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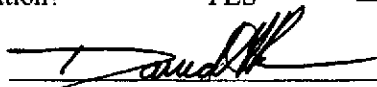
STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED  
MAR 01 2004  
Department of Water Resources

## Notice of Security Interest in a Water Right

And Request for Notification of a Change in Ownership or Any Proposed  
Or Final Action to Amend, Transfer, or Otherwise Modify a Water Right

Please print or type. Attach pages with additional information. Instructions are on the back of this page.  
Incomplete forms will be returned.

1. Water Right No(s): 43-10245, 43-10250, 43-10251, 43-4150, 43-4089, 43-4090, 43-2556,  
43-7130, 43-327 AND 43-47A  
Adjudication Claim No(s): \_\_\_\_\_
2. The following **REQUIRED** information must be submitted with this form:
  - A) Evidence of the security interest. This may be a copy of a **DEED of TRUST, MORTGAGE, CONTRACT OF SALE** or other legal document indicating your interest in the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
  - B) A **FEE** of \$25.00 per water right or adjudication claim.
3. Name and Mailing Address of Person or Company holding Security Interest  
  
WESTERN AGCREDIT, FLCA  
  
P.O. BOX 95850  
  
SOUTH JORDAN, UT 84095
4. Name of Water Right Owner/Claimant(s)  
SPENCER LAND AND LIVESTOCK CO., a Utah Corporation and  
SPENCER BROTHERS, a Utah Partnership
5. Expiration Date of Notification Period 05/01/2023
6. Is this a Renewal of Request for Notification? ☐ YES ☒ NO
7. Signature(s) (and title if applicable)   
ASSISTANT VICE PRESIDENT

**For Office Use Only**

Received by M

Date

3-1-04

Fee

\$250.00

Received by M

Date

3-1-04

Receipt No.

6072866

Processed by \_\_\_\_\_

AJ

Date

WR

Date

MICROFILMED

**SUPPORT DATA**

IN FILE # 43-327

MAR 15 2004

RECEIVED

SEP 17 2002

Department of Water Resources

|                                                                                         |              |
|-----------------------------------------------------------------------------------------|--------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |              |
| SEP 16 2002                                                                             |              |
| By _____                                                                                | Clerk        |
| _____                                                                                   | Deputy Clerk |

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

In Re SRBA

Case No. 39576

)  
) ORDER OF PARTIAL DECREE  
)  
) For Water Right 43-02556  
)

On July 29, 2002, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 43-02556 is hereby **decreed** as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED September 16, 2002

*Roger Burdick*

ROGER S. BURDICK  
Presiding Judge  
Snake River Basin Adjudication

ORDER OF PARTIAL DECREE

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MAR 16 2004

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

DISTRICT COURT-SRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho

In Re SRBA )  
Case No. 39576 )  
\_\_\_\_\_ )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR

Water Right 43-02556

SEP 16 2002

By \_\_\_\_\_ Clerk  
\_\_\_\_\_  
Deputy Clerk

NAME AND ADDRESS: SPENCER BROTHERS  
HC 72 BOX 2418  
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 2.50 CFS  
367.50 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 6.36 CFS AND TO A TOTAL  
COMBINED ANNUAL DIVERSION VOLUME OF 1272 AF. COMBINED RIGHT  
NOS.: 43-4089, 43-4090, 43-7130.

THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 43-47A, 43-327,  
43-4089, 43-4090, 43-4150 AND 43-7130 SHALL PROVIDE NO MORE THAN  
.02 CFS PER ACRE.

USE OF THIS RIGHT WITH RIGHT NO. 43-4090 IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 3.59 CFS.

PRIORITY DATE: 11/02/1962

POINT OF DIVERSION: T16S R24E S12 NENENE Within Cassia County  
SWSWNE

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|-------------------------------|----------------|----------------|------------------------|
|                               | Irrigation     | 04-01 TO 10-31 | 2.50 CFS<br>367.50 AFY |

| PLACE OF USE: | Irrigation    | Within Cassia County                                                                                                                                                                                |
|---------------|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|               | T16S R24E S12 | NENE 18.0<br>SENE 40.0<br>R25E S06 LOT 4 (SWSW) 1.2 LOT 3 (SESW) 29.0<br>LOT 2 (SWSE) 29.0 LOT 1 (SESE) 13.0<br>S07 NWNE 40.0 NENW 40.0<br>LOT 1 (NWNW) 38.0 LOT 2 (SWNW) 38.0<br>318.2 Acres Total |

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 185 ACRES WITHIN  
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.  
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO  
THE IRRIGATION OF A COMBINED TOTAL OF 318.2 ACRES IN A SINGLE  
IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-47A, 43-327, 43-4089,  
43-4090, 43-4150, 43-7130.

USE OF THIS RIGHT WITH RIGHT NO. 43-4090 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 185 ACRES IN A SINGLE  
IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF  
WATER DISTRICT 43B.

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. I.C. SECTION 42-1412(6).

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)  
Water Right 43-02556 File Number: 00206

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Sep-16-2002

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MAR 18 2004

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication

RECORDED

SEP 18 2002

2002 SEP 16 PM 02:00  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED

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

In Re SRBA )

Case No. 39576 )  
\_\_\_\_\_ )

CERTIFICATE OF MAILING

Water Right(s): 43-02556

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE  
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 43-02556 was mailed  
on September 16, 2002, with sufficient first-class postage prepaid  
to the following:

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

UNITED STATES OF AMERICA  
Represented by:  
US DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724  
Phone: 208-387-0835

SPENCER BROTHERS  
HC 72 BOX 2418  
MALTA, ID 83342  
Phone: 435-827-5573

ROBBIN GLATZ  
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1  
09/16/02

MAILED 11:11

SEP 16 2002



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](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

March 9, 2004

SPENCER BROTHERS  
HC 72 BOX 2418  
MALTA ID 83342

RE: Change of Ownership for Water Rights 43-327, 43-2556, 43-10245, 43-10250,  
43-10251

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence adding a Security Interest to the ownership of the above referenced water right to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

*for*   
Jeff Peppersack, Manager  
Water Right Permits Section

JP:klt

Enclosures

cc: WESTERN AG CREDIT FLCA (Receipt #C072866 enclosed)  
PO BOX 95850  
SOUTH JORDAN UT 84095

MICROFILMED  
MAR 16 2004