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DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
OCT 10 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	) Subcase: 32-07095C
	)
Case No. 39576	) ORDER OF AMENDED PARTIAL
	) DECREE TO CORRECT CLERICAL
	) ERROR; I.R.C.P. 60(a), <i>NUNC PRO</i>
	) <i>TUNC</i>

A *Partial Decree* was issued for the above-captioned water right on October 27, 2000. However, due to a computer coding error, the following "shoulder" remark was inadvertently omitted from the period of use element of the *Partial Decree*.

The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Therefore, pursuant to I.R.C.P. 60(a), IT IS ORDERED that water right 32-07095C is hereby decreed as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

This order is being entered *nunc pro tunc* as of October 27, 2000, and is not intended to modify any subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

Dated October 10, 2002



 ROGER BURDICK
 Presiding Judge
 Snake River Basin Adjudication

In Re SRBA

Case No. 39576

NAME AND ADDRESS: BLAINE LARSEN
CONNIE LARSEN
PO BOX 188
HAMER, ID 83425

QUANTITY: 2.79 CFS
954.30 AFY

POINT OF DIVERSION: T09N R34E S02 SWNW Within Clark County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	2.79 CFS
			954.30 AFY

PLACE OF USE:	Irrigation		Within Clark County
	T09N R34E S02 LOT 3	(NENW) 34.7	LOT 4 (NWNW) 34.1
		SWNW 34.2	SENW 34.4
		NESW 33.9	NWSW 34.1
		SWSW 34.0	SESW 33.3
	272.7 Acres Total		

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

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).

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

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 32-07095C

NAME AND ADDRESS: BLAINE LARSEN
CONNIE LARSEN
PO BOX 188
HAMER, ID 83425

SOURCE: GROUNDWATER

QUANTITY: 2.79 CFS
954.30 AFY

PRIORITY DATE: 05/02/1978

POINT OF DIVERSION: T09N R34E S02 SWNW Within Clark County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	2.79 CFS 954.30 AFY

PLACE OF USE: Irrigation Within Clark County

T09N R34E S02 LOT 03 (NENW)34.7	LOT 04 (NWNW)34.1
SWNW 34.2	SENW 34.4
NESW 33.9	NWSW 34.1
SWSW 34.0	SESW 33.3

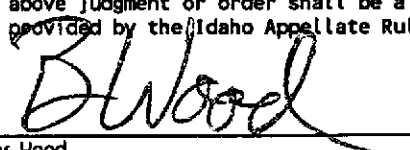
272.7 Acres Total

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

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).

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.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

WATER RIGHT
NUMBER

NAME

CFS

32-07095

Split into parts A & B by amendment. See 32-07095A.

32-07095A

THIS RIGHT SPLIT INTO PARTS C & D THRU TRANSFER NO. 4782.

32-07095B

SEE RIGHT NO. 31-07613

32-07095C

LARSEN , BLAINE
LARSEN , CONNIE

2.79

32-07095D

LARSEN , BLAINE
LARSEN , CONNIE

1.16

MICROFILMED

MAY 07 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4782
WATER RIGHT NO(S). 32-07022W/32-07095D

This is to certify that: **BLAINE LARSEN**
CONNIE LARSEN
PO BOX 188
HAMER ID 83425

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 32-07022W :			
IRRIGATION	04/15 to 10/15	0.30 CFS	72.5 AF
Priority: 03/29/1984			
Right No. 32-07095D :			
IRRIGATION	04/15 to 10/15	1.16 CFS	399.7 AF
Priority: 05/02/1978			
	TOTAL:	1.46 CFS	472.2 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 5, Township 09N, Range 35E
CLARK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09N	35E	5	NESE 33.7	NWSE 33.8	SWSE 33.7	134.9
			SESE 33.7			
Total number of acres irrigated:						* 134.9

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. A totalizing measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

RECORDED

MAY 07 1986

TRANSFER NO. 4782
WATER RIGHT NO(S). 32-07022W/32-07095D

CONDITIONS OF APPROVAL AND REMARKS

3. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 8. Right No. 32-07022W is limited to the irrigation of 20.7 acres in the place of use described above in a single irrigation season.
- * 9. Right No. 32-07095D is limited to the irrigation of 114.2 acres in the place of use described above in a single irrigation season.
10. Right Nos. 32-07022V, 32-07056A and 32-07093A when combined shall not exceed a total combined diversion rate of 8.45 cfs, a total combined annual diversion volume of 2,027.5 af, and irrigation of 579.3 acres as described under this transfer application.

