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DEPT. OF WATER RESOURCES
SOUTHERN REGION

Attorneys for Oak Valley Dairy, L.L.C., and
Oak Valley Land Company, L.L.C.

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION	)	STIPULATION TO AMEND
FOR TRANSFER NO. 76116	)	APPLICATION AND DISMISS
in the name of Farmland Reserve, Inc.	)	PROTEST
_____	)	

COME NOW, the parties, OAK VALLEY DAIRY, L.L.C. and OAK VALLEY LAND COMPANY, L.L.C. (hereinafter "Protestants"), by and through their attorney of record, Timothy J. Stover of the law firm Worst, Fitzgerald & Stover, PLLC; and FARMLAND RESERVE, INC. (hereinafter "Applicant"), by and through its attorney of record, Ryan B. Frazier, of the law firm Kirton & McConkie, and hereby agree and stipulate as follows:

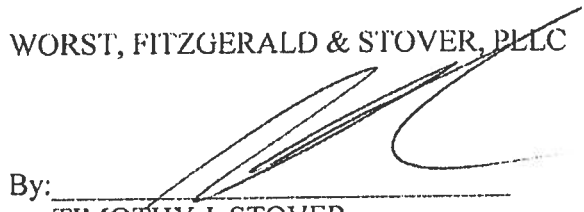
1. That Applicant has filed a pending Application for Transfer No. 76116 before the Idaho Department of Water Resources ("Application").
2. That on April 30, 2010, Protestants filed a Notice of Joint Protest against Applicant's Application for Transfer No. 76116.
3. That "Water Rights" means, collectively, Water Rights Nos. 45-2415, 45-2674A,

45-2576, 45-7363, 45-2583, 45-2689, 45-7020, 45-7035, 45-7110, 45-7238, 45-7374, 45-10274, and 45-14175.

4. That Protestants have agreed to withdraw their joint protest upon the Applicant's filing of an Amended Application that does not include the drilling of a new well for the establishment of a new point of diversion; provided, however, that this Stipulation shall not prevent the Applicant from (i) changing the place of use of any of the Water Rights within the proposed permissible place of use as defined in the Amended Application, (ii) having a fully integrated and interconnected irrigation and water system in which water resources drawn from any point of diversion permissible under the Water Rights can be used upon any place of use as identified for the Water Rights, or (iii) drilling replacement wells for the existing points of diversion or filing transfer applications to change points of diversion for the existing points of diversion but not add new points of diversion.

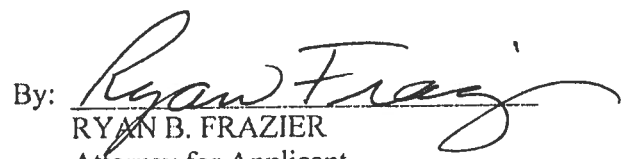
5. That Applicant agrees that Protestants shall have the right to renew their protest if the Application is amended at any point in the future to include a new well for the establishment of a new point of diversion.

WORST, FITZGERALD & STOVER, PLLC

By: 
TIMOTHY J. STOVER
Attorney for Protestants

Dated: 10-11-11

KIRTON & McCONKIE

By: 
RYAN B. FRAZIER
Attorney for Applicant

Dated: 10-12-11