 CFS	880.0 AF
			2.10 CFS	880.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSE	Sec. 36 Twp 10S	Rge 19E	TWIN FALLS County
GROUND WATER	SESENW	Sec. 1 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	SWNWNE	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	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	
10S 19E 26									12.0	9.2	37.0	40.0			25.0		123.2
10S 19E 34			39.0	40.0									40.0	40.0	40.0	40.0	239.0
10S 19E 35	35.0	40.0	40.0	40.0	40.0	37.0	39.0	38.0	37.0	40.0	40.0	38.0	40.0	40.0	28.0	28.0	600.0
10S 19E 36						10.0	39.0	5.8	27.0	36.0	25.0	3.0		1.2	9.1		156.1
11S 19E 1		28.0	9.9		38.0	37.0	40.0	38.0	39.0	40.0	39.0	40.0					348.9
		L 2				L 3	L 4										
11S 19E 2	39.0	27.0	38.0	38.0	33.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	36.0	40.0	40.0	37.0	607.0
	L 1	L 2				L 3	L 4										
11S 19E 3	39.0	39.0	40.0	40.0				40.0	40.0	40.0		40.0	40.0	40.0	40.0	40.0	478.0
	L 1	L 2															
11S 19E 10	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0			40.0	40.0	40.0	40.0	560.0
11S 19E 11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	639.0
11S 19E 12		14.0	7.2		40.0	37.0	18.0	20.0									136.2

Total Acres: 3887.4

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WATER RIGHT NO. 45-2503
As Modified by Transfer No. 70431

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. This right is limited to the irrigation of 220 acres within the place of use described above in a single irrigation season.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-2503, 45-2518, 45-2530, 45-2541, 45-7497, 45-7019, and 45-13403 shall not exceed 12.90 cfs, nor total combined annual volume of 5,326 af for the irrigation of a combined total of 2,207 acres per season.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
8. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 21 day of April, 2003

For 
Chief, Water Allocation Bureau

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APR 21 2003

WATER RIGHT NO. 45-2518
As Modified by Transfer No. 70431

In accordance with the approval of Transfer No. 70431, Water Right No. 45-2518 is now described as follows.

Right Holder: FARMLAND RESERVE INC
 C/O OLS 2WW
 50 E N TEMPLE ST
 SALT LAKE CITY UT 84150

Priority Date: March 13, 1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	1.78 CFS	400.0 AF
			1.78 CFS	400.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSE	Sec. 36 Twp 10S	Rge 19E	TWIN FALLS County
GROUND WATER	SESENW	Sec. 1 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	SWNWNE	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	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	
10S 19E 26									12.0	9.2	37.0	40.0			25.0		123.2
10S 19E 34			39.0	40.0									40.0	40.0	40.0	40.0	239.0
10S 19E 35	35.0	40.0	40.0	40.0	40.0	37.0	39.0	38.0	37.0	40.0	40.0	38.0	40.0	40.0	28.0	28.0	600.0
10S 19E 36						10.0	39.0	5.8	27.0	36.0	25.0	3.0		1.2	9.1		156.1
11S 19E 1		28.0	9.9		38.0	37.0	40.0	38.0	39.0	40.0	39.0	40.0					348.9
		L 2			L 3	L 4											
11S 19E 2	39.0	27.0	38.0	38.0	33.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	36.0	40.0	40.0	37.0	607.0
	L 1	L 2			L 3	L 4											
11S 19E 3	39.0	39.0	40.0	40.0				40.0	40.0	40.0		40.0	40.0	40.0	40.0	40.0	478.0
	L 1	L 2															
11S 19E 10	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0			40.0	40.0	40.0	40.0	560.0
11S 19E 11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	639.0
11S 19E 12		14.0	7.2		40.0	37.0	18.0	20.0									136.2

Total Acres: 3887.4

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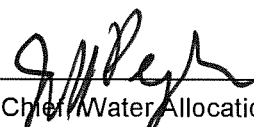
WATER RIGHT NO. 45-2518
As Modified by Transfer No. 70431

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. This right is limited to the irrigation of 100 acres within the place of use described above in a single irrigation season.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-2503, 45-2518, 45-2530, 45-2541, 45-7497, 45-7019, and 45-13403 shall not exceed 12.90 cfs, nor total combined annual volume of 5,326 af for the irrigation of a combined total of 2,207 acres per season.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
8. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 21 day of April, 2003

For 
Chief, Water Allocation Bureau

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OCT 29 2003

SCANNED

APR 21 2003

WATER RIGHT NO. 45-2530
As Modified by Transfer No. 70431

In accordance with the approval of Transfer No. 70431, Water Right No. 45-2530 is now described as follows.

Right Holder: FARMLAND RESERVE INC
 C/O OLS 2WW
 50 E N TEMPLE ST
 SALT LAKE CITY UT 84150

Priority Date: June 19, 1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	1.94 CFS	636.0 AF
			1.94 CFS	636.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSE	Sec. 36 Twp 10S	Rge 19E	TWIN FALLS County
GROUND WATER	SESENW	Sec. 1 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	SWNWNE	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	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	
10S	19E	26									12.0	9.2	37.0	40.0			25.0		123.2
10S	19E	34			39.0	40.0									40.0	40.0	40.0	40.0	239.0
10S	19E	35	35.0	40.0	40.0	40.0	40.0	37.0	39.0	38.0	37.0	40.0	40.0	38.0	40.0	40.0	28.0	28.0	600.0
10S	19E	36						10.0	39.0	5.8	27.0	36.0	25.0	3.0		1.2	9.1		156.1
11S	19E	1		28.0	9.9		38.0	37.0	40.0	38.0	39.0	40.0	39.0	40.0					348.9
				L 2			L 3	L 4											
11S	19E	2	39.0	27.0	38.0	38.0	33.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	36.0	40.0	40.0	37.0	607.0
			L 1	L 2			L 3	L 4											
11S	19E	3	39.0	39.0	40.0	40.0				40.0	40.0	40.0		40.0	40.0	40.0	40.0		478.0
			L 1	L 2															
11S	19E	10	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0			40.0	40.0	40.0	40.0	560.0
11S	19E	11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	639.0
11S	19E	12		14.0	7.2		40.0	37.0	18.0	20.0									136.2

Total Acres: 3887.4

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OCT 29 2003

APR 21 2003

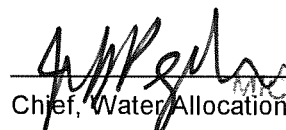
WATER RIGHT NO. 45-2530
As Modified by Transfer No. 70431

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. This right is limited to the irrigation of 159 acres within the place of use described above in a single irrigation season.
3. Rights 45-2530, 45-2541, 45-7497, and 45-13403 when combined shall not exceed a total diversion rate of 7.52 cfs and a total annual maximum diversion volume of 3670 af at the field headgate.
4. The total instantaneous diversion of water from all points of diversion under Rights 45-2503, 45-2518, 45-2530, 45-2541, 45-7497, 45-7019, and 45-13403 shall not exceed 12.90 cfs, nor total combined annual volume of 5,326 af for the irrigation of a combined total of 2,207 acres per season.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
7. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
9. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 21 day of April, 20 03

For 
Chief, Water Allocation Bureau

OCT 29 2003

SCANNED

APR 21 2003

WATER RIGHT NO. 45-2541
As Modified by Transfer No. 70431

In accordance with the approval of Transfer No. 70431, Water Right No. 45-2541 is now described as follows.

Right Holder: FARMLAND RESERVE INC
 C/O OLS 2WW
 50 E N TEMPLE ST
 SALT LAKE CITY UT 84150

Priority Date: March 13, 1957

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	1.70 CFS	829.6 AF
			1.70 CFS	829.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSE	Sec. 36 Twp 10S	Rge 19E	TWIN FALLS County
GROUND WATER	SESENW	Sec. 1 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	SWNWNE	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	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	
10S 19E 26									12.0	9.2	37.0	40.0			25.0		123.2
10S 19E 34			39.0	40.0									40.0	40.0	40.0	40.0	239.0
10S 19E 35	35.0	40.0	40.0	40.0	40.0	37.0	39.0	38.0	37.0	40.0	40.0	38.0	40.0	40.0	28.0	28.0	600.0
10S 19E 36						10.0	39.0	5.8	27.0	36.0	25.0	3.0		1.2	9.1		156.1
11S 19E 1		28.0	9.9		38.0	37.0	40.0	38.0	39.0	40.0	39.0	40.0					348.9
		L 2			L 3	L 4											
11S 19E 2	39.0	27.0	38.0	38.0	33.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	36.0	40.0	40.0	37.0	607.0
	L 1	L 2			L 3	L 4											
11S 19E 3	39.0	39.0	40.0	40.0				40.0	40.0	40.0		40.0	40.0	40.0	40.0	40.0	478.0
	L 1	L 2															
11S 19E 10	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0			40.0	40.0	40.0	40.0	560.0
11S 19E 11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	639.0
11S 19E 12		14.0	7.2		40.0	37.0	18.0	20.0									136.2

Total Acres: 3887.4

MICROFILMED

SCANNED

OCT 29 2003

APR 21 2003

WATER RIGHT NO. 45-2541
As Modified by Transfer No. 70431

CONDITIONS OF APPROVAL

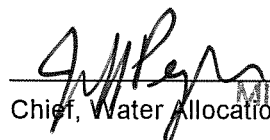
1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. This right is limited to the irrigation of 307 acres within the place of use described above in a single irrigation season.
3. Rights 45-2530, 45-2541, 45-7497, and 45-13403 when combined shall not exceed a total diversion rate of 7.52 cfs and a total annual maximum diversion volume of 3670 af at the field headgate.
4. The total instantaneous diversion of water from all points of diversion under Rights 45-2503, 45-2518, 45-2530, 45-2541, 45-7497, 45-7019, and 45-13403 shall not exceed 12.90 cfs, nor total combined annual volume of 5,326 af for the irrigation of a combined total of 2,207 acres per season.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
7. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
9. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 21 day of April, 20 03

SCANNED

APR 21 2003

For 
Chief, Water Allocation Bureau

OCT 29 2003

SCANNED

APR 14 2003

SCANNED

APR 14 2003

WATER RIGHT NO. 45-7497
As Modified by Transfer No. 70431

In accordance with the approval of Transfer No. 70431, Water Right No. 45-7497 is now described as follows.

Right Holder: FARMLAND RESERVE INC
 C/O OLS 2WW
 50 E N TEMPLE ST
 SALT LAKE CITY UT 84150

Priority Date: April 03, 1982

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	3.88 CFS	1,893.0 AF
			3.88 CFS	1,893.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSE	Sec. 36 Twp 10S	Rge 19E	TWIN FALLS County
GROUND WATER	SESENW	Sec. 1 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	SWNWNE	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	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	
10S 19E 26									12.0	9.2	37.0	40.0			25.0		123.2
10S 19E 34			39.0	40.0									40.0	40.0	40.0	40.0	239.0
10S 19E 35	35.0	40.0	40.0	40.0	40.0	37.0	39.0	38.0	37.0	40.0	40.0	38.0	40.0	40.0	28.0	28.0	600.0
10S 19E 36						10.0	39.0	5.8	27.0	36.0	25.0	3.0		1.2	9.1		156.1
11S 19E 1		28.0	9.9		38.0	37.0	40.0	38.0	39.0	40.0	39.0	40.0					348.9
		L 2				L 3	L 4										
11S 19E 2	39.0	27.0	38.0	38.0	33.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	36.0	40.0	40.0	37.0	607.0
	L 1	L 2				L 3	L 4										
11S 19E 3	39.0	39.0	40.0	40.0				40.0	40.0	40.0		40.0	40.0	40.0	40.0	40.0	478.0
	L 1	L 2															
11S 19E 10	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0			40.0	40.0	40.0	40.0	560.0
11S 19E 11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	639.0
11S 19E 12		14.0	7.2		40.0	37.0	18.0	20.0									136.2

Total Acres: 3887.4

SCANNED

MICROFILMED APR 21 2003

OCT 29 2003

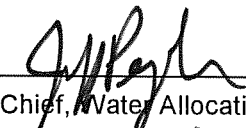
WATER RIGHT NO. 45-7497
As Modified by Transfer No. 70431

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. This right is limited to the irrigation of 1,177 acres within the place of use described above in a single irrigation season.
3. Rights 45-2530, 45-2541, 45-7497, and 45-13403 when combined shall not exceed a total diversion rate of 7.52 cfs and a total annual maximum diversion volume of 3670 af at the field headgate.
4. The total instantaneous diversion of water from all points of diversion under Rights 45-2503, 45-2518, 45-2530, 45-2541, 45-7497, 45-7019, and 45-13403 shall not exceed 12.90 cfs, nor total combined annual volume of 5,326 af for the irrigation of a combined total of 2,207 acres per season.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
7. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
9. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 21 day of April, 20 03

For 
Chief, Water Allocation Bureau

MICROFILMED

OCT 29 2003

SCANNED

APR 21 2003

WATER RIGHT NO. 45-7019
As Modified by Transfer No. 70431

In accordance with the approval of Transfer No. 70431, Water Right No. 45-7019 is now described as follows.

Right Holder: FARMLAND RESERVE INC
 C/O OLS 2WW
 50 E N TEMPLE ST
 SALT LAKE CITY UT 84150

Priority Date: September 25, 1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	1.50 CFS	376.0 AF
			1.50 CFS	376.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSE	Sec. 36 Twp 10S	Rge 19E	TWIN FALLS County
GROUND WATER	SESENW	Sec. 1 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	SWNWNE	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	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	
10S 19E 26									12.0	9.2	37.0	40.0			25.0		123.2
10S 19E 34			39.0	40.0									40.0	40.0	40.0	40.0	239.0
10S 19E 35	35.0	40.0	40.0	40.0	40.0	37.0	39.0	38.0	37.0	40.0	40.0	38.0	40.0	40.0	28.0	28.0	600.0
10S 19E 36						10.0	39.0	5.8	27.0	36.0	25.0	3.0		1.2	9.1		156.1
11S 19E 1		28.0	9.9		38.0	37.0	40.0	38.0	39.0	40.0	39.0	40.0					348.9
		L 2			L 3	L 4											
11S 19E 2	39.0	27.0	38.0	38.0	33.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	36.0	40.0	40.0	37.0	607.0
	L 1	L 2			L 3	L 4											
11S 19E 3	39.0	39.0	40.0	40.0				40.0	40.0	40.0		40.0	40.0	40.0	40.0	40.0	478.0
	L 1	L 2															
11S 19E 10	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0			40.0	40.0	40.0	40.0	560.0
11S 19E 11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	639.0
11S 19E 12		14.0	7.2		40.0	37.0	18.0	20.0									136.2

Total Acres: 3887.4

MICROFILMED
 OCT 29 2003

SCANNED
 APR 21 2003

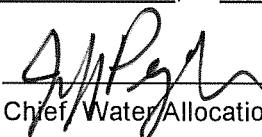
WATER RIGHT NO. 45-7019
As Modified by Transfer No. 70431

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. The well previously used under Right 45-7019, located within the SW ¼ SW ¼ NW ¼ of Section 35, Township 10 South, Range 19 East, shall be abandoned in a manner which complies with Department well abandonment rules.
3. This right is limited to the irrigation of 94 acres within the place of use described above in a single irrigation season.
4. The total instantaneous diversion of water from all points of diversion under Rights 45-2503, 45-2518, 45-2530, 45-2541, 45-7497, 45-7019, and 45-13403 shall not exceed 12.90 cfs, nor total combined annual volume of 5,326 af for the irrigation of a combined total of 2,207 acres per season.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
7. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
9. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 21 day of April, 20 03

For  Chief, Water Allocation Bureau

MICROFILMED

OCT 20 2003

SCANNED

APR 21 2003

WATER RIGHT NO. 45-13403

As Modified by Transfer No. 70431

In accordance with the approval of Transfer No. 70431, Water Right No. 45-13403 is now described as follows.

