ARTICLES

Farming the Fringe Benefit Rules for the Farm and Other Family-Owned Small Firms .......... L. Leon Geyer

COMMENTS

Section 303 of the Clean Water Act — Will It Hold Water in the Delta? ....................... Karen L. Mathes
Seasonal Unemployment Compensation: Insurance of a Known and Certain Loss ............ Rex Williams
Lucas and Takings of Farm Lands: Unfavorable Winds .............................................. Michael G. Karby
Sometimes Less is More: A Guide to Valuing a Closely Held Farming Corporation for Estate and Gift Tax Purposes ......................... Gary A. Colbert, CPA
Federal Crop Insurance: Friend or Foe? ........................................................................ David F. Rendahl
The *San Joaquin Agricultural Law Review* (ISSN 1055-422X) is published annually by the students of the San Joaquin College of Law. The *San Joaquin Agricultural Law Review* prints all matter deemed worthy of publication regardless of the views expressed. Views expressed herein are those of the authors and do not necessarily reflect the policies or opinions of the Law Review, its editors and staff, or the San Joaquin College of Law.

Manuscripts:
The *San Joaquin Agricultural Law Review* welcomes the submission of unsolicited articles, comments, reviews and correspondence. Manuscripts should be sent on 3¼" or 5¼" computer disk in WordPerfect 5.1, if available, to the Articles Editor at the address below. Both text and footnotes should be triple spaced with one-inch margins.

If any part of a manuscript has been published previously, or is to be published elsewhere, please include this information at the time of submission. Manuscripts cannot be returned; the Law Review will not assume responsibility for lost manuscripts.

Subscriptions:
Subscriptions are $12.00 per volume and are payable in advance. Requests for subscription information should be sent to the Production Editor at the address below. Subscriptions will be continued for succeeding issues and subscribers will be billed unless notice of cancellation is received.

Business correspondence should be addressed to the Managing Editor at the address below.

Change of Address:
The Postmaster will not forward copies. The Law Review will make reasonable efforts to notify subscribers if their issue cannot be delivered by the Postmaster and is returned. Please notify the Law Review if you do not receive your issue. Please submit address changes as soon as possible to ensure prompt delivery. The Law Review will not send duplicate copies without additional charge if nondelivery is based upon a change of address without notification. Address changes should be sent to the Production Editor at the address below.

Please send address changes to:
*San Joaquin Agricultural Law Review*
San Joaquin College of Law
3385 East Shields Avenue
Fresno, California 93726

Citation Format:
Text and footnote citations conform generally to A Uniform System of Citation (15th ed. 1991).

Printed by Darby Printing Company, 6215 Purdue Drive, Atlanta, GA 30336.

Please cite this issue as:
*4 S. J. Agri. L. Rev. _____* (1994)
NATIONAL EDITORIAL BOARD

DALE CUNNINGHAM, Sunkist
WILLIAM T. DAVOREN, Aral Sea Information Committee
BURTON ELLER, National Cattlemen's Association
MICHAEL FITCH, Wells Fargo Bank
DONALD A. FREDERICK, Agricultural Cooperative Service, United States Department of Agriculture
ED GIERMAN, Boston Ranch Company
STEPHEN HEINRICHS, Blue Diamond Growers
JULIAN B. HERON, JR. Tuttle & Taylor
RICHARD C. HERR, Bank of America
KENDALL L. MANOCK, Baker, Manock & Jensen
JAMES T. MASSEY, James T. Massey Law Offices
MICHAEL MCLEOD, McLeod, Watkinson & Miller
JEAN-MARIE PELTIER, California Pear Growers
GEORGE E. RADOSEVICH, Colorado State University
LORETTA RAMSEYER, Bank of America
LELAND H. RUTH, Agricultural Council of California
KIM SCHNOOR, Robinson, Lake & Lerer
JACK STONE, Stone Land
LELAND SWENSON, National Farmers Union
ROBERT TAYLOR, Tuttle & Taylor
GREGORY A THOMAS, Natural Heritage Institute
VERLON K. "TONY" VRANA, Resource Conservationist
JOHN WHETTEN, Challenge Dairy
ADVISORY COMMITTEE