Dated this 2nd day of

May

, 1996.

J. Glen Saxton

Chief, Water Alloc. Bureau

RECEIVED

MAY 07 1996

MEMORANDUM

DATE: April 16, 2001
FROM: KARI LYNN TOWNSEND *K*
TO: FILE – BLAINE LARSEN (107 miscellaneous files)
RE: Telephone message

=====

A telephone message was left on my phone today by Todd Hansen, Regional Manager of Lend Lease Agri Business in answer to my letter of April 11, 2001 requesting a Security Interest filing fee of \$2,675.00 for 107 miscellaneous Blaine Larsen water rights.

Mr. Hansen stated that Lend Lease Agri Business has decided **NOT** to pay the fee. They understand that there will be no database update, but that copies of their December 8, 2000 correspondence will be placed in each file.

Jeff Peppersack has requested that a copy of this memo be placed in each file along with the Lend Lease correspondence.

MICROFILMED

JUN 14 2001

Lend Lease

AGRI-BUSINESS

RECEIVED

JAN 18 2001

December 8, 2000

Idaho Department of Water Resources
900 N. Skyline Drive
Idaho Falls, ID 83402-1781

Department of Water Resources
Eastern Region
Steven A. Parker
Vice President
Charles T. McElligott
Vice President
Todd D. Hansen
Regional Manager
Erik C. Roget
Regional Manager

Re: License Nos. 31-07091, 31-02374A, 31-02335C, 31-02365F,
32-07022A.A, 32-07088A, 32-07022K, 32-07022AC, 32-07056A,
32-07093A, 32-07022M, 32-07022P, 32-07022R, 32-02116A,
32-07018A, 32-07056E, 32-07093E, 32-07094E, 32-07057E,
32-07094G, 32-07057G, 32-07091A, 32-07054A, 32-07091B,
32-07054B, 32-07053A, 32-07072B, 32-07052G, 32-07051,
32-07058A, 32-07092A, 32-07095C, 32-07053B, 32-07022X,
32-07005C, 32-07102A
Our Loan No. F-199711
Blaine Larsen, et al

Lend Lease Agri-Business, Inc.
Western Region
3203 West March Lane
Suite 110
Stockton, CA 95219

Telephone
209 951-4980
Facsimile
209 951-3038

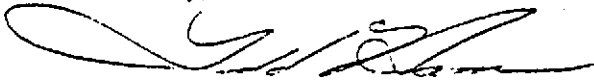
To Whom It May Concern:

Please be advised that The Equitable Life Assurance Society of the United States continues to hold a first lien on real estate security which also encumbers the above captioned water licenses.

We would appreciate you so noting our lien in your records. We will also notify your agency upon the payment in full of the above captioned loan which will release our security interest in these licenses.

If you have any questions, please contact this office.

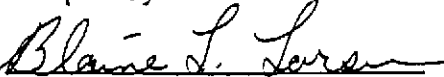
Sincerely,



Todd Hansen
Regional Manager

TH:ak

Accepted By:

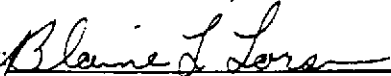


Blaine Larsen,
also known as Blaine L. Larsen,
also known as Blaine Lynn Larsen



Connie Larsen

Blaine Larsen Farms, Inc.

By: 

By: _____

Its: 

Its: _____

MICROFILMED

JUN 14 2001



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

April 11, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

LEND LEASE AGRI-BUSINESS INC
ATTN: TODD D HANSEN
3203 W MARCH LN #110
STOCKTON CA 95219

RE: Security Interest for 107 miscellaneous Blaine Larsen water rights

Dear Mr. Hansen:

The Department of Water Resources acknowledges receipt of your Notice of Security Interest. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

- ☒ Filing Fee of \$25 per water right (107 water rights involved)
- ☒ Expiration date of Security Interest

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership or filing notice of Security Interest in a water right. The fee is \$25 per water right. We have determined that the filing fee for your notice will be \$2,675.00.

Because the Department cannot process the change without proper fees, we will hold any action on your notice pending receipt of the necessary fees. If we do not receive the necessary fees and other information within 30 days we will place your notice in the appropriate water right files without further processing.

Please note that water right owners are required to report any change in 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 (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

Please feel free to contact the Department if you have any questions.

Sincerely,

Kari Lynn Townsend
Secretary

MICROFILMED

JUN 14 2001

KLT:k