Right Holder: FARMLAND RESERVE INC

C/O OLS 2WW

50 E N TEMPLE ST

SALT LAKE CITY UT 84150

Priority Date:**Source:** GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	3.00 CFS	311.4 AF
			3.00 CFS	311.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSE	Sec. 36 Twp 10S	Rge 19E	TWIN FALLS County
GROUND WATER	SESENW	Sec. 1 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	SWNWNE	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	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	
10S 19E 26									12.0	9.2	37.0	40.0			25.0		123.2
10S 19E 34			39.0	40.0									40.0	40.0	40.0	40.0	239.0
10S 19E 35	35.0	40.0	40.0	40.0	40.0	37.0	39.0	38.0	37.0	40.0	40.0	38.0	40.0	40.0	28.0	28.0	600.0
10S 19E 36						10.0	39.0	5.8	27.0	36.0	25.0	3.0		1.2	9.1		156.1
11S 19E 1		28.0	9.9		38.0	37.0	40.0	38.0	39.0	40.0	39.0	40.0					348.9
11S 19E 2	39.0	27.0	38.0	38.0	33.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	36.0	40.0	40.0	37.0	607.0
11S 19E 3	39.0	39.0	40.0	40.0					40.0	40.0		40.0	40.0	40.0	40.0	40.0	478.0
11S 19E 10	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0			40.0	40.0	40.0	40.0	560.0
11S 19E 11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	639.0
11S 19E 12		14.0	7.2		40.0	37.0	18.0	20.0									136.2

Total Acres: 3887.4

MICROFILMED

OCT 29 2003

SCANNED

APR 21 2003

WATER RIGHT NO. 45-13403
As Modified by Transfer No. 70431

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. This right is limited to the irrigation of 150 acres within the place of use described above in a single irrigation season.
3. Rights 45-02530, 45-02541, 45-07497 and 45-13403 when combined shall not exceed a total diversion rate of 7.52 cfs, and a total annual maximum diversion volume of 3670.0 af at the field headgate.
4. The total instantaneous diversion of water from all points of diversion under Rights 45-2503, 45-2518, 45-2530, 45-2541, 45-7497, 45-7019, and 45-13403 shall not exceed 12.90 cfs, nor total combined annual volume of 5,326 af for the irrigation of a combined total of 2,207 acres per season.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
7. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
9. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 21 day of April, 20 03

[Signature]

for Chief, Water Allocation Bureau

OCT 29 2003

SCANNED

APR 21 2003

RECEIVED

APR 21 2003

Department of Water Resources

Transfer No. 70431

Receipt No. 5025545

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

1. Applicant Information FARMLAND RESERVE INC
 C/O OLS 2WW
 50 E N TEMPLE ST
 SALT LAKE CITY UT 84150
 (801)715-9100

RECEIVED
 MAR 10 2003
 Department of Water Resources
 Southern Region

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

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

	Origin/Basis	Rate	Volume	Acres	Total	Source
45-2503	WR/License	2.10	440.0	220.0		GROUND WATER
45-2518	WR/License	1.78	400.0	206.0	100.0	GROUND WATER
45-2530	WR/License	1.94	636.0	159.0		GROUND WATER
45-2541	WR/License	1.70	829.6	307.4	307.0	GROUND WATER
45-7497	WR/License	3.88	1,893.0	1,177.0		GROUND WATER
45-7019	WR/License	1.50	376.0	94.5	94.0	GROUND WATER
45-13403	WR/License	3.00	376.0	150.0		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
45-2503	NO	NO	YES	YES	NO	NO
45-2518	NO	NO	YES	YES	NO	NO
45-2530	NO	NO	YES	YES	NO	NO
45-2541	NO	NO	YES	YES	NO	NO
45-7497	NO	NO	YES	YES	NO	NO
45-7019	NO	NO	YES	YES	NO	NO
45-13403	NO	NO	YES	YES	NO	NO

Describe the reason for the proposed changes

Transfer proposes tying seven water rights together into a permissible place of use. Five existing, interconnected wells, will serve as the points of diversion for the rights. The farm currently has 2,373.53 shares of Twin Falls Canal Company water appurtenant to the property (see documents enclosed with transfer application). All of these shares will continue to be utilized on the proposed permissible place of use. We are in the process of trying to obtain additional canal shares for use on the farm.

MICROFILMED

OCT 29 2003

SCANNED

MAR 19 2003

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

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

5. Total Amounts Transferred

	Rate	Acres	Total	Volume
45-2503	2.10 cfs	220.0	3,887.4	440.0 af
45-2518	1.78 cfs	100.0	3,887.4	400.0 af
45-2530	1.94 cfs	159.0	3,887.4	636.0 af
45-2541	1.70 cfs	307.0	3,887.4	829.6 af
45-7497	3.88 cfs	1,177.0	3,887.4	1,893.0 af
45-7019	1.50 cfs	94.0	3,887.4	376.0 af
45-13403	3.00 cfs	150.0	3,887.4	
TOTAL	12.90 cfs	2,207.0	3,887.4	4,886.0 af

SCANNED

MICROFILMED

MAR 19 2003

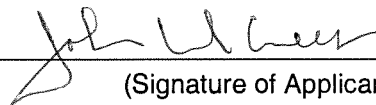
OCT 29 2003

Transfer No. 70431

Receipt No. 5025545

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

I hereby assert 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.

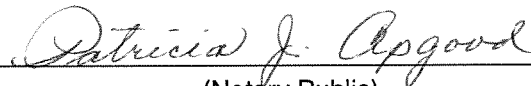


(Signature of Applicant)

John W. Creer / President

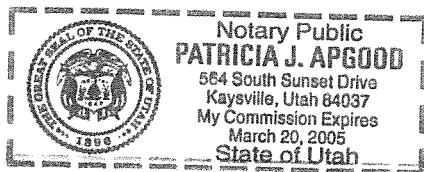
(Title or Office)

Subscribed and sworn to before me this 5th day of March, 2003.



(Notary Public)

My commission expires March 20, 2005



MICROFILMED

SCANNED

OCT 29 2003

MAR 19 2003

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

Current Water Right No. 45-2503

Priority Date: September 08, 1955
Origin: Adjudication Recommendation
Basis: License
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	2.10 CFS	440.0 AFA	
	Total Diversion	2.10 CFS	440.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NESENW 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	11	40.0	24.0	40.0	40.0					37.0	39.0							220.0

Total Acres: 220

Conditions/Remarks:

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. USE OF THIS RIGHT IS COMBINED WITH WATER FROM TWIN FALLS CANAL CO.

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Documentation of Ownership of the Current Place of Use

Warranty Deed

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

NO

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

Permissible place of use is being proposed so land may or may not be irrigated in the future with this particular right.

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

NO

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Transfer No. 70431

Receipt No. _____

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

Current Water Right No. 45-2518

Priority Date: March 13, 1956

Origin: Adjudication Recommendation

Basis: License

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	1.78 CFS	400.0 AFA	
	Total Diversion	1.78 CFS	400.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NESENW 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 2									38.0				38.0	14.0	38.0		128.0
11S 19E 11							39.0			39.0							78.0

Total Acres: 206

Conditions/Remarks:

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. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 100 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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Documentation of Ownership of the Current Place of Use
Warranty Deed

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

NO

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

Permissible place of use is being proposed so land may or may not be irrigated in the future with this particular right.

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

NO

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Transfer No. 70431

Receipt No. _____

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

Current Water Right No. 45-2530

Priority Date: June 19, 1956
Origin: Adjudication Recommendation
Basis: License
Status: Active

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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	1.94 CFS	636.0 AFA	
	Total Diversion	1.94 CFS	636.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNWSE	Sec. 36 Twp 10S	Rge 19E	TWIN FALLS County
GROUND WATER	SESENW	Sec. 1 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	SWNWNE	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	
10S 19E 36																	12.0
11S 19E 1		27.0 L 2	9.0		38.0 L 3	25.0 L 4	22.0	26.0									147.0

Total Acres: 159

Conditions/Remarks:

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. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.52 CFS. COMBINED RIGHT NOS.:45-2530, 45-2541, 45-7497, 45-13403.

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3. USE OF THIS RIGHT IS COMBINED WITH WATER FROM TWIN FALLS CANAL CO.

Documentation of Ownership of the Current Place of Use

Warranty Deed

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

NO

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

Permissible place of use is being proposed so land may or may not be irrigated in the future with this particular right.

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

NO

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

Current Water Right No. 45-2541

Priority Date: March 13, 1957
Origin: Adjudication Recommendation
Basis: License
Status: Active

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Source: GROUND WATER

Beneficial Use	From To	Diversion Rate	Volume	Subuse Code
IRRIGATION	03/15 11/15	1.70 CFS	829.6 AFA	
	Total Diversion	1.70 CFS	829.6 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNWSE	Sec. 36 Twp 10S	Rge 19E	TWIN FALLS County
GROUND WATER	SESENE	Sec. 1 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	SWNWNE	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 1						11.0	11.0	10.0	39.0	36.0	38.0	40.0					185.0
11S 19E 2	10.0												8.9			3.1	22.0
11S 19E 12			15.0		40.0	23.0	5.4	17.0									100.4

Total Acres: 307.4

Conditions/Remarks:

- 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.

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2. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.52 CFS. COMBINED RIGHT NOS.:45-2530, 45-2541, 45-7497, 45-13403.
3. USE OF THIS RIGHT IS COMBINED WITH WATER FROM TWIN FALLS CANAL CO.

Documentation of Ownership of the Current Place of Use
Warranty Deed

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

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

Permissible place of use is being proposed so land may or may not be irrigated in the future with this particular right.

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

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

Current Water Right No. 45-7497

Priority Date: April 03, 1982
Origin: Adjudication Recommendation
Basis: License
Status: Active

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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	3.88 CFS	1,893.0 AFA	
	Total Diversion	3.88 CFS	1,893.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNWSE	Sec. 36 Twp 10S	Rge 19E	TWIN FALLS County
GROUND WATER	SESENE	Sec. 1 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	SWNWNE	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	
10S 19E 26									13.0	9.4	36.0	40.0			25.0		123.4
10S 19E 34			39.0	39.0									39.0	40.0	40.0	40.0	237.0
10S 19E 35	35.0	40.0	40.0	40.0	40.0	36.0					40.0	37.0	40.0	40.0	33.0	29.0	450.0
10S 19E 36						8.5	39.0	6.0	27.0	36.0	24.0			1.1			141.6
11S 19E 1							7.2				3.5						10.7
11S 19E 2	28.0	13.0	2.0	37.0	21.0	35.0	40.0	21.0					11.0				208.0
11S 19E 3	L1	L2			L3	L4											6.3
	L1																

Total Acres: 1177

Conditions/Remarks:

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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. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.52 CFS. COMBINED RIGHT NOS.:45-2530, 45-2541, 45-7497, 45-13403.
3. USE OF THIS RIGHT IS COMBINED WITH WATER FROM TWIN FALLS CANAL CO.

Documentation of Ownership of the Current Place of Use
Warranty Deed

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

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

Permissible place of use is being proposed so land may or may not be irrigated in the future with this particular right.

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

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

Current Water Right No. 45-7019

Priority Date: September 25, 1967
Origin: Adjudication Recommendation
Basis: License
Status: Active

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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	1.50 CFS	376.0 AFA	
	Total Diversion	1.50 CFS	376.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSWNW Sec. 35 Twp 10S 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	
10S 19E 35							38.0	4.5	18.0	34.0							94.5

Total Acres: 94.5

Conditions/Remarks:

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. USE OF THIS RIGHT IS COMBINED WITH WATER FROM TWIN FALLS CANAL CO.

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Documentation of Ownership of the Current Place of Use
Warranty Deed

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

NO

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

Permissible place of use is being proposed so land may or may not be irrigated in the future with this particular right.

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

NO

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

Current Water Right No. 45-13403

Priority Date: December 22, 2000

Origin: Water Right

Basis: License

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	3.00 CFS		
	Total Diversion	3.00 CFS		

Source and Point(s) of Diversion:

GROUND WATER SWNWSE Sec. 36 Twp 10S Rge 19E TWIN FALLS
County

GROUND WATER SESENW Sec. 1 Twp 11S Rge 19E TWIN FALLS
County

GROUND WATER SWNWNE 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	3	32.0	39.0	39.0	40.0													150.0
			L 1	L 2															

Total Acres: 150

Conditions/Remarks:

1. Rights 45-02530, 45-02541 and 45-07497 are also diverted through the points of diversion described above.
2. Rights 45-02530, 45-02541, 45-07497 and 45-13403 when combined shall not exceed a total diversion rate of 7.52 cfs, and a total annual maximum diversion volume of 3670.0 af at the field headgate.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 600.0 af at the field headgate for the lands above.

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4. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.
6. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
8. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

Documentation of Ownership of the Current Place of Use

Warranty Deed

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

NO

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

Permissible place of use is being proposed so land may or may not be irrigated in the future with this particular right.

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

NO

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Receipt No. _____

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

Proposed Water Right No. 45-2503

Priority Date: September 08, 1955

Origin: Adjudication
 Recommendation

Basis: License

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	2.10 CFS	440.0 AFA	
	Total Diversion	2.10 CFS	440.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNWSE	Sec. 36 Twp 10S	Rge 19E	TWIN FALLS County
GROUND WATER	SESENW	Sec. 1 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	SWNWNE	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County

Describe the proposed diversion system

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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	
10S 19E 26									12.0	9.2	37.0	40.0			25.0		123.2
10S 19E 34			39.0	40.0									40.0	40.0	40.0	40.0	239.0
10S 19E 35	35.0	40.0	40.0	40.0	40.0	37.0	39.0	38.0	37.0	40.0	40.0	38.0	40.0	40.0	28.0	28.0	600.0
10S 19E 36						10.0	39.0	5.8	27.0	36.0	25.0	3.0		1.2	9.1		156.1
11S 19E 1		28.0	9.9		38.0	37.0	40.0	38.0	39.0	40.0	39.0	40.0					348.9
11S 19E 2	39.0	27.0	38.0	38.0	33.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	36.0	40.0	40.0	37.0	607.0
11S 19E 3	39.0	39.0	40.0	40.0				40.0	40.0	40.0		40.0	40.0	40.0	40.0	40.0	478.0
11S 19E 10	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0			40.0	40.0	40.0	40.0	560.0
11S 19E 11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	639.0
11S 19E 12		14.0	7.2		40.0	37.0	18.0	20.0									136.2

Total Acres: 3887.4

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Transfer No. 70431
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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 45-2518

Priority Date: March 13, 1956
Origin: Adjudication
 Recommendation
Basis: License
Status: Active

Source: GROUND WATER

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<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.78 CFS	400.0 AFA	
	Total Diversion	1.78 CFS	400.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNWSE	Sec. 36 Twp 10S	Rge 19E	TWIN FALLS County
GROUND WATER	SESENW	Sec. 1 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	SWNWNE	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County

Describe the proposed diversion system

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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	
10S 19E 26									12.0	9.2	37.0	40.0			25.0		123.2
10S 19E 34			39.0	40.0									40.0	40.0	40.0	40.0	239.0
10S 19E 35	35.0	40.0	40.0	40.0	40.0	37.0	39.0	38.0	37.0	40.0	40.0	38.0	40.0	40.0	28.0	28.0	600.0
10S 19E 36						10.0	39.0	5.8	27.0	36.0	25.0	3.0		1.2	9.1		156.1
11S 19E 1		28.0	9.9		38.0	37.0	40.0	38.0	39.0	40.0	39.0	40.0					348.9
11S 19E 2	39.0	L 2	27.0	38.0	L 3	L 4	40.0	40.0	40.0	40.0	40.0	40.0	36.0	40.0	40.0	37.0	607.0
11S 19E 3	L 1	L 2			L 3	L 4											
11S 19E 3	39.0	39.0	40.0	40.0				40.0	40.0	40.0		40.0	40.0	40.0	40.0	40.0	478.0
11S 19E 10	L 1	L 2															
11S 19E 10	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0			40.0	40.0	40.0	40.0	560.0
11S 19E 11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	639.0
11S 19E 12		14.0	7.2		40.0	37.0	18.0	20.0									136.2

Total Acres: 3887.4

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Transfer No. 70431

Receipt No. _____

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

Proposed Water Right No. 45-2530

Priority Date: June 19, 1956

Origin: Adjudication
Recommendation

Basis: License

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	1.94 CFS	636.0 AFA	
	Total Diversion	1.94 CFS	636.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNWSE	Sec. 36 Twp 10S	Rge 19E	TWIN FALLS County
GROUND WATER	SESENW	Sec. 1 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	SWNWNE	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County