BILL ALLISON, Farm Bureau
DENNIS BEAN, Soughton Davidson Accountancy Corporation
GEORGE BELVEA, Moore, Grider, Griggs, Cowan & Co.
ROSS BORBA, JR., Borba Farms
JERALD BUTCHERT, Westlands Water District
THOMAS E. CAMPAGNE, Law Firm of Thomas E. Campagne
ROBERT CASNO, Robert Cassio, Inc.
WILLIAM B. COOK, Colt Farming Company
DENNES COOMBS, Coombs, Inc.
JAMES DEMSEY, Thomas, Snell, Jamison, Russell & Asperger
OCTAVIA DIENER, Densmore Engines
KENNETH FRANSEN, Bolen, Fransen, Bootrom & Sawyers
MICKEY GEORGE, George Brothers
JOHN C. HARRIS, Harris Ranches
IMA JEAN HARVEY, Parishan, Reenberg, Crossman & Harvey
GARY HUGHES, Gary Hughes Farms
RUSSELL F. HURLEY, Hurley & Laird
RODGER JENSEN, S & J Ranch, Inc.
ASSEMBLYMAN BILL JONES, California Legislature
LUTHER KHACHIGIAN, Cal-Western Farming Company
VAUGHN KOLLIGIAN, Raisin Bargaining Association
LEO KOLLIGIAN, Law Firm of Leo Kolligian
KEN KUNEY, Berryhill & Kuney
W. RICHARD LEE, Kimble, MacMichael & Upton
KENDALL L. MANOCK, Baker, Manock & Jensen
DR. BERT MASON, California State University, Fresno
TONY MENDES, A. S. Mendes & Son
DOUGLAS E. NOLL, Lang, Richert & Patch
SALLY A. PERRING, San Joaquin College of Law
Y. STEPHEN PILIBOS, Pilibos Brothers
HOWARD A. SAGASER, Jory, Peterson & Sagaser
WILLIAM SCARBOROUGH, Sanwa Bank
FRANCES SQUIRE, California Women for Agriculture
SHAWN STEVENSON, Harlan Ranch Company
DR. BILL T. STEWART, State Center Community College District
JACK STONE, Stone Land
RILEY C. WALTER, McCormick, Barstow, Sheppard, Wayte & Carruth
HON. OLIVER W. WANGER, United States District Court, Eastern District of California
DR. GERALD WINKLEMAN, Fresno Pacific College
JACK WOOLF, Woolf Farming
SAN JOAQUIN COLLEGE OF LAW
1993-1994

BOARD OF TRUSTEES

HON. OLIVER W. WANGER
Judge, U.S. District Court, Eastern District of California
CHAIRMAN

HON. HOLLIS G. BEST
United States Magistrate
VICE CHAIRMAN

THEODORE R. FORREST, JR., ESQ.
Forrest & McLaughlin
SECRETARY

HON. JAMES A. ARDAIZ, Associate Justice, California Court of Appeal, Fifth District
W. ALLEN BENNETT, President, San Joaquin College of Law Student Bar Association
MICHAEL A. CARPENTER, Carpenter and Associates
DENNIS COOMBS, Owner and Developer, Coombs, Inc.
ALEX GONZALEZ, Ph.D., Provost and Vice President, Academic Affairs, California State University, Fresno
JOHN E. LOOMIS, ESQ., Loomis, Sanoian & Garland
W. ALLEN BENNETT, President, San Joaquin College of Law Student Bar Association
MICHAEL A. CARPENTER, Carpenter and Associates
DENNIS COOMBS, Owner and Developer, Coombs, Inc.
ALEX GONZALEZ, Ph.D., Provost and Vice President, Academic Affairs, California State University, Fresno

SECRETARY

RUSSELL W. REYNOLDS, J.D., Representative, San Joaquin College of Law Alumni Association
BILL T. STEWART, Ed.D., Chancellor, State Center Community College District
ARTHUR J. WEIBE, Ed.D., President Emeritus, Fresno Pacific College