Describe the proposed diversion system

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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	
10S 19E 26									12.0	9.2	37.0	40.0			25.0		123.2
10S 19E 34			39.0	40.0									40.0	40.0	40.0	40.0	239.0
10S 19E 35	35.0	40.0	40.0	40.0	40.0	37.0	39.0	38.0	37.0	40.0	40.0	38.0	40.0	40.0	28.0	28.0	600.0
10S 19E 36						10.0	39.0	5.8	27.0	36.0	25.0	3.0		1.2	9.1		156.1
11S 19E 1		28.0	9.9		38.0	37.0	40.0	38.0	39.0	40.0	39.0	40.0					348.9
11S 19E 2	39.0	27.0	38.0	38.0	33.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	36.0	40.0	40.0	37.0	607.0
11S 19E 3	L 1	L 2			L 3	L 4											
	39.0	39.0	40.0	40.0				40.0	40.0	40.0		40.0	40.0	40.0	40.0	40.0	478.0
11S 19E 10	L 1	L 2															
	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0			40.0	40.0	40.0	40.0	560.0
11S 19E 11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	639.0
11S 19E 12		14.0	7.2		40.0	37.0	18.0	20.0									136.2

Total Acres: 3887.4

MICROFILMED

OCT 29 2003

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MAR 19 2003

Transfer No. 70431

Receipt No. _____

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

Proposed Water Right No. 45-2541

Priority Date: March 13, 1957

Origin: Adjudication
 Recommendation

Basis: License

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	1.70 CFS	829.6 AFA	
	Total Diversion	1.70 CFS	829.6 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNWSE	Sec. 36 Twp 10S	Rge 19E	TWIN FALLS County
GROUND WATER	SESENW	Sec. 1 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	SWNWNE	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County

Describe the proposed diversion system

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Southern Region

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MAR 19 2003

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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	
10S 19E 26									12.0	9.2	37.0	40.0			25.0		123.2
10S 19E 34			39.0	40.0									40.0	40.0	40.0	40.0	239.0
10S 19E 35	35.0	40.0	40.0	40.0	40.0	37.0	39.0	38.0	37.0	40.0	40.0	38.0	40.0	40.0	28.0	28.0	600.0
10S 19E 36						10.0	39.0	5.8	27.0	36.0	25.0	3.0		1.2	9.1		156.1
11S 19E 1		28.0	9.9		38.0	37.0	40.0	38.0	39.0	40.0	39.0	40.0					348.9
11S 19E 2	39.0	27.0	38.0	38.0	33.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	36.0	40.0	40.0	37.0	607.0
11S 19E 3	39.0	39.0	40.0	40.0				40.0	40.0	40.0		40.0	40.0	40.0	40.0	40.0	478.0
11S 19E 10	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0			40.0	40.0	40.0	40.0	560.0
11S 19E 11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	639.0
11S 19E 12		14.0	7.2		40.0	37.0	18.0	20.0									136.2

Total Acres: 3887.4

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MAR 19 2003

Transfer No. 70431

Receipt No. _____

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

Proposed Water Right No. 45-7497

Priority Date: April 03, 1982

Origin: Adjudication
 Recommendation

Basis: License

Status: Active

Source: GROUND WATER

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Southern Region

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	3.88 CFS	1,893.0 AFA	
	Total Diversion	3.88 CFS	1,893.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNWSE	Sec. 36 Twp 10S	Rge 19E	TWIN FALLS County
GROUND WATER	SESENW	Sec. 1 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	SWNWNE	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County

Describe the proposed diversion system

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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	
10S 19E 26									12.0	9.2	37.0	40.0			25.0		123.2
10S 19E 34			39.0	40.0									40.0	40.0	40.0	40.0	239.0
10S 19E 35	35.0	40.0	40.0	40.0	40.0	37.0	39.0	38.0	37.0	40.0	40.0	38.0	40.0	40.0	28.0	28.0	600.0
10S 19E 36						10.0	39.0	5.8	27.0	36.0	25.0	3.0		1.2	9.1		156.1
11S 19E 1		28.0	9.9		38.0	37.0	40.0	38.0	39.0	40.0	39.0	40.0					348.9
11S 19E 2		L 2			L 3	L 4											
	39.0	27.0	38.0	38.0	33.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	36.0	40.0	40.0	37.0	607.0
11S 19E 3	L 1	L 2			L 3	L 4											
	39.0	39.0	40.0	40.0				40.0	40.0	40.0		40.0	40.0	40.0	40.0	40.0	478.0
11S 19E 10	L 1	L 2															
	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0			40.0	40.0	40.0	40.0	560.0
11S 19E 11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	639.0
11S 19E 12		14.0	7.2		40.0	37.0	18.0	20.0									136.2

Total Acres: 3887.4

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MAR 19 2003

Transfer No. 70431

Receipt No. _____

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

Proposed Water Right No. 45-7019

Priority Date: September 25, 1967

Origin: Adjudication
 Recommendation

Basis: License

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	1.50 CFS	376.0 AFA	
	Total Diversion	1.50 CFS	376.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNWSE	Sec. 36 Twp 10S	Rge 19E	TWIN FALLS County
GROUND WATER	SESENW	Sec. 1 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	SWNWNE	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County

Describe the proposed diversion system

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Page 29

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	
10S 19E 26									12.0	9.2	37.0	40.0			25.0		123.2
10S 19E 34			39.0	40.0									40.0	40.0	40.0	40.0	239.0
10S 19E 35	35.0	40.0	40.0	40.0	40.0	37.0	39.0	38.0	37.0	40.0	40.0	38.0	40.0	40.0	28.0	28.0	600.0
10S 19E 36						10.0	39.0	5.8	27.0	36.0	25.0	3.0		1.2	9.1		156.1
11S 19E 1		28.0	9.9		38.0	37.0	40.0	38.0	39.0	40.0	39.0	40.0					348.9
11S 19E 2	39.0	27.0	38.0	38.0	33.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	36.0	40.0	40.0	37.0	607.0
11S 19E 3	39.0	39.0	40.0	40.0				40.0	40.0	40.0		40.0	40.0	40.0	40.0	40.0	478.0
11S 19E 10	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0			40.0	40.0	40.0	40.0	560.0
11S 19E 11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	639.0
11S 19E 12		14.0	7.2		40.0	37.0	18.0	20.0									136.2

Total Acres: 3887.4

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Transfer No. 70431

Receipt No. _____

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

Proposed Water Right No. 45-13403

Priority Date:

Origin: Water Right

Basis: License

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	3.00 CFS		
	Total Diversion	3.00 CFS		

Source and Point(s) of Diversion:

GROUND WATER	SWNWSE	Sec. 36 Twp 10S	Rge 19E	TWIN FALLS County
GROUND WATER	SESENW	Sec. 1 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	SWNWNE	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	NESENW	Sec. 12 Twp 11S	Rge 19E	TWIN FALLS County

Describe the proposed diversion system

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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	
10S 19E 26									12.0	9.2	37.0	40.0			25.0		123.2
10S 19E 34			39.0	40.0									40.0	40.0	40.0	40.0	239.0
10S 19E 35	35.0	40.0	40.0	40.0	40.0	37.0	39.0	38.0	37.0	40.0	40.0	38.0	40.0	40.0	28.0	28.0	600.0
10S 19E 36						10.0	39.0	5.8	27.0	36.0	25.0	3.0		1.2	9.1		156.1
11S 19E 1		28.0	9.9		38.0	37.0	40.0	38.0	39.0	40.0	39.0	40.0					348.9
11S 19E 2	39.0	27.0	38.0	38.0	33.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	36.0	40.0	40.0	37.0	607.0
11S 19E 3	L 1	L 2			L 3	L 4											
11S 19E 3	39.0	39.0	40.0	40.0				40.0	40.0	40.0		40.0	40.0	40.0	40.0	40.0	478.0
11S 19E 10	L 1	L 2															
11S 19E 10	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0			40.0	40.0	40.0	40.0	560.0
11S 19E 11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	639.0
11S 19E 12		14.0	7.2		40.0	37.0	18.0	20.0									136.2

Total Acres: 3887.4

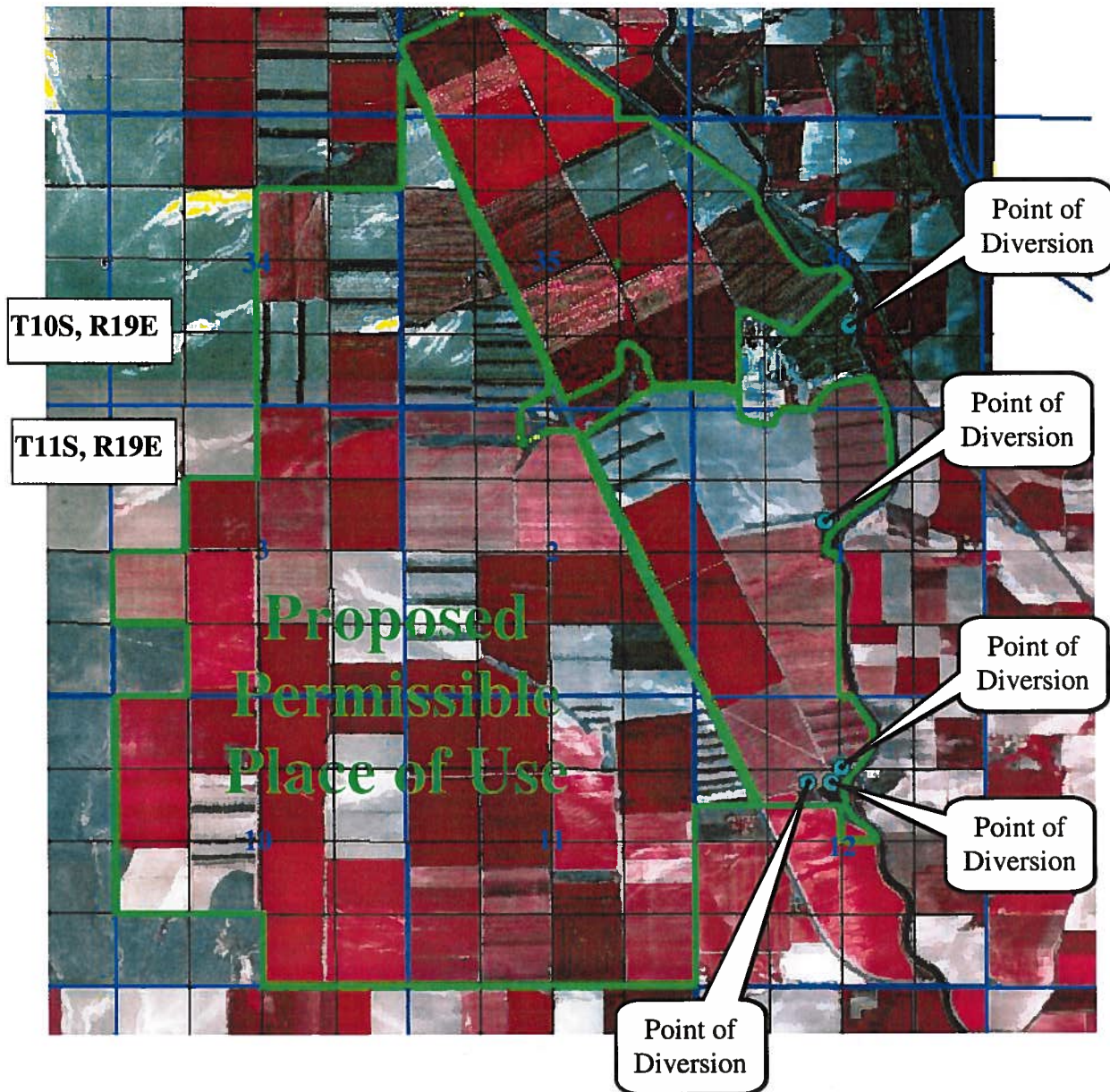
SCANNED

MICROFILMED

MAR 19 2003

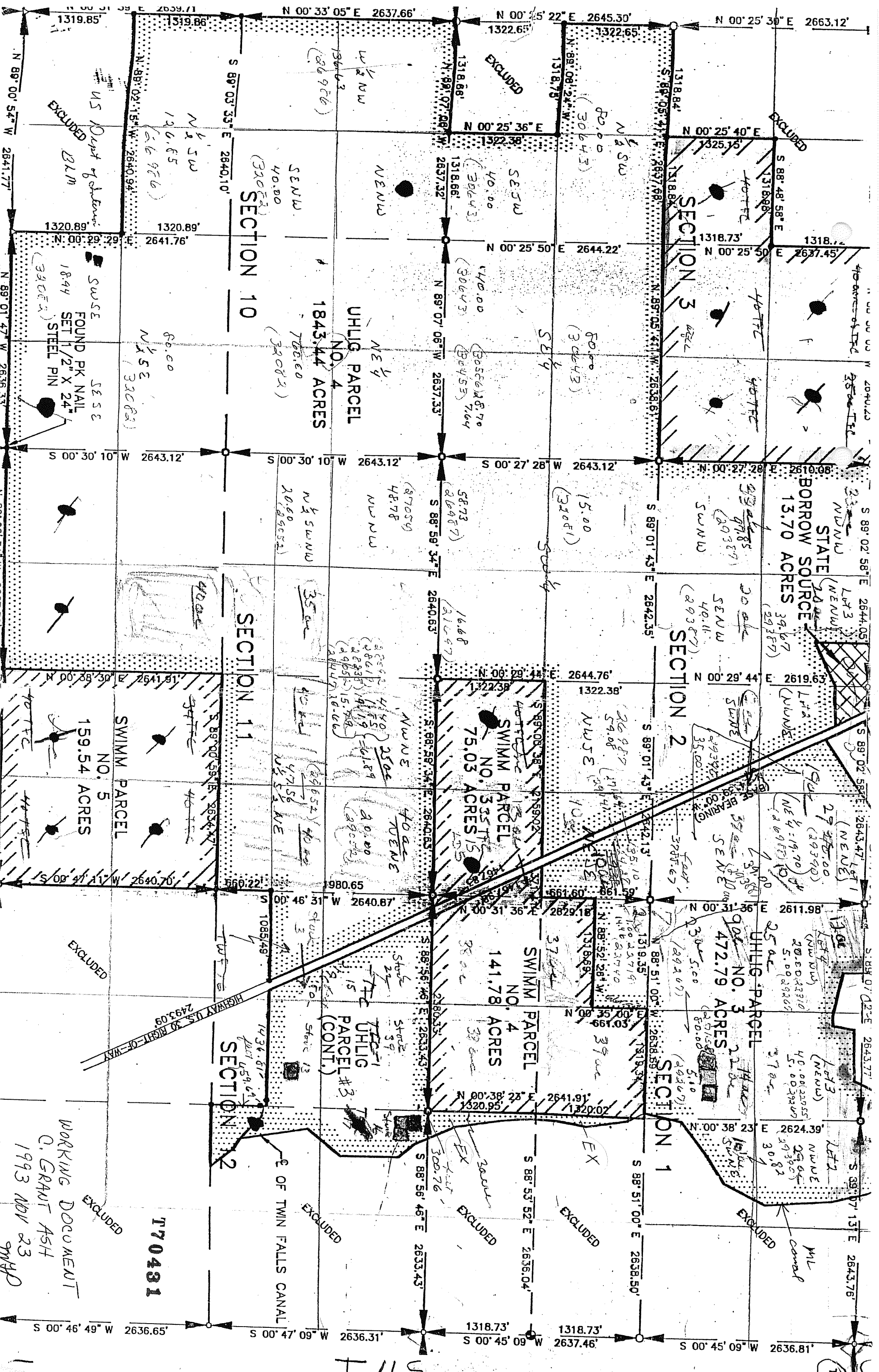
OCT 29 2003

LDS Transfer 70431 Map



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OCT 29 2003



WORKING DOCUMENT
C. GRANT ASH
1993 NOV 23
gmh

Well Water (License Number)

45-02422 - Not LDS Domestic

45-02503 - LDS - Run

45-02518 - LDS - Run

45-02530 - LDS - Run

45-02541 - LDS - Purple (Storage Water)

45-7497 - LDS GREEN

45-0719 - Not LDS - ? where is it?

TFC - Twin Falls Canal = Shovel No. 1

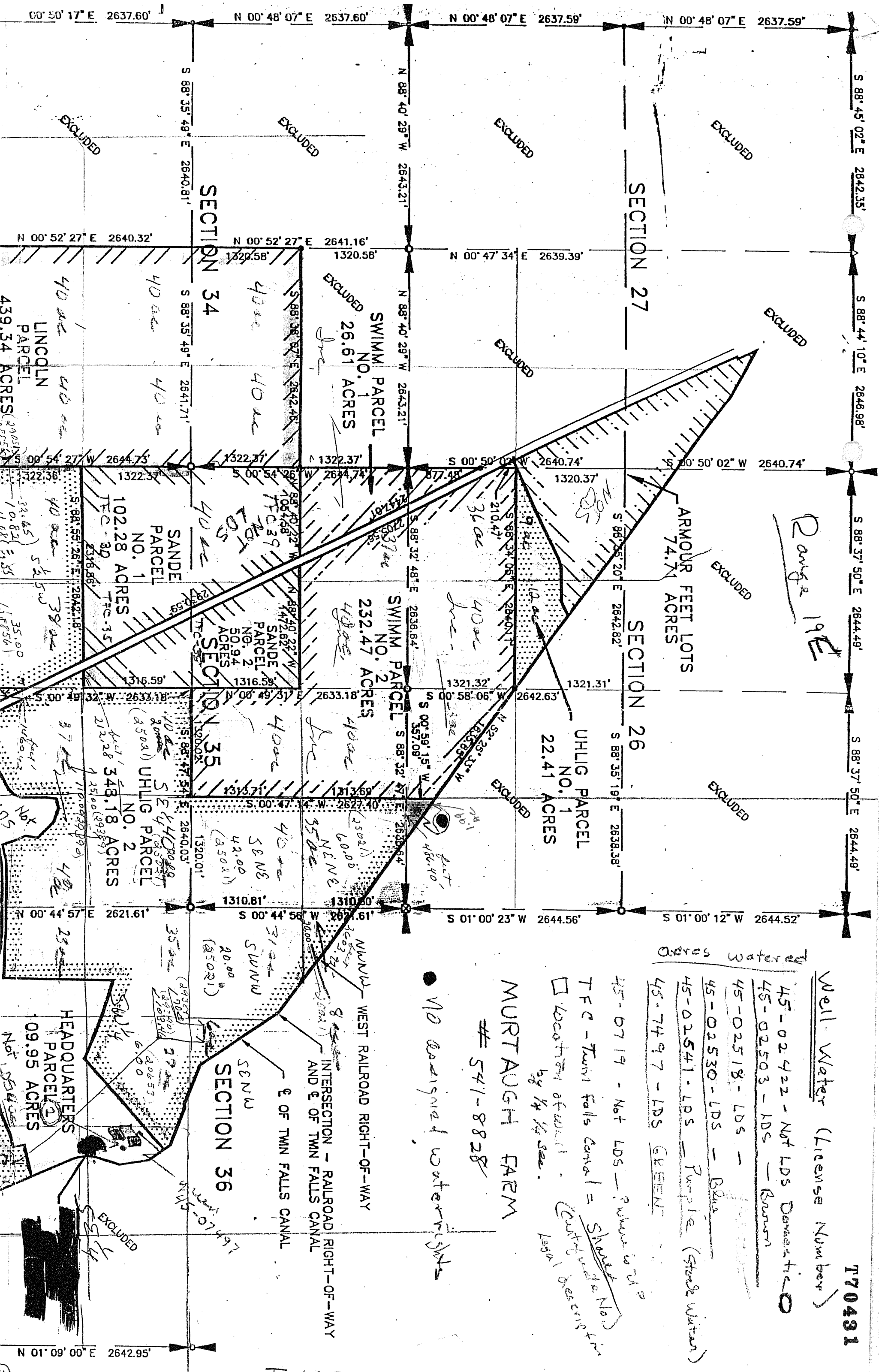
Location of well - by 1/4 sec.

MURTAUGH FARM

541-8828

No designed water rights

Acres Water



No. C 122084	Due no later than Dec 31, 2002 Annual Report Form		2. Registered Agent and Office NO PO BOX
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080	3. Mailing Address - Correct in this box, if applicable FARMLAND RESERVE, INC. C/O OLS 2WWW 50 E N TEMPLE ST SALT LAKE CITY, UT 84150		CORPORATION SERVICE COMPAN 1401 SHORELINE DR STE 2 BOISE, ID 83702
NO FILING FEE IF RECEIVED BY DUE DATE		3. <u>New</u> Registered Agent Signature	
4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.			
<u>Office held</u>	<u>Name</u>	<u>Street or P.O. Address</u>	<u>City</u> <u>State</u> <u>Zip</u>
President	John W. Creer	139 E. South Temple	Salt Lake City UT 84111
Secretary	Thomas G. Rueckert	139 E. South Temple	Salt Lake City UT 84111
5. Organized Under the Laws of:		6. Signature <i>Von G. Keetch</i> Date <u>10/29/02</u>	
UTAH C 122084		Name (Typed or Printed) <u>Von G. Keetch</u> Title <u>Attorney</u>	
5338 Do Not Tape or Staple			

T70431

SCANNED

MICROFILMED MAR 19 2003

OCT 29 2003

WHEN RECORDED RETURN TO:

T70431

Wallace O. Felsted, Esq.
Kirton & McConkie
60 E. South Temple, Suite 1800
Salt Lake City, UT 84111

Twin Falls County, Idaho

Recorded for:
TITLEFACT

04:40pm Jan. 09, 2003
2003 - 000693

No. of Pages: 3 Fee: \$9.00
ROBERT S. FORT
Ex-Officio Recorder
Deputy: SL

ADDRESS FOR TAX BILL:

C/O LDS Church Tax Administration
50 E. North Temple, 22nd floor
Salt Lake City, Utah 84150-3620

Property No. 541-8828
(ID Twin Falls Co Murtaugh - Lincoln)
48358

SPECIAL WARRANTY DEED

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, Grantor, with its principal office located at 50 East North Temple Street, Salt Lake City, Utah, 84150, hereby conveys and warrants only against all claiming by, through or under it, and acts of itself to FARMLAND RESERVE, INC., a Utah nonprofit corporation, Grantee, of 50 East North Temple Street, Salt Lake City, Utah, 84150, for One Dollar (\$1.00) and other good and valuable consideration, the following parcels of real property located in Twin Falls County, State of Idaho, and more particularly described as follows:

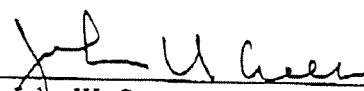
See Exhibit "A" Attached hereto and by this reference made a part hereof.

Together with all tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining thereto, including but not limited to easements and rights-of-way over adjoining property, which easements and rights-of-way are appurtenant to the real property described above, and all of Grantor's interest in and to oil, gas, geothermal, water and mineral rights, wells, all water rights appurtenant to said real property described above, and all of Grantor's interest in and to any land lying in the bed of any body of water, waterway or public street, public road or public avenue in front of or adjoining the land, to have and to hold, the same in fee simple forever.

Subject to current taxes and assessments, reservations, easements, rights-of-way, covenants, conditions, restrictions, zoning matters, liens, and encumbrances and all other matters of record or enforceable at law or equity.

DATED this 31st day of December, 2002.

Corporation of the Presiding Bishop of The Church of
Jesus Christ of Latter-day Saints, a Utah corporation
sole


By: John W. Creer, Authorized Agent

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OCT 29 2003

SCANNED

MAR 19 2003

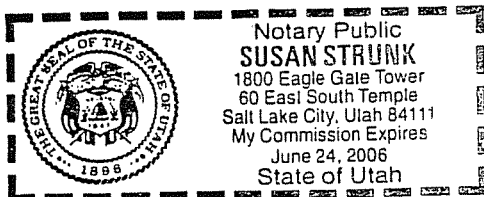
STATE OF UTAH)

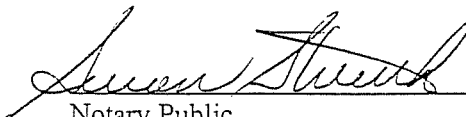
) ss.

COUNTY OF SALT LAKE)

T70431

On this 31st day of December, 2002, personally appeared before me John W. Creer, personally known to me to be the Authorized Agent of the Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole, who acknowledged to me that he signed the foregoing instrument as Authorized Agent for said Corporation, and the said John W. Creer acknowledged to me that the said Corporation executed the same.





Notary Public

659185.1

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OCT 29 2003

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MAR 19 2003

Exhibit "A"

A parcel of land located in Section 34, Township 10 South, Range 19 E., B.M., Twin Falls County, Idaho and in Section 3, Township 11 South, Range 19 E., B.M., and being more particularly described as follows:

COMMENCING at the Section corner common to Section 34, Township 10 South, Range 19 E., B.M., and Section 3, Township 11 South, Range 19 E., B.M., and being the TRUE POINT OF BEGINNING;
THENCE South 00°27'28" West along the East boundary of the NE¼ of Section 3 for a distance of 2610.08 feet to the Southeast corner of the NE¼ of Section 3;

THENCE North 89°05'41" West along the South boundary of the N½ of Section 3 for a distance of 3957.45 feet to the Southwest corner of the SE¼NW¼ of Section 3;

THENCE North 00°25'40" East along the West boundary of the SE¼NW¼ of Section 3 for a distance of 1325.15 feet to the Northwest corner of the SE¼NW¼ of Section 3;

THENCE South 88°48'58" East along the North boundary of the SE¼NW¼ of Section 3 for a distance of 1318.98 feet to the Northeast corner of the SE¼NW¼ of Section 3;

THENCE North 00°25'48" East along the West boundary of the NE¼ of Section 3 for a distance of 1318.72 feet to the Northwest corner of the NE¼ of Section 3 and Southwest corner of the SE¼ of Section 34;

THENCE North 00°52'27" East along the West boundary of the E½ of Section 34 for a distance of 3960.90 feet to the Northwest corner of the S½NE¼ of Section 34;

THENCE South 88°38'09" East along the North boundary of the S½NE¼ of Section 34 for a distance of 2642.46 feet to the Northeast corner of the S½NE¼ of Section 34;

THENCE South 00°54'27" West along the East boundary of Section 34 for a distance of 3967.10 feet to the TRUE POINT OF BEGINNING.

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OCT 29 2003

SCANNED

MAR 19 2003

WHEN RECORDED RETURN TO:

Wallace O. Felsted, Esq.
Kirtan & McConkie
60 E. South Temple, Suite 1800
Salt Lake City, UT 84111

T 19941

ADDRESS FOR TAX BILL:

C/O LDS Church Tax Administration
50 E. North Temple, 22nd floor
Salt Lake City, Utah 84150-3620

Property No. 541-8828

(ID Twin Falls Co Murtaugh- Add 1) SANDE FARM 24

Twin Falls County, Idaho

T70431

Recorded for:
FIRST AMERICAN TITLE CO.

04:29pm Jan. 06, 2003

2003 - 000399

No. of Pages: 3 Fee: \$9.00
ROBERT S. FORT
Ex-Officio Recorder
Deputy: SL

SPECIAL WARRANTY DEED

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, Grantor, with its principal office located at 50 East North Temple Street, Salt Lake City, Utah, 84150, hereby conveys and warrants only against all claiming by, through or under it, and acts of itself to FARMLAND RESERVE, INC., a Utah nonprofit corporation, Grantee, of 50 East North Temple Street, Salt Lake City, Utah, 84150, for One Dollar (\$1.00) and other good and valuable consideration, the following parcels of real property located in Twin Falls County, State of Idaho, and more particularly described as follows:

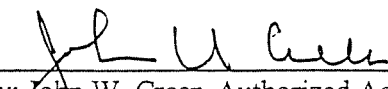
See Exhibit "A" Attached hereto and by this reference made a part hereof.

Together with all tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining thereto, including but not limited to easements and rights-of-way over adjoining property, which easements and rights-of-way are appurtenant to the real property described above, and all of Grantor's interest in and to oil, gas, geothermal, water and mineral rights, wells, all water rights appurtenant to said real property described above, and all of Grantor's interest in and to any land lying in the bed of any body of water, waterway or public street, public road or public avenue in front of or adjoining the land, to have and to hold, the same in fee simple forever.

Subject to current taxes and assessments, reservations, easements, rights-of-way, covenants, conditions, restrictions, zoning matters, liens, and encumbrances and all other matters of record or enforceable at law or equity.

DATED this 31st day of December, 2002.

Corporation of the Presiding Bishop of The Church of
Jesus Christ of Latter-day Saints, a Utah corporation
sole


By: John W. Creer, Authorized Agent

MICROFILMED

SCANNED

OCT 29 2003

MAR 19 2003

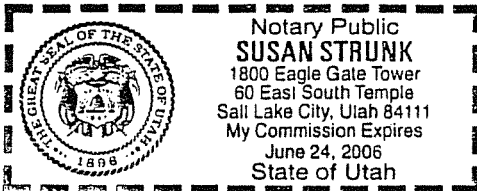
STATE OF UTAH)

) ss.

COUNTY OF SALT LAKE)

T70431

On this 31st day of December, 2002, personally appeared before me John W. Creer, personally known to me to be the Authorized Agent of the Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole, who acknowledged to me that he signed the foregoing instrument as Authorized Agent for said Corporation, and the said John W. Creer acknowledged to me that the said Corporation executed the same.



Susan Strunk

Notary Public

658548.1

SCANNED

MICROFILMED

MAR 19 2003

OCT 29 2003

Township 10S, R 19 E of the Boise Meridian, Twin Falls County, Idaho,

Section 35: N $\frac{1}{2}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$

EXCEPTING THEREFROM:

That portion conveyed to the State of Idaho for Public Highway Right of Way in Deed recorded July 1, 1935, as Instrument No. 267661 described as follows:

A strip of land 100 feet wide, being 50 feet on each side of the following described center line of said highway as surveyed and shown on the official plat of the Old Oregon Trail (N R H P 23-C 1935) Highway Survey on file in the office of the Department of Public Works of the State of Idaho, and lying over and across the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) and the South half of the Northwest quarter (S $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 35, Township 10, South, Range 19 East Boise Meridian.

BEGINNING at Station 159+05 of said Highway Survey, which station is approximately 1320 feet North and 270 feet West from the South quarter corner of Section 35, Township 10 South, Range 19 East B.M.; Thence running North 24°39' West 2955 feet to Station 187+60 of said Survey, which station is a point on tangent approximately 1320 feet South and 1120 feet East from the Northwest corner of Section thirty-five (35) Township Ten (10) South, Range Nineteen (19) East, Boise Meridian.

SCANNED

MICROFILMED

MAR 19 2003

OCT 29 2003

WHEN RECORDED RETURN TO:

Wallace O. Felsted, Esq.
Kirton & McConkie
60 E. South Temple, Suite 1800
Salt Lake City, UT 84111

Twin Falls County, Idaho

Recorded for:
TITLEFACT

04:41pm Jan. 09, 2003
2003 - 000694

No. of Pages: 5 Fee: \$15.00
ROBERT S. FORT
Ex-Officio Recorder
Deputy: SL

ADDRESS FOR TAX BILL:

C/O LDS Church Tax Administration
50 E. North Temple, 22nd floor
Salt Lake City, Utah 84150-3620

Property No. 541-8828
(ID Twin Falls Co Murtaugh - Swim)
48358

SPECIAL WARRANTY DEED

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, Grantor, with its principal office located at 50 East North Temple Street, Salt Lake City, Utah, 84150, hereby conveys and warrants only against all claiming by, through or under it, and acts of itself to FARMLAND RESERVE, INC., a Utah nonprofit corporation, Grantee, of 50 East North Temple Street, Salt Lake City, Utah, 84150, for One Dollar (\$1.00) and other good and valuable consideration, the following parcels of real property located in Twin Falls County, State of Idaho, and more particularly described as follows:

See Exhibit "A" Attached hereto and by this reference made a part hereof.