LAW SCHOOL ADMINISTRATION AND STAFF

JANICE L. PEARSON, B.A., J.D., Dean
SALLY A. PERRING, B.A., J.D., Associate Dean for Academic Affairs
LAWRENCE M. ARTEMIAN, B.A., J.D., Professor of Law
RICHARD M. CARTIER, B.A., J.D., Professor of Law
DENISE KERNER, B.A., M.A., J.D., Director, Legal Analysis, Small Claims Supervisor

LINDA RAICHE, Director of Operations
DEBRA ARCHER, Administrative Assistant, Paralegal Program
DARREN ATWOOD, Bookstore Clerk
KAREN BESECKER, Administrative Assistant
CATHERINE CLINE, Coordinator for Development
MICHELE CREIGHTON, Coordinator of Continuing Legal Education
DENISE GOULD, Financial Aid Administrator
DIANE JOHNSON, Law Librarian
JOAN LASSLEY, Financial Assistant
JACQUELINE CHAVANU, Admissions Officer/Tax Program Coordinator
JOYCE MORODEMI, Law Coordinator
PAM RAMIREZ, Director of Paralegal Program/Placement
BETTY WALDRON, Faculty Secretary
JILL WALLER, Chief Financial Officer
GWEN WATT, Administrative Assistant, Financial Aid
LONZETTA WILLIAMS, Receptionist
FACULTY OF LAW

MARC C. AMENT, B.A., J.D., Professor of Law
HON. JAMES A. ARDAIZ, B.A., J.D., Professor of Law
LAWRENCE M. ARTEMIAN, B.A., J.D., Professor of Law
JESSE J. AVILA, B.A., J.D., Professor of Law
BARRY J. BENNETT, AB., J.D., Professor of Law
DANIEL BENSING, B.S., J.D., Professor of Law
PETER BRADLEY, B.S., J.D., Professor of Law
HON. A. DENNIS CAETON, B.A., J.D., Professor of Law
DAVID CAMERON, B.A., M.B.A., J.D., Professor of Law
RICHARD M. CARTIER, B.A., J.D., Professor of Law
JOBY DUPUIS, BA., J.D., Professor of Law
D. GREG DURBIN, B.A., J.D. Professor of Law
JOHN P. ELEAZARIAN, BA., MA., J.D., Professor of Law
B.L. ELLIS, D.D.S., J.D., Professor of Law
ANIDELLE FLINT, B.A., MA., J.D., Professor of Law
CHRISTINE GOODRICH, B.A., J.D., Professor of Law
SARAH HEDGEPETH-HARRIS, B.A., J.D., Professor of Law
CLINT H. HORWITZ, AB., J.D., Professor of Law
MARLENE HUBBELL, B.A., J.D., Professor of Law
ELLEN M. JAHN, B.S., J.D., Professor of Law
DENISE M. KERNER, B.A., MA., J.D., Professor of Law
KATHI KESSELMAN, B.A., J.D., Professor of Law
NICHOLAS L. LUCICHI, JR., B.A., J.D., Professor of Law
MICHAEL P. MALLERY, B.A., J.D., Professor of Law
MICHAEL MARDEROSIAN, B.A., J.D. Professor of Law
HON. VINCENT J. MCGRAW, B.A., J.D., Professor of Law
MARK MILLER, B.S., J.D., Professor of Law
DOUGLAS E. NOLL, B.A., J.D., Professor of Law
EDWIN A. OESER, B.A., J.D. Professor of Law
DEBORAH OWDOM, B.A., J.D, Professor of Law
ROSENDO PENA, B.A., J.D., Professor of Law
SALLY A. PERRING, B.A., J.D., Professor of Law
ARNOLD PETER, B.A., J.D., Professor of Law
JEFFREY G. PURVIS, B.A., J.D., Professor of Law
KATY RAU, B.A., J.D., Professor of Law
DUANE RUTH-HEFFELOWER, B.A., J.D., Professor of Law
RUSSELL RYAN, B.S., J.D., Professor of Law
ROSE SAFARIAN, B.A., J.D., Professor of Law
SARAH A. SCHMIDT, B.S., J.D., Professor of Law
RILEY C. WALTER, B.A., M.S., J.D., Professor of Law
PATRICIA WILLIAMS, B.A., J.D., Professor of Law
E. ROBERT WRIGHT, B.S., J.D., Professor of Law
SAN JOAQUIN AGRICULTURAL LAW REVIEW
DONORS