Together with all tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining thereto, including but not limited to easements and rights-of-way over adjoining property, which easements and rights-of-way are appurtenant to the real property described above, and all of Grantor's interest in and to oil, gas, geothermal, water and mineral rights, wells, all water rights appurtenant to said real property described above, and all of Grantor's interest in and to any land lying in the bed of any body of water, waterway or public street, public road or public avenue in front of or adjoining the land, to have and to hold, the same in fee simple forever.

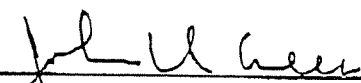
Subject to current taxes and assessments, reservations, easements, rights-of-way, covenants, conditions, restrictions, zoning matters, liens, and encumbrances and all other matters of record or enforceable at law or equity.

DATED this 31st day of December, 2002.

Corporation of the Presiding Bishop of The Church of
Jesus Christ of Latter-day Saints, a Utah corporation
sole

SCANNED

MAR 19 2003


By: John W. Creer, Authorized Agent

MICROFILMED

T70431

OCT 29 2003

LEGAL DESCRIPTIONSWIM PARCELSPARCEL 1

Township 10 South, Range 19 E., B.M., Twin Falls County, Idaho

A parcel of land "lying West of U.S. Highway 30" in:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26 AND N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 35 being more particularly described as follows:

COMMENCING at the Section Corner common to Sections 26, 27, 34 and 35 of Township 10 South, Range 19 East, Boise Meridian, and being the TRUE POINT OF BEGINNING;
 THENCE N. 00°50'02" E. along the West boundary of the SW $\frac{1}{4}$ of Section 26 for a distance of 877.48 feet to the intersection with the Westerly right-of-way boundary of U.S. Highway 30;
 THENCE S. 24°39' E., along the Westerly right-of-way boundary of U.S. Highway 30 for a distance of 2447.01 feet to the intersection with the South boundary of the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 35;
 THENCE N. 88°40'22" W., along the South boundary of the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 35 for a distance of 1054.58 feet to the Southwest corner of the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 35;
 THENCE N. 00°54'27" E., along the West boundary of the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 35 for a distance of 1322.37 feet to the Northwest corner of Section 35 and being the TRUE POINT OF BEGINNING.

PARCEL 2

Township 10 South, Range 19 E., B.M., Twin Falls County, Idaho

A parcel of land "lying East of U.S. Highway 30 and West of the Union Pacific Railroad" in:

S $\frac{1}{2}$ S $\frac{1}{2}$ of Section 26 AND N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, and SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35 being more particularly described as follows:

COMMENCING at the Southwest corner of said Section 26;
 THENCE N. 00°50'02" E., along the West boundary of Section 26 for a distance of 1109.90 feet to the intersection with the Easterly right-of-way boundary of U.S. Highway 30 and being the TRUE POINT OF BEGINNING;
 THENCE continuing N. 00°50'02" E., along the West boundary of Section 26 for a distance of 210.47 feet to the Northwest corner of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 26;
 THENCE S. 88°34'05" E., along the North boundary of the S $\frac{1}{2}$ S $\frac{1}{2}$ of Section 26 for a distance of 2645.09 feet to the intersection with the Westerly right-of-way boundary of the Union Pacific Railroad;
 THENCE S. 52°25'33" E., along the Westerly right-of-way boundary of the Union Pacific Railroad for a distance of 1635.65 feet to the intersection with the East boundary of the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 26;
 THENCE S. 00°59'15" W., along the East boundary of the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 26 for a distance of 357.09 feet to the intersection with the North boundary of the NE $\frac{1}{4}$ of Section 35;
 THENCE S. 00°47'14" W., along the East boundary of the W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 35 for a distance of 2627.40 feet to the Southeast corner of the W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 35;
 THENCE N. 88°47'54" W., along the South boundary of the W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 35 for a distance of 1320.02 feet to the Southwest corner of the W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 35;
 THENCE N. 00°49'32" E., along the West boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35 for a distance of 1316.59 feet to the Northwest corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35;
 THENCE N. 88°40'22" W., along the South boundary of the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 35 for a distance of 1472.62 feet to the intersection with the Easterly right-of-way boundary of U.S. Highway 30;
 THENCE N. 24°39'00" W., along the Easterly right-of-way boundary of U.S. Highway 30 for a distance of 2705.56 feet to the TRUE POINT OF BEGINNING.

OCT 29 2003

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PARCEL 3

Township 11 South, Range 19 E., B.M., Twin Falls County, Idaho

A parcel of land "lying West of U.S. Highway 30" in:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1 AND S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 2 and being more particularly described as follows:

COMMENCING at the Section Corner common to Sections 1, 2, 11, and 12 and being the TRUE POINT OF BEGINNING;

THENCE N. 88°59'34" W., along the South boundary of Section 2 for a distance of 2640.63 feet to the South Quarter Corner of Section 2;

THENCE N. 00°29'44" E., along the West boundary of the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 2 for a distance of 1322.38 feet to the Northwest corner of the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 2;

THENCE S. 89°00'38" E., along the North boundary of the S $\frac{1}{2}$ SE $\frac{1}{4}$ for a distance of 2159.02 feet to the intersection with the Westerly right-of-way boundary of U.S. Highway 30;

THENCE S. 24°39' E., along the Westerly right-of-way boundary of U.S. Highway 30 for a distance of 1467.83 feet to a point on the South boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1;

THENCE N. 88°56'46" W., along the South boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1 for a distance of 142.12 feet to the Southwest corner of Section 1 and the TRUE POINT OF BEGINNING.

PARCEL 4

Township 11 South, Range 19 E., B.M., Twin Falls County, Idaho

A parcel of land "lying East of U.S. Highway 30" in

S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 1 AND S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 2, more particularly described as follows:

COMMENCING at the Section Corner common to Sections 1, 2, 11, and 12;

THENCE S. 88°56'46" E., along the South boundary of Section 1 for a distance of 253.10 feet to the intersection with the Easterly right-of-way boundary of U.S. Highway 30 and being the TRUE POINT OF BEGINNING;

THENCE N. 24°39'00" W., along the Easterly right-of-way boundary of U.S. Highway 30 for a distance of 1467.98 feet to the intersection with the North boundary of the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 2;

THENCE S. 89°00'38" E., along the North boundary of the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 2 for a distance of 371.41 feet to the Southwest corner of the S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1;

THENCE N. 00°31'36" E., along the West boundary of the S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 661.60 feet to the Northwest corner of the S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1;

THENCE S. 88°52'26" E., along the North boundary of the S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 1318.69 feet to the Southwest corner of the N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1;

THENCE N. 00°35'00" E., along the West boundary of the N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 661.03 feet to the Northwest corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1;

THENCE S. 88°51'00" E., along the North boundary of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 1319.34 feet to the Northeast corner of the SW $\frac{1}{4}$ of Section 1;

THENCE S. 00°38'23" W., along the East boundary of the SW $\frac{1}{4}$ of Section 1 for a distance of 2641.91 feet to the Southeast corner of the SW $\frac{1}{4}$ of Section 1;

THENCE N. 88°56'46" W., along the South boundary of the SW $\frac{1}{4}$ of Section 1 for a distance of 2380.33 feet to the TRUE POINT OF BEGINNING.

SCANNED

MICROFILMED

MAR 19 2003

OCT 29 2003

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PARCEL 5

Township 11 South, Range 19 E., B.M., Twin Falls County, Idaho

Section 11: SE¼, being more particularly described as follows:

COMMENCING at the Southeast corner of said Section 11 and being the TRUE POINT OF BEGINNING;
THENCE N. 89°02'31" W., along the South boundary of the SE¼ for a distance of 2627.80 feet to
the South Quarter Corner of Section 11;

THENCE N. 00°38'30" E., along the West boundary of the SE¼ for a distance of 2641.91 feet;

THENCE S. 89°00'59" E., along the North boundary of the SE¼ for a distance of 2634.47 feet;

THENCE S. 00°47'11" W., along the East boundary of the SE¼ for a distance of 2640.70 feet to the
TRUE POINT OF BEGINNING.

SUBJECT TO a 25.0-foot-wide County Road Easement along the Southerly boundary.

MICROFILMED

OCT 29 2003

SCANNED

MAR 19 2003

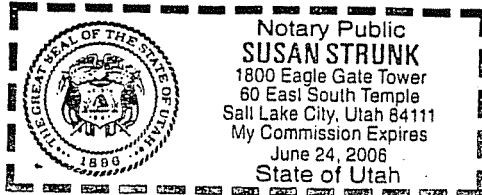
STATE OF UTAH)

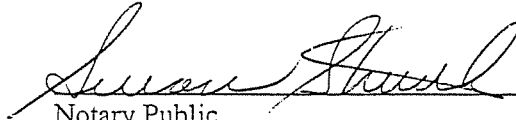
) ss.

COUNTY OF SALT LAKE)

T70431

On this 31st day of December, 2002, personally appeared before me John W. Creer, personally known to me to be the Authorized Agent of the Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole, who acknowledged to me that he signed the foregoing instrument as Authorized Agent for said Corporation, and the said John W. Creer acknowledged to me that the said Corporation executed the same.




Notary Public

654644.1

SCANNED

MICROFILM

MAR 19 2003

OCT 29 2003

T 7 0 4 3 1

WHEN RECORDED RETURN TO:

Wallace O. Felsted, Esq.
Kirton & McConkie
60 E. South Temple, Suite 1800
Salt Lake City, UT 84111

Twin Falls County, Idaho

Recorded for:
TITLEFACT

04:39pm Jan.09,2003
2003 - 000692

No. of Pages: 7 Fee: \$21.00
ROBERT S. FORT
Ex-Officio Recorder
Deputy: SL

ADDRESS FOR TAX BILL:

C/O LDS Church Tax Administration
50 E. North Temple, 22nd floor
Salt Lake City, Utah 84150-3620

Property No. 541-8828
(ID Twin Falls Co Murtaugh - Uhlig)
48358

SPECIAL WARRANTY DEED

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, Grantor, with its principal office located at 50 East North Temple Street, Salt Lake City, Utah, 84150, hereby conveys and warrants only against all claiming by, through or under it, and acts of itself to FARMLAND RESERVE, INC., a Utah nonprofit corporation, Grantee, of 50 East North Temple Street, Salt Lake City, Utah, 84150, for One Dollar (\$1.00) and other good and valuable consideration, the following parcels of real property located in Twin Falls County, State of Idaho, and more particularly described as follows:

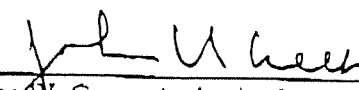
See Exhibit "A" Attached hereto and by this reference made a part hereof.

Together with all tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining thereto, including but not limited to easements and rights-of-way over adjoining property, which easements and rights-of-way are appurtenant to the real property described above, and all of Grantor's interest in and to oil, gas, geothermal, water and mineral rights, wells, all water rights appurtenant to said real property described above, and all of Grantor's interest in and to any land lying in the bed of any body of water, waterway or public street, public road or public avenue in front of or adjoining the land, to have and to hold, the same in fee simple forever.

Subject to current taxes and assessments, reservations, easements, rights-of-way, covenants, conditions, restrictions, zoning matters, liens, and encumbrances and all other matters of record or enforceable at law or equity.

DATED this 31st day of December, 2002.

Corporation of the Presiding Bishop of The Church of
Jesus Christ of Latter-day Saints, a Utah corporation
sole


By: John W. Creer, Authorized Agent

MICROFILMED

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SCANNED

MAR 19 2003

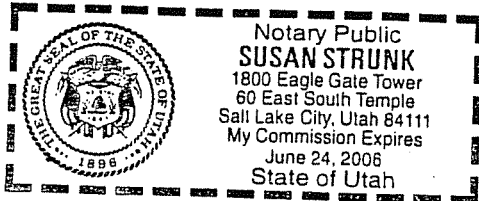
STATE OF UTAH)

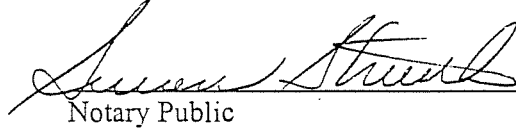
T70431

) ss.

COUNTY OF SALT LAKE)

On this 31st day of December, 2002, personally appeared before me John W. Creer, personally known to me to be the Authorized Agent of the Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole, who acknowledged to me that he signed the foregoing instrument as Authorized Agent for said Corporation, and the said John W. Creer acknowledged to me that the said Corporation executed the same.





Notary Public

659182.1

SCANNED
MICROFILMED
MAR 19 2003
OCT 29 2003

Exhibit "A" UHLIG PARCELS

Property lying in Twin Falls County, Idaho, to-wit:

PARCEL NO. 1

Township 10 South, Range 19 E., B.M., Twin Falls County, Idaho

Section 26: A parcel of land located in the S $\frac{1}{4}$ of Section 26, described as follows:

COMMENCING at the Southwest corner of said Section 26;

THENCE North 00°50'02" East along the West boundary of Section 26 for a distance of 1320.37 feet to the Northwest corner of the S $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26 and the TRUE POINT OF BEGINNING;

THENCE continuing North 00°50'02" East along the West boundary of the SW $\frac{1}{4}$ of Section 26 for a distance of 9.62 feet;

THENCE North 65°17'45" East for a distance of 825.50 feet;

THENCE North 65°00'38" East for a distance of 361.98 feet;

THENCE North 75°36'08" East for a distance of 108.50 feet;

THENCE South 89°37'21" East for a distance of 409.82 feet;

THENCE North 65°35'17" East for a distance of 189.28 feet to the intersection with the Westerly right of way boundary of the Union Pacific Railroad;

THENCE South 52°25'33" East along the Westerly right of way boundary of the Union Pacific Railroad for a distance of 1108.84 feet to a point on the South boundary of the N $\frac{1}{4}$ S $\frac{1}{4}$ of Section 26;

THENCE North 88°34'05" West along the South boundary of the N $\frac{1}{4}$ S $\frac{1}{4}$ of Section 26 for a distance of 2645.09 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 2

Located in Sections 26 and 35 of Township 10 South, Range 19 E., B.M., and in Sections 1 and 2 of Township 11 South, Range 19 E., B.M., Twin Falls County, Idaho all of which is East of Highway U.S. 30 and West of the Union Pacific Railroad right of way and West of the center of Twin Falls main canal and described as follows:

COMMENCING at the Southwest corner of said Section 35;

THENCE North 89°02'58" East along the South boundary of Section 35 for a distance of 3059.94 feet to the intersection with the easterly right of way boundary of Highway U.S. 30 and the TRUE POINT OF BEGINNING;

THENCE North 24°39'00" West along the Easterly right of way boundary of Highway U.S. 30 for a distance of 1460.42 feet to the intersection with the South boundary of the N $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35;

THENCE South 88°55'26" East along the South boundary of the N $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35 for a distance of 212.28 feet to the Southeast corner of the N $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35;

THENCE North 00°49'32" East along the West boundary of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35 for a distance of 1316.59 feet to the Northwest corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35;

THENCE South 88°47'54" East along the North boundary of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 1320.02 feet to the Northeast corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35;

THENCE North 00°47'14" East along the West boundary of the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 35 for a distance of 2627.40 feet to the Northwest corner of the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 35;

THENCE South 88°32'48" East along the North boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section (26) for a distance of 486.40 feet to the intersection with the Westerly right of way boundary of the Union Pacific Railroad;

THENCE South 52°25'33" East along the Westerly right of way boundary of the Union Pacific Railroad for a distance of 2603.92 feet to the intersection with the centerline of the Twin Falls Main Canal;

THENCE along the centerline of the Twin Falls Main Canal on the following courses:

Southeasterly along the arc of a 27° curve left for a distance of 59.39 feet to the point of tangent, said arc having a long chord bearing and distance of South 35°40'31" East, 59.20 feet;

THENCE South 32°29' East, 1103.40 feet to the point of curve of a 13° curve left;

THENCE Southeasterly along the arc of the 13° curve left for a distance of 544.49 feet to the point of tangent, said arc having a long chord bearing and distance of South 67°52'30" East 510.52 feet;

THENCE North 76°44'00" East, 40.23 feet to the point of curve of a 13° curve right;

THENCE Southeasterly along the arc of the 13° curve right for a distance of 527.69 feet to the Point of Tangent, said arc having a long chord bearing and distance of South 68°58'00" East 496.73 feet;

THENCE South 34°40'00" East, 90.35 feet;

THENCE leaving the center of the canal, South 49°10'54" West for a distance of 1474.60 feet;

THENCE North 67°01'48" West for a distance of 559.65 feet;

THENCE North 69°06'37" West for a distance of 453.25 feet;

THENCE South 01°55'13" West for a distance of 1328.30 feet;

THENCE North 88°35'58" West for a distance of 1402.51 feet;

THENCE South 79°19'44" West for a distance of 198.98 feet;

THENCE North 20°23'22" West for a distance of 298.56 feet;

THENCE North 10°05'47" East for a distance of 145.47 feet;

THENCE North 45°19'03" West for a distance of 276.28 feet;

MICROFILMED SCANNED

OCT 29 2003 MAR 19 2003

THENCE North 69°24'39" West for a distance of 175.01 feet;
 THENCE South 78°40'30" West for a distance of 115.95 feet;
 THENCE South 07°32'46" West for a distance of 115.07 feet;
 THENCE South 01°41'57" West for a distance of 173.98 feet;
 THENCE South 02°12'23" West for a distance of 148.15 feet;
 THENCE South 20°03'31" West for a distance of 34.86 feet;
 THENCE South 29°10'14" West for a distance of 56.83 feet;
 THENCE South 53°24'11" West for a distance of 68.65 feet;
 THENCE South 59°43'11" West for a distance of 478.97 feet;
 THENCE South 64°32'20" West for a distance of 431.44 feet to the intersection with the Easterly right of way boundary of Highway U.S. 30;
 THENCE North 24°39'00" West along the easterly right of way boundary of Highway U.S. 30 for a distance of 21.52 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO: An easement to the Twin Falls Canal Company for the use and maintenance of the Twin Falls Main Canal.

PARCEL NO. 3

Located in Sections 35 and 36, Township 10 South, Range 19 E., B.M., and in Sections 1, 2 and 12 of Township 11 South, Range 19 E., B.M., Twin Falls County, Idaho and described as follows:

COMMENCING at the Northwest corner of Section 2, Township 11 South, Range 19 E., B.M.;

THENCE South 89°02'58" East along the North boundary of Section 2 for a distance of 3059.94 feet to the intersection with the Easterly right of way boundary of Highway U.S. 30;
 THENCE South 24°39'00" East along the Easterly right of way boundary of Highway U.S. 30 for a distance of 574.47 feet to the TRUE POINT OF BEGINNING;
 THENCE North 56°14'32" East for a distance of 1276.69 feet;
 THENCE North 65°55'13" East for a distance of 118.00 feet;
 THENCE North 72°50'39" East for a distance of 129.11 feet;
 THENCE North 84°23'46" East for a distance of 197.01 feet;
 THENCE South 89°05'12" East for a distance of 971.32 feet;
 THENCE South 76°25'13" East for a distance of 368.88 feet;
 THENCE South 01°05'26" East for a distance of 477.54 feet;
 THENCE South 76°25'26" East for a distance of 558.91 feet;
 THENCE North 84°33'58" East for a distance of 109.86 feet;
 THENCE North 10°11'07" East for a distance of 256.74 feet;
 THENCE South 89°46'49" East for a distance of 626.02 feet;
 THENCE North 26°05'30" East for a distance of 124.30 feet;
 THENCE North 24°42'01" East for a distance of 286.91 feet;
 THENCE North 77°33'06" East for a distance of 153.98 feet;
 THENCE North 68°16'40" East for a distance of 263.68 feet;
 THENCE North 76°09'32" East for a distance of 176.52 feet;
 THENCE North 10°56'45" West for a distance of 133.96 feet;
 THENCE North 77°48'50" East for a distance of 399.53 feet to the intersection with the centerline of the Twin Falls Main Canal;
 THENCE along the center of the Twin Falls Main Canal on the following courses:
 South 22°47'25" East for a distance of 664.21 feet to the Point of curve of a 4°30' curve right;
 THENCE Southeasterly along the arc of the 4°30' curve right for a distance of 426.50 feet to the Point of tangent said arc having a long chord bearing and distance of South 13°11'38" East, 424.52 feet;
 THENCE South 03°35'51" East for a distance of 815.99 feet to the point of curve of a 10°30' curve right;
 THENCE Southwesterly along the arc of the 10°30' curve right for a distance of 583.88 feet to the point of tangent, said arc having a long chord bearing and distance of South 27°03'24" West, 556.43 feet;
 THENCE South 57°42'38" West for a distance of 425.38 feet;
 THENCE South 52°23'43" West for a distance of 477.30 feet to the point of curve of a 15°30' curve left;
 THENCE Southwesterly along the arc of the 15°30' curve left for a distance of 507.35 feet to the point of tangent, said arc having a long chord bearing and distance of South 13°04'35" West, 468.45 feet;
 THENCE South 26°14'35" East for a distance of 226.96 feet to the point of curve of a 7° curve right;
 THENCE Southeasterly along the arc of the 7° curve right for a distance of 514.98 feet to the point of tangent, said arc having a long chord bearing and distance of South 08°13'08" East, 506.52 feet;
 THENCE South 09°48'18" West for a distance of 359.27 feet to the point of curve of a 4° curve left;
 THENCE Southwesterly along the arc of the 4° curve left for a distance of 286.32 feet to the point of tangent, said arc having a long chord bearing and distance of South 04°04'44" West 285.85 feet;
 THENCE South 01°38'51" East for a distance of 196.21 feet to the point of curve of a 3° curve left;
 THENCE Southeasterly along the arc of the 3° curve left for a distance of 224.42 feet to the point of

tangent, said arc having a long chord bearing and distance of South 05°00'50" East 224.29 feet;
 THENCE South 08°22'48" East for a distance of 543.38 feet to the point of curve of a 5°20' curve left;
 THENCE Southeasterly along the arc of the 5°20' curve left for a distance of 559.85 feet to the point of tangent, said arc having a long chord bearing and distance of South 23°12'13" East, 549.71 feet;
 THENCE South 38°01'38" East for a distance of 249.14 feet to the point of curve of a 10° curve right;
 THENCE Southwesterly along the arc of the 10° curve right for a distance of 771.21 feet to the point of tangent, said arc having a long chord bearing and distance of South 00°32'00" West, 714.30 feet;
 THENCE South 39°05'38" West for a distance of 505.93 feet to the point of curve of a 10°15' curve left;
 THENCE Southeasterly along the arc of the 10°15' curve left for a distance of 940.08 feet to the point of tangent, said arc having a long chord bearing and distance of South 09°05'08" East, 833.14 feet;
 THENCE South 57°15'54" East for a distance of 143.10 feet to the point of curve of a 10°30' curve right;
 THENCE Southeasterly along the arc of the 10°30' curve right for a distance of 361.52 feet to the intersection with the South boundary of the NE¼ of Section 12, said arc having a long chord bearing and distance of South 38°17'03" East, 354.95 feet;
 THENCE leaving the center of the canal, North 88°59'30" West along the South boundary of the NE¼ of Section 12 for a distance of 742.21 feet to the Southwest corner of the NE¼ of Section 12;
 THENCE North 00°46'41" East along the West boundary of the NE¼ of Section 12 for a distance of 659.69 feet to the Southeast corner of the N½S½NW¼ of Section 12;
 THENCE North 88°58'30" West along the South boundary of the N½S½NW¼ of Section 12 for a distance of 1436.81 feet to the intersection with the Easterly right of way boundary of Highway U.S. 30;
 THENCE North 24°39'00" West along the easterly right of way boundary of Highway U.S. 30 for a distance of 2196.80 feet to intersection with the North boundary of the NW¼ of Section 12;
 THENCE South 88°56'46" East along the North boundary of the NW¼ of Section 12 for a distance of 2380.33 feet to the Southwest corner of the SE¼ of Section 1;
 THENCE North 00°38'23" East along the West boundary of the SE¼ of Section 1 for a distance of 2641.91 feet to the Southeast corner of the NE¼ of Section 1;
 THENCE North 88°51'00" West along the South boundary of the E½NW¼ of Section 1 for a distance of 1319.34 feet to the Northeast corner of the N½NW¼SW¼ of Section 1;
 THENCE South 00°35'00" West along the East boundary of the N½NW¼SW¼ of Section 1 for a distance of 661.03 feet to the Southeast corner of the N½NW¼SW¼ of Section 1;
 THENCE North 88°52'26" West along the South boundary of the N½NW¼SW¼ for a distance of 1318.69 feet to the Southwest corner of the N½NW¼SW¼ of Section 1;
 THENCE South 00°31'36" West along the West boundary of the S½N½SE¼ of Section 2 for a distance of 661.60 feet to the Southeast corner of the S½N½SE¼ of Section 2;
 THENCE North 89°00'38" West along the South boundary of the S½N½SE¼ of Section 2 for a distance of 371.41 feet to the intersection with the Easterly right of way boundary of Highway U.S. 30;
 THENCE North 24°39'00" West along the Easterly right of way boundary of Highway U.S. 30 for a distance of 3788.67 feet to the TRUE POINT OF BEGINNING.
 SUBJECT TO: An easement to the Twin Falls Canal Company for the use and Maintenance of the Twin Falls Main Canal.

EXCEPT:

A parcel of land located in the NW¼SE¼ of Section 1, Township 11 South, Range 19 E., B.M., Twin Falls County, Idaho

All that part of the NW¼SE¼ of said Section 1 that lies West of the centerline of the Twin Falls Main Canal and more particularly described as follows:

COMMENCING at the S1/4 corner of said Section 1;

THENCE North 00°38'23" East along the West boundary of the SE¼ for a distance of 1320.95 feet to the Southwest corner of the NW¼SE¼ and being the TRUE POINT OF BEGINNING;
 THENCE continuing North 00°38'23" East along the West boundary of the NW¼SE¼ for a distance of 1246.15 feet to the intersection with the centerline of the Twin Falls Main Canal;
 THENCE South 26°14'35" East along the center of the canal for a distance of 148.80 feet to the point of curve of a 7° curve right;
 THENCE Southeasterly along the centerline of the canal on the arc of the 7° curve right for a distance of 514.98 feet to the point of tangent of the 7° curve right, said arc having a long chord bearing and distance of South 08°13'08" East, 506.52 feet;
 THENCE South 09°48'18" West along the center of the canal for a distance of 359.27 feet to the point of curve of a 4° curve left;
 THENCE Southerly along the centerline of the canal on the arc of the 4° curve left for a distance of 259.82 feet to the intersection with the South boundary of the NW¼SE¼, said arc having a long chord bearing and distance of South 04°36'32" West, 259.47 feet;
 THENCE leaving the center of the canal along the South boundary of the NW¼SE¼ for a distance of 70.10 feet to the Southwest corner of the NW¼SE¼ of Section 1 and being the TRUE POINT OF BEGINNING.

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AND EXCEPT

A parcel of land located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Township 11 South, Range 19 E., B.M., Twin Falls County, Idaho

All that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 1 that lies West of the center of the Twin Falls Main Canal and more particularly described as follows:

COMMENCING at the S $\frac{1}{4}$ corner of said Section 1 and being the TRUE POINT OF BEGINNING;

THENCE North 0°38'23" East along the West boundary of the SE $\frac{1}{4}$ for a distance of 1320.95 feet to the Northwest corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$;

THENCE South 88°53'52" East along the North boundary of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 70.10 feet to a point on the centerline of the main canal, said point being a point on the arc of a 4° curve;

THENCE Southerly along the arc of the 4° curve left and the center of the canal for a distance of 26.50 feet to the Point of Tangent, said arc having a long chord bearing and distance of South 01°07'04" East, 26.50 feet;

THENCE South 01°38'50" East along the center of the canal for a distance of 196.21 feet to the point of curvature of a 3° curve left;

THENCE Southerly along the arc of the 3° curve left and the center of the canal for a distance of 224.42 feet to the point of tangent of said curve, said arc having a long chord bearing and distance of South 05°00'50" East, 224.29;

THENCE South 08°22'48" East along the center of the canal for a distance of 543.38 feet to the point of curvature of a 5°20' curve left;

THENCE Southeasterly along the arc of the 5°20' curve left and the center of the canal for a distance of 360.68 feet to a point on the South boundary of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, said arc having a long chord bearing and distance of South 17°59'53" East, 358.99 feet;

THENCE leaving the center of the canal North 88°56'46" West along the South boundary of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 300.76 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 4

Located in Section 35, Township 10 South, Range 19 E., B.M. and in Sections 2, 3, 10, 11 and 12 of Township 11 South, Range 19 E., B.M., Twin Falls County, Idaho and described as follows:

COMMENCING at the Northeast corner of Section 3, Township 11 South, Range 19 E., B.M. and being the TRUE POINT OF BEGINNING;

THENCE North 00°54'27" East along the West boundary of the SW $\frac{1}{4}$ of Section 35 for a distance of 1322.36 feet to the Northwest corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35;

THENCE South 88°55'26" East along the North boundary of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 35 for a distance of 2318.86 feet to the intersection with the westerly right of way boundary of U.S. Highway 30;

THENCE South 24°39'00" East along the westerly right of way boundary of Highway U.S. 30 for a distance of 5823.77 feet to the intersection with the South boundary of the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 2, Township 11 South, Range 19 E., B.M.;

THENCE North 89°00'38" West along the South boundary of the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 2 for a distance of 2159.02 feet to the Southwest corner of the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 2;

THENCE South 00°29'44" West along the East boundary of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 2 for a distance of 1322.38 feet to the S $\frac{1}{4}$ corner of Section 2;

THENCE South 88°59'34" East along the North boundary of the NE $\frac{1}{4}$ of Section 11 for a distance of 2640.63 feet to the Northeast corner of Section 11;

THENCE South 88°56'46" East along the North boundary of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12 for a distance of 142.12 feet to the intersection with the Westerly right of way boundary of Highway U.S. 30;

THENCE South 24°39'00" East along the Westerly right of way boundary of Highway U.S. 30 for a distance of 2197.26 feet to the intersection with the South boundary of the N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 12;

THENCE North 88°59'17" West along the South boundary of the N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 12 for a distance of 1085.49 feet to the Northeast corner of the S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 11;

THENCE South 00°46'31" West along the East boundary of the S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 11 for a distance of 660.22 feet to the E $\frac{1}{4}$ corner of Section 11;

THENCE North 89°00'59" West along the South boundary of the NE $\frac{1}{4}$ of Section 11 for a distance of 2634.47 feet to the Southwest corner of the NE $\frac{1}{4}$ of Section 11;

THENCE South 00°38'30" West along the East boundary of the SW $\frac{1}{4}$ of Section 11 for a distance of 2641.91 feet to the S $\frac{1}{4}$ corner of Section 11;

THENCE North 89°02'31" West along the South boundary of the SW $\frac{1}{4}$ of Section 11 for a distance of 2627.79 feet to the Southwest corner of Section 11;

THENCE North 89°01'47" West along the South boundary of the SE $\frac{1}{4}$ of Section 10 for a distance of 2636.33 feet to the S $\frac{1}{4}$ corner of Section 10;

THENCE North 00°29'29" East along the West boundary of the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 10 for a distance of 1320.89 feet to the Southeast corner of the N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 10;

THENCE North 89°02'14" West along the South boundary of the N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 10 for a distance

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of 2640.94 feet to the Southwest corner of the N $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10;
 THENCE North 00°31'39" East along the West boundary of the N $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10 for a distance of 1319.86 feet to the W $\frac{1}{4}$ corner of Section 10;
 THENCE North 00°33'05" East along the West boundary of the NW $\frac{1}{4}$ of Section 10 for a distance of 2637.66 feet to the Northwest corner of Section 10;
 THENCE South 89°07'06" East along the North boundary of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10 for a distance of 1318.66 feet to the Southwest corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3;
 THENCE North 00°25'36" East along the West boundary of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3 for a distance of 1322.38 feet to the Southeast corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3;
 THENCE North 89°06'24" West along the South boundary of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3 for a distance of 1318.75 feet to the Southwest corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3;
 THENCE North 00°25'22" East along the West boundary of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3 for a distance of 1322.65 feet to the W $\frac{1}{4}$ of Section 3;
 THENCE South 89°05'41" East along the North boundary of the S $\frac{1}{2}$ of Section 3 for a distance of 5276.29 feet to the W $\frac{1}{4}$ corner of Section 2;
 THENCE North 00°27'28" East along the West boundary of the NW $\frac{1}{4}$ of Section 2 for a distance of 2610.08 feet to the Northwest corner of Section 2 and the TRUE POINT OF BEGINNING.