CHAIRMAN'S GUILD
Baker, Manock & Jensen*

PARTNERS
Baker, Peterson & Franklin
Ross Borba, Jr.*
Donald H. Glasrud
Griswold, LaSalle, Cobb, Dowd & Gin*
Richard C. Herr*
Jory, Peterson & Sagaser*
Jack Stone*

FRIENDS
Edward Ackley*
Bethany Baker*
Boles, Fransen, Boontrom & Sawyers*
Borchardt, Corona & Company*
Boston Ranch Company
Calcot, Ltd.
Thomas E. Campagne
Capital Agricultural Property Services, Inc.*
Cole, Fisher & Hill*
Demera, Demera, Cameron*
M. Nelson Enmark
Neil Lloyd Enmark
Donn Furman
Mickey George*
Grant, Dotson, Spence & Co.
J. David Spence
M. Green & Company
John C. Harris*
Iva Jean Harvey
Helon & Manfredo*

David Hogue
Robert D. Hoppe
Horg & Gray, CPAs*
Hurley & Laird*
J & J Farms
Jackson, Emerich, Pedreira & Nahigian*
McCleod, Watkinson & Miller
Pearson Realty*
James Michael Petrucelli
Price, Paige & Stewart*
Ranchers Cotton Oil
S & J Ranch*
Sanwa Bank
Dr. Bill F. Stewart*
Wayne Thomas, Jr.*
Tamera Trindade
David J. Weiland*
Wilbur-Ellis
Jack Woolf*

Gifts received April 20, 1993 through April 15, 1994 for Volume 4.

*Continuing donors
ACKNOWLEDGMENTS

The following persons contributed to the production of San Joaquin Agricultural Law Review, Volume 4:

TIM BERTALOTTO  DAVID LEATH
SARA BLANCHARD  AMY LOPEZ
KRISTINE CERRO  RON PERRING
STEVEN CLARK  OFRA PLEBAN
DENNIS GAAB  CONSTANCE ROBERTS
ELIZABETH KAMS  ROBERTA ROWE
NINA KRAUTH

KAREN Besecker, Law Review Administrative Assistant
BRIAN K. STENDEL, Computer Consultant

Special Thanks to the following faculty members:

PROF. DANIEL BENSING  PROF. CLINT H. HORWITZ
PROF. DEBORAH OWDOM  PROF. JEFFREY G. PURVIS

Further thanks to the following for their gracious donations:

TOM J. LEATH (copier)
RILEY C. WALTER (furniture)
TABLE OF CONTENTS

ARTICLES

Farming the Fringe Benefit Rules for the Farm and Other Family-Owned Small Firms .............. L. Leon Geyer 1

A Case for Avoidance of Secret Farmer Liens: The California Producer's Lien ................. Riley C. Walter, Esq. 37

COMMENTS

Section 303 of the Clean Water Act — Will It Hold Water in the Delta? .... Karen L. Mathes 51

Seasonal Unemployment Compensation: Insurance of a Known and Certain Loss .... Rex Williams 75


Lucas and Takings of Farm Lands: Unfavorable Winds ........ Michael G. Karby 133

Sometimes Less Is More: A Guide to Valuing a Closely Held Farming Corporation for Estate and Gift Tax Purposes .... Gary A. Colbert, CPA 165

Federal Crop Insurance: Friend or Foe? ........ David F. Rendahl 185

Copyright © 1994 by the San Joaquin College of Law