EXCEPT

A parcel located in Section 35, Township 10 South, Range 19 E., B.M., and in Section 2, Township 11 South, Range 19 E., B.M. and more particularly described as follows:

COMMENCING at the Section corner common to Section 35, Township 10 South, Range 19 E., B.M. and Section 2, Township 11 South, Range 19 E., B.M.;

THENCE South 89°02'58" East along the boundary common to Sections 35 and 2 for a distance of 2142.84 feet to a found concrete monument and being the TRUE POINT OF BEGINNING;
 THENCE North 59°59'18" East for a distance of 583.10 feet;
 THENCE North 00°57'08" East for a distance of 335.05 feet, more or less, to the intersection with the Westerly right of way boundary of Highway U.S. 30;
 THENCE South 24°39'00" East along the Westerly right of way of Highway U.S. 30 for a distance of 1148.26 feet;
 THENCE North 89°02'58" West for a distance of 496.23 feet;
 THENCE South 63°28'40" West for a distance of 563.56 feet;
 THENCE North 00°57'08" East for a distance of 660.00 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 5

A parcel of land located in the SE $\frac{1}{4}$ of Section 36, Township 10 South, Range 19 E., B.M., Twin Falls County, Idaho which encompasses an irrigation pump and accessories and more particularly described as follows:

COMMENCING at the Southeast corner of said Section 36;

THENCE North 1°09'00" East along the East boundary of Section 36 for a distance of 1435.34 feet;
 THENCE North 88°51'00" West for a distance of 2401.12 feet to the TRUE POINT OF BEGINNING;
 THENCE South 11°16'21" West for a distance of 40.63 feet;
 THENCE North 60°40'04" West for a distance of 27.00 feet;
 THENCE North 05°39'56" West for a distance of 31.73 feet;
 THENCE South 81°51'16" East for a distance of 34.97 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH: An easement for existing water ways, water supply holding pond and access for the purpose of ingress and egress to use and maintain the irrigation pump and facilities, said easement being encompassed by the following line:

COMMENCING at the Northeast corner of the before described parcel and being the TRUE POINT OF BEGINNING;

THENCE South 81°51'16" East for a distance of 123.31 feet to a point on the arc of an 11°14'42" curve left and the centerline of the Twin Falls Main Canal;
 THENCE Southeasterly along the arc of the 11°14'42" Curve left for a distance of 271.51 feet to the point of tangent, said arc having a long chord bearing and distance of South 07°20'03" East, 268.31 feet;
 THENCE South 22°36'00" East along the center of the canal for a distance of 517.34 feet;
 THENCE leaving the center of the canal South 77°48'50" West for a distance of 152.51 feet;
 THENCE North 22°36'00" West for a distance of 489.77 feet to the Southwest corner of the before described parcel;
 THENCE North 08°54'31" West for a distance of 318.45 feet to the Southwest corner of the before described parcel;
 THENCE South 60°40'04" East for a distance of 27.00 feet to the Southeast corner of the before described parcel;
 THENCE North 11°16'21" East for a distance of 40.63 feet to the TRUE POINT OF BEGINNING.

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 12, 2003

FARMLAND RESERVE INC
C/O OLS 2WW
50 E N TEMPLE ST
SALT LAKE CITY UT 84150

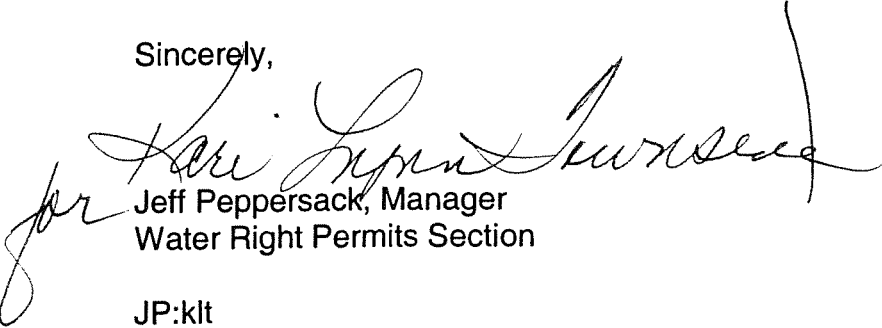
RE: Preliminary Order in the Matter of Transfer 70431

Dear Interested Parties:

The accompanying order is a **"preliminary order"** issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the department unless a party petitions for reconsideration within fourteen (14) days after issuance as described in the enclosed information sheet.

If you have any questions regarding this matter, please call me at 208-327-7940.

Sincerely,


for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

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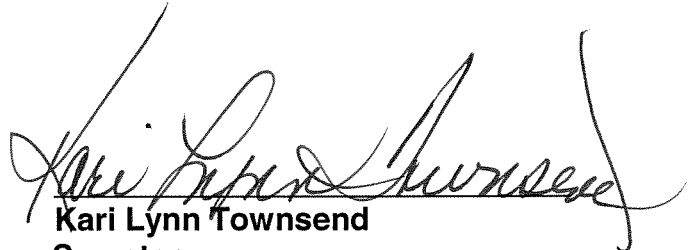
OCT 29 2003

CERTIFICATE OF SERVICE

I hereby certify that on **May 12, 2003**, I mailed a true and correct copy, certified, postage prepaid, of the foregoing **PRELIMINARY ORDER** to the person(s) listed below:

RE: Transfer 70431

**FARMLAND RESERVE INC
C/O OLS 2WW
50 E N TEMPLE ST
SALT LAKE CITY UT 84150**


Kari Lynn Townsend
Secretary

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OCT 29 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

67-5243(3)

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OCT 29 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 22, 2003

FARMLAND RESERVE INC
C/O OLS 2WW
50 E N TEMPLE ST
SALT LAKE CITY UT 84150

RE: Transfer No.: 70431 - Water Rights 45-7497, 45-2503, 45-2541, 45-2518,
45-2503, 45-7019, 45-13403 - Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's homepage on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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If you have any questions, please contact me at 208-327-7940.

Sincerely,

for Sharla Curtis
for Jeff Peppersack, Manager
Water Rights Permits Section

Enclosure(s)

JP:klt

cc: JOHN CREER
139 E S TEMPLE
SALT LAKE CITY UT 84111

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OCT 20 2003

CERTIFICATE OF SERVICE

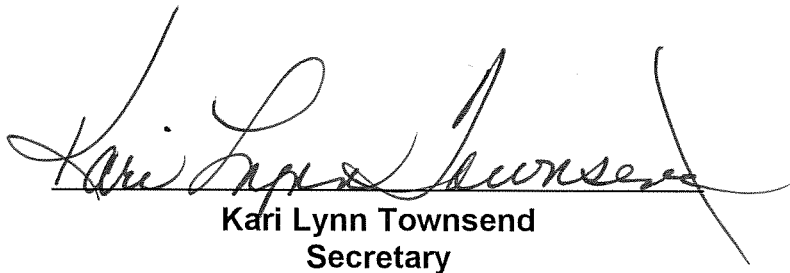
I hereby certify that on April 22, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 70431

**WATER RIGHTS 45-13403, 45-2518, 45-2541, 45-7019, 45-2530, 45-7497,
45-2503**

**JOHN CREER
139 E S TEMPLE
SALT LAKE CITY UT 84111**

**FARMLAND RESERVE INC
C/O OLS 2WW
50 E N TEMPLE ST
SALT LAKE CITY UT 84150**


**Kari Lynn Townsend
Secretary**

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OCT 29 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

**NOTICE OF PROPOSED
CHANGE TO
WATER RIGHTS**

Notice is hereby given that an Application for Transfer has been filed with the Idaho Department of Water Resources for changes to water rights within Twin Falls County: **FARMLAND RESERVE INC., C/O OLS 2WW, 50 E N TEMPLE ST., SALT LAKE CITY UT 84150** filed Application No. 70431 on 3/10/03. Transfer proposes creating a 3,887.4-acre permissible place of use for seven water rights for a farm located along Highway 30 approximately 4.0 to 6.5 miles east and 0.5 to 4.0 miles south of Hansen. Five existing interconnected wells located on the farm will serve as the points of diversion. For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us

with detail provided under —New Water Right Applications—. Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before April 14, 2003. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

PUBLISH: March 27 and April 3, 2003

RECEIVED

APR - 4 2003

Department of Water Resources
Southern Region

45124

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS.

I, Ruby Cuynderheide being first duly sworn upon oath, depose and say that I am Principal Clerk of the TIMES-NEWS, published daily at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated March 27, 2003, and ending with the issue dated April 3, 2003.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to be issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 3rd day of April in the year 2003, before me, a Notary Public, personally appeared Ruby Cuynderheide, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Annita Ceppe McQuire
Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires: 5-19-03

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OCT 29 2003

REMITTANCE ADDRESS THE TIMES-NEWS - LEGAL P.O. BOX 548, TWIN FALLS, ID 83303-0548		BILL TO DEPT WATER RESOURCES	
AD NUMBER 378058	CLASS 0050 LEGAL	SALESPERSON 5	BILLING DATE 04/03/03
AD DESCRIPTION NOTICE OF PROPOSED CHANGE TO WATER		T#70431	START DATE 03/27/03
PUBLICATION	INSERTIONS	RATE	STOP DATE 04/03/03
4 THE TIMES NEWS LEGAL	2	LGL	NET AMOUNT 50.88
TOTAL AD CHARGE			50.88
4 AFFIDAVIT CHARGE		AFFID	7.00
DAYS RUN			
PURCHASE ORDER		PAY THIS AMOUNT	57.88
[legal]			57.88*

RECEIVED

APR - 4 2003

**Department of Water Resources
Southern Region**

THE TIMES-NEWS - LEGAL
P.O. BOX 548, TWIN FALLS, ID 83303-0548

legal

AD NUMBER	CLASS	START DATE	STOP DATE
378058	050 LEGAL	03/27/03	04/03/03
AD DESCRIPTION		BILLING DATE	TELEPHONE NUMBER
NOTICE OF PROPOSED CHANGE TO WATER		04/03/03	208-736-3033

GROSS AMOUNT OF
57.88
DUE AFTER

VISA MASTERCARD

CREDIT CARD NUMBER

EXPIRATION DATE: / /

SIGNATURE: _____

DEPT WATER RESOURCES
1341 FILLMORE, SUITE 200
TWIN FALLS, ID

83301

MICROFILMED
OCT 29 2003

TOTAL AMOUNT DUE
57.88
ENTER AMOUNT ENCLOSED



MEMORANDUM

TO: Transfer 70431 File

FROM: Corey Skinner

DATE: April 3, 2003

SUBJECT: Clarification Regarding Transfer Approval

Transfer 70431 involves water right 45-2503. The SRBA recommendation for this right was inadvertently prepared with a total volume of 440.0 acre-feet when it should have actually been 880.0 acre-feet. Yesterday, the SRBA recommendation was changed to reflect 880.0 acre-feet, which will be reflected on the transfer approval. This also results in a total volume for the entire transfer of 5326 acre-feet rather than the 4886 listed on the transfer application.

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OCT 29 2003

NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

Notice is hereby given that an Application for Transfer has been filed with the Idaho Department of Water Resources for changes to water rights within Twin Falls County: **FARMLAND RESERVE INC.**, C/O OLS 2WW, 50 E N TEMPLE ST; SALT LAKE CITY UT 84150 filed Application No. 70431 on 3/10/03. Transfer proposes creating a 3,887.4-acre permissible place of use for seven water rights for a farm located along Highway 30 approximately 4.0 to 6.5 miles east and 0.5 to 4.0 miles south of Hansen. Five existing interconnected wells located on the farm will serve as the points of diversion. For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St.-Suite 200; Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before April 14, 2003. The protestant must also send a copy of the protest to the applicant. Karl J. Dreher, Director

Published in the Times News on 3/27 & 4/3/03.

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OCT 29 2003

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET-STE# 200
TWIN FALLS ID 83301
Phone: 736-3033
Fax#: 736-3037

March 21, 2003

ATTN: Ruby Aufderheide
TIMES NEWS
PO BOX 548
TWIN FALLS ID 83303-0548

Dear Ruby:

Enclosed you will find a legal notice which we wish to have published in your newspaper 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 at 736-3033. An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Sincerely



Mary A. Baldwin
Administrative Assistant

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OCT 29 2003

MEMORANDUM

Date: March 18, 2003
To: Transfer 70431 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Transfer 70431 proposes creating a permissible place of use for seven rights. The proposed ppu will be served by five existing wells currently described as points of diversion for the seven rights. However, note that the transfer proposes to abandon a point of diversion (well) in Section 35 (T10S, R19E) that currently serves as the point of diversion for right 45-7019 (one of the seven rights involved with the transfer). The transfer also proposes a change in ownership of the rights from the LDS church to Farmland Reserve Inc, the transfer applicant (see deeds in file).

The proposed ppu is currently farmed and irrigated with the well water (rights involved with the transfer) and Twin Falls Canal Company water shares. The applicant has documented the number of canal shares, 2,373.53 shares, on the proposed ppu (see documentation in file from Twin Falls Canal Company). Currently, the canal shares are described on several different tracts within the proposed ppu, with these tracts sometimes completely overlapping, sometimes partially overlapping, and sometimes not even overlapping, the current places of use for the rights involved with the transfer. In reality, the canal shares are currently utilized over the entire proposed ppu, and the existing groundwater places of use, by rotating the water from one field to another. This results in the groundwater rights being supplemental in nature. In order to prevent expansion, the applicant has proposed leaving the 2,373.53 shares on the proposed ppu. In addition, the application states that the applicant is attempting to obtain additional canal shares for the proposed ppu. Overall, it does not appear that there should be any increase in the use of groundwater beyond historical amounts as a result of this transfer.

- **Authority to File:** Applicant has provided documentation (deeds) showing that they are the current owner of the land and the water rights involved with the transfer.
- **Water Right Validity:** Rights are claimed and pending in the SRBA. NAPP photography indicates property appears irrigated around the commencement of the SRBA. Forfeiture does not appear to be an issue.
- **Injury to Other Water Rights:** Water is to be used for original use (irrigation) on the original claimed place of use and surrounding area.
- **Enlargement of Use:** Applicant has attempted to address possible supplemental expansion issues by proposing to leave the existing canal shares on the property, and even attempting to obtain additional canal shares. In addition, supplemental conditions will be added to the rights, if the transfer is approved, to prevent expansion of groundwater use.
- **Local Public Interest:** Transfer should result in more efficient use of water and energy and provide economic benefits to the local area.
- **Beneficial Use/Conservation of Water Resources:** Sprinklers are used for irrigation.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

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OCT 29 2003



Farm Management Company

T70431

March 3, 2003

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MAR 10 2003
Department of Water Resources
Southern Region

Idaho Department of Water Resources
Attn: Correy Skinner
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

Dear Mr. Skinner:

Enclosed is the Application for Transfer of Water Right, Transfer No. 70431, on our Murtaugh, Idaho property located in Twin Falls County, which you assisted us in developing, along with the required payment of \$730.00.

We are very appreciative of the proficient assistance that you provided, in order to complete this very complicated transfer, in such a timely manner. We especially appreciated the "extra" time that you gave, in order to have this complete by the end of the day – which made a very long day for you! Please proceed with the processing of this transfer.

Sincerely,

Elder Burke H. Scholer
Farm Management Company

BHS/ss

Enclosure

cc: Will Redd
Alan Merritt

SCANNED

MAR 19 2003

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OCT 29 2003

T70431

Twin Falls Canal Company
P.O. Box 326
Twin Falls, Idaho 83303-0326
Telephone 208-733-6731
Fax 208-733-1958

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FEB 20 2003

Department of Water Resources
Southern Region

FACSIMILE COVER SHEET

DATE: 2-20-03Recipient's Fax: 736-3037RE: LDS - water sharesTO: Cory Skinner - IDWRFROM: Ray Puschel - TFCCNUMBER OF PAGES INCLUDING THIS COVER SHEET: 3☒ Original will not be sent☐ Original will be sent by first class mailMessage: Cory,

Here is where we list the
water shares for the LDS-Farm
in Murtough. If you need anything
further let me know.

Thanks,
Ray

SCANNED

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Department of Water Resources
Southern Region

LDS Farm - Murtaugh, Id

To: Cory Skinner

Section	Township	Range	Quarter	Quarter's	# of Shares
35	10	19	NE NE		60.00
35	10	19	SE NE		42.00
35	10	19	NE SW		4.15
35	10	19	SW SW		9.08
35	10	19	SE SW		45.82
35	10	19	All Of SE1/4		135.00
35	10	19	NE SE		20.00
35	10	19	NW SE		20.00
35	10	19	SE SE		28.50
36	10	19	NW NW		20.00
36	10	19	SW NW		20.00
36	10	19	SE NW & NW SW		70.00
36	10	19	SE NW, W1/2 SE, SW 1/4		103.46
36	10	19	E1/2 SW 1/4		6.00
36	10	19	W1/2 SE1/4		26.04
1	11	19	W1/2 NE1/4		30.82
1	11	19	NE NW		45.00
1	11	19	NW NW		25.00
1	11	19	SW NW		45.00
1	11	19	SE NW		45.00
1	11	19	NW SW		15.46
2	11	19	NE NE		40.00
2	11	19	NE1/4		19.70
2	11	19	E1/2 NE		39.00
2	11	19	Lot 2, S1/2 NE		35.00
2	11	19	NE NW		39.67
2	11	19	SE NW		40.11
2	11	19	W1/2 NW		97.85
2	11	19	NW SW		15.00
2	11	19	SW SW		58.73
2	11	19	SE SW		16.68
2	11	19	NE SE		59.39
2	11	19	NW SE		59.08
3	11	19	NE SE		40.00
3	11	19	NW SE		40.00
3	11	19	SW SE		40.00
3	11	19	NE SW		40.00
3	11	19	NW SW		40.00
3	11	19	SE SW		40.00
3	11	19	SE SE		36.34

T70431

SCANNED

MAR 19 2003

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10	11	19	N1/2 SE, SW SE, N1/2 SW, SE SW	298.94
10	11	19	N1/2 SW	126.85
10	11	19	W1/2 NW	136.63
11	11	19	NW NW	48.78
11	11	19	NW NE	61.89
11	11	19	S1/2 NE	47.56
11	11	19	NE NE	20.00
11	11	19	SW NW	20.00

T70431

LDS -- Farm Land Inc. has a total of 2373.53 shares of Twin Falls Canal Company Stock.

The above table shows the location where these shares are appurtenant.

If you have any questions please call me at 733-6731.

Thanks

Kay

Kay

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FEB 20 2003

Department of Water Resources
Southern Region

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OCT 29 2003

with
espa? five, maybe six?
wells

CFS	Rite #	TFCC	GW ACRES
2.10	2503 ^{POU} add POU	20 - 440 890	220
1.78	2518 ^{POU} add POU	2 - 400	100
1.94	2530 ^{POU} add POU	40 - 636	159
1.70	2541 ^{POU} add POU	20 - 809.6	307
3.88	7497 ^{POU} add POU	771 - 1893.0	1177
1.50	7019 ^{change POU}	39 376	94
~~2~~	*13403 (permit)	~~2~~ 0	150

*
limit?
no
8/30/0

12.9 cfs

890 shares

2207 ac

2373.52 Total shares owned (per Burke Scholer)

- 890.0 stacked w/ GW

1483.52 AVAILABLE shares TFCC

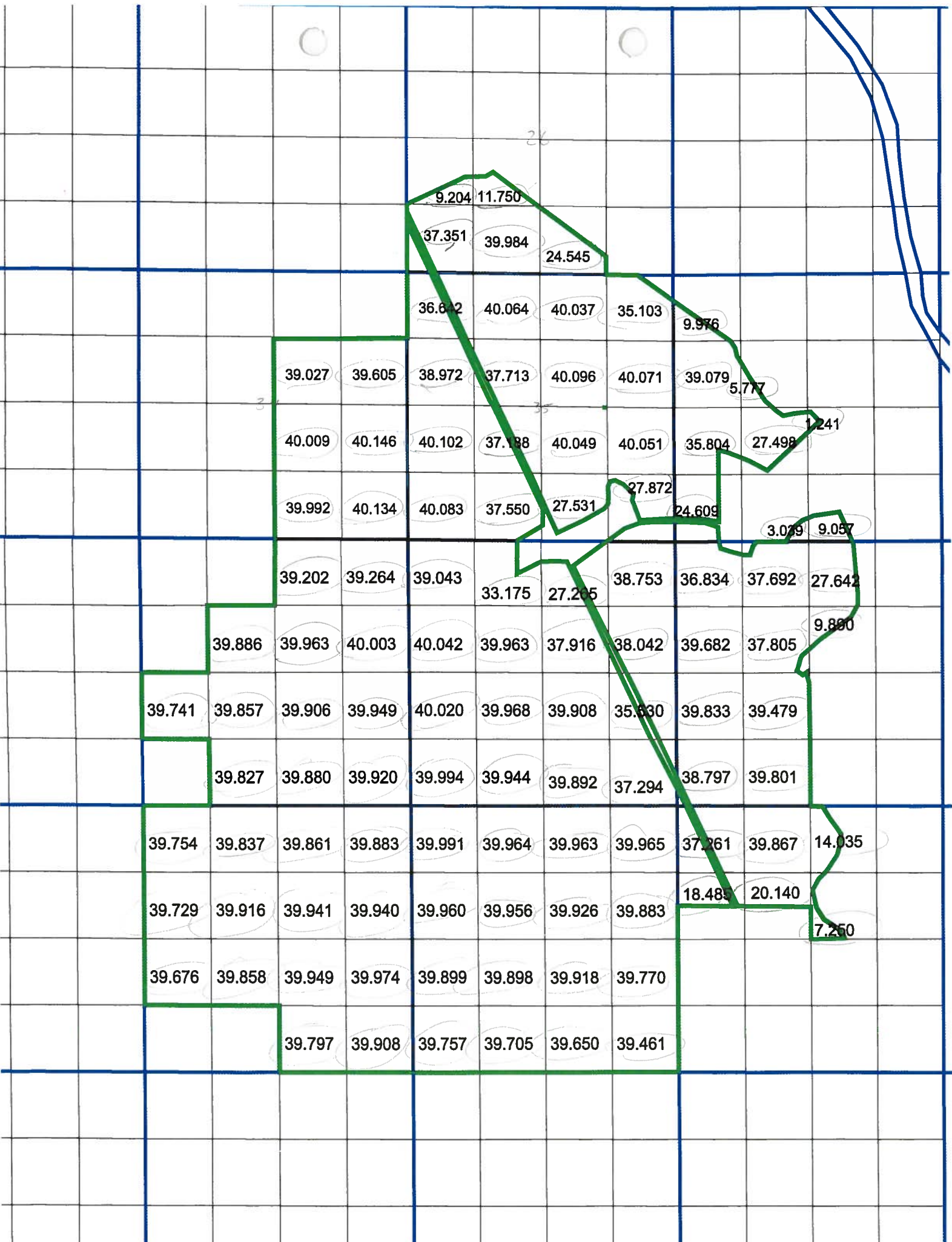
3747.4 ^{total acres}

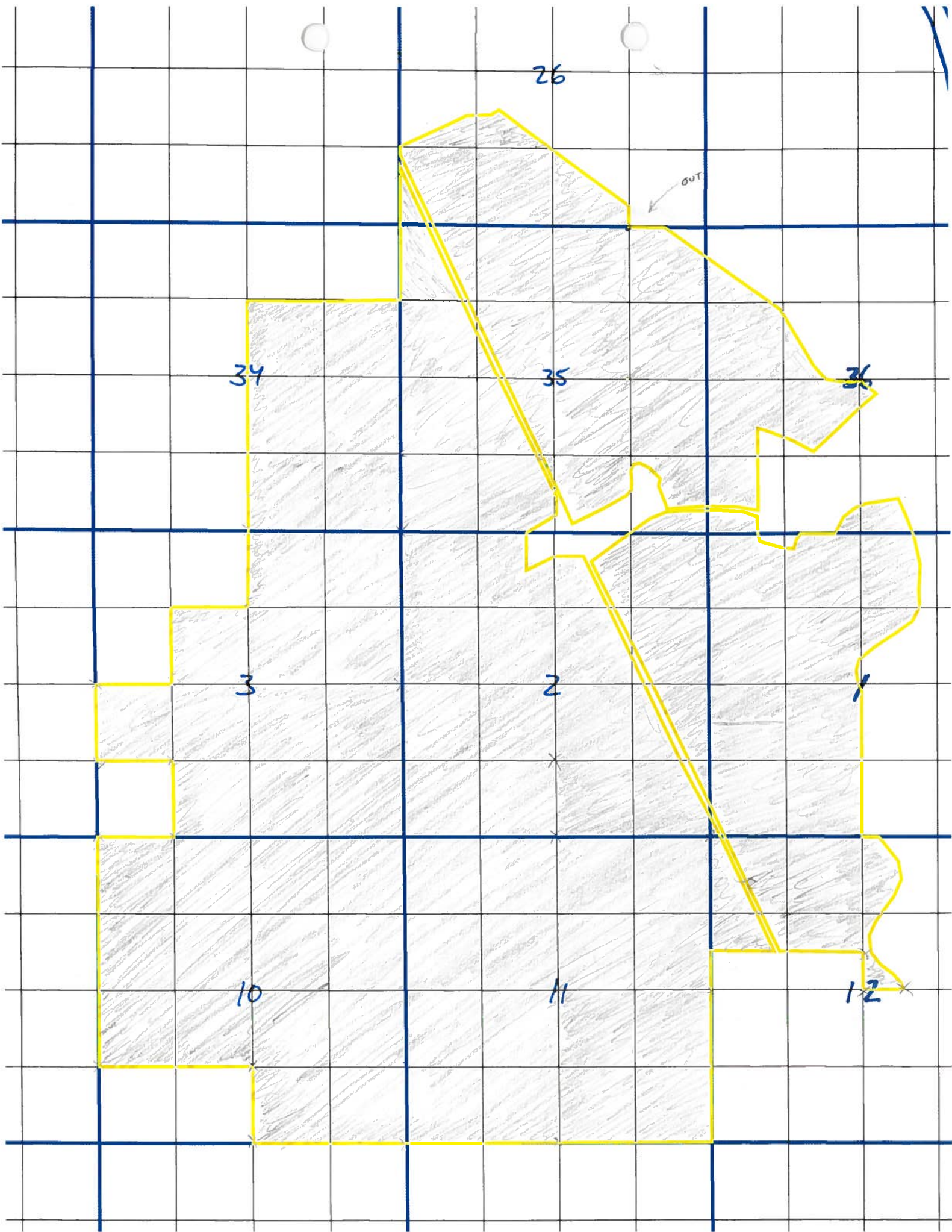
3698 TOTAL IRR ACRES (per Burke Scholer)

- 2207 acres of GW

1491 ACRES without GW

Draft
DA
5.2.02





27

26

25

34

35

36

7497

7019

7497

45-13403

7497

7497

2541

2530

3

2
2518 100 acres

1

2541

10

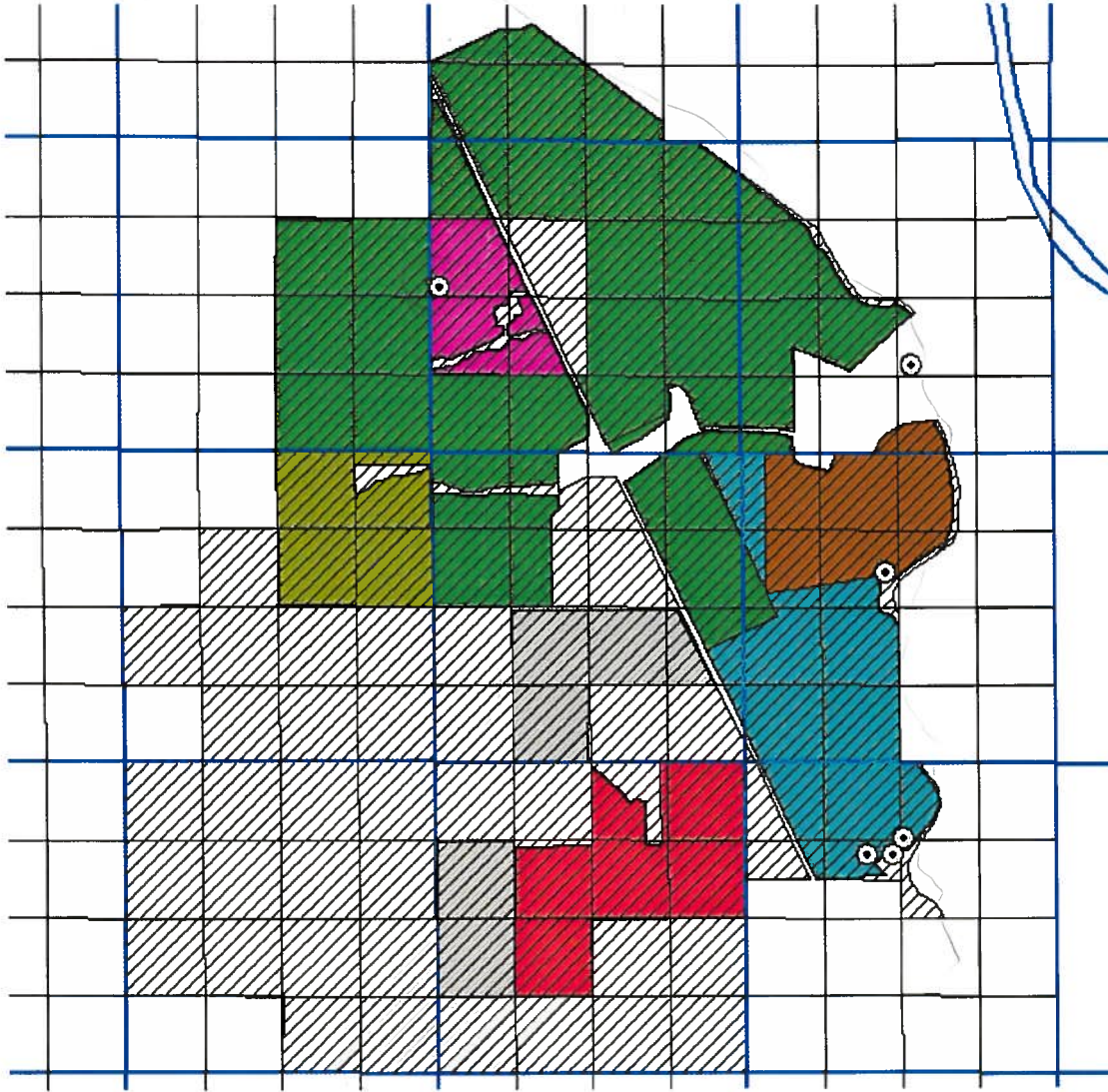
2518
100 acres

11

2503

12

TFCC
wants
one share per acre



45-2503 for 2.10 cfs for 220 acres with 20 TFCC shares

45-2518 for 1.78 cfs for 100 acres with 0 TFCC shares

45-2530 for 1.94 cfs for 159 acres with 40 TFCC shares

45-2541 for 1.70 cfs for 307 acres with 20 TFCC shares

45-7497 for 3.88 cfs for 1177 acres with 771 TFCC shares

45-7019 for 1.50 cfs for 94 acres with 39 TFCC shares

Supplemental
45-13403 for 0.00 cfs for 150 acres with 0 TFCC shares (permit)

1100-NGC