

STEEL PLANT-SRBA  
TWIN FALLS CO., IDAHO  
FILED

**FOR WATER RIGHT: 21-7084**

PAGE 1

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 )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 21-07084

2008 NOV -7 PM 1:46

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED

NAME AND ADDRESS: DEAN SCHWENDIMAN & SONS INC  
PO BOX 57  
NEWDALE, ID 83436

SOURCE: GROUND WATER

QUANTITY: 6.00 CFS  
1105.00 AFY

The rights listed below are limited to a total combined diversion  
rate of 10.11 cfs and to a total combined annual diversion  
volume of 2849.6 AF. Combined Right Nos.: 21-7084, 22-2193,  
22-7020, and 22-12543.

PRIORITY DATE: 04/14/1976

POINT OF DIVERSION: T08N R42E S30 NENE Within Fremont County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY                |
|-------------------------------|----------------|----------------|-------------------------|
|                               | Irrigation     | 04-01 TO 10-31 | 6.00 CFS<br>1105.00 AFY |

| PLACE OF USE: | Irrigation         |             | Within Fremont County |
|---------------|--------------------|-------------|-----------------------|
|               | T07N R41E S12      | NENE 38.0   | NWNE 40.0             |
|               |                    | SWNE 40.0   | SENE 40.0             |
|               |                    | SENE 37.0   | NESW 40.0             |
|               |                    | SESE 39.0   | NESE 40.0             |
|               |                    | NWSE 40.0   | SWSE 39.0             |
|               |                    | SESE 39.0   |                       |
|               | R42E S05 LOT 1     | (NENE) 38.0 | LOT 2 (NWNE) 39.0     |
|               |                    | SWNE 38.0   | SENE 39.0             |
|               | LOT 3              | (NENW) 38.0 | LOT 4 (NWNW) 38.0     |
|               |                    | SWNW 37.0   | SENE 37.0             |
|               | S07                | NENE 39.0   | NWNE 40.0             |
|               |                    | SWNE 40.0   | SENE 40.0             |
|               |                    | NENW 40.0   | LOT 1 (NWNW) 36.0     |
|               | LOT 2              | (SWNW) 36.0 | SENE 40.0             |
|               |                    | NESW 40.0   | LOT 3 (NWSW) 37.0     |
|               |                    | NESE 36.0   | NWSE 40.0             |
|               | S08                | SWNE 40.0   | SENE 40.0             |
|               |                    | NENW 40.0   | NWNW 39.0             |
|               |                    | SWNW 40.0   | SENE 40.0             |
|               |                    | NESW 40.0   | NWSW 37.0             |
|               |                    | NESE 40.0   | NWSE 40.0             |
|               | S09                | SWNW 40.0   | SENE 33.0             |
|               |                    | NESW 40.0   | NWSW 40.0             |
|               | T08N R42E S32      | SWSW 37.0   | SESE 35.0             |
|               |                    | SWSE 35.0   | SESE 31.0             |
|               | 1887.0 Acres Total |             |                       |

This right is limited to the irrigation of 442 acres within the  
place of use described above in a single irrigation season.  
The rights listed below are limited to the irrigation of a  
combined total of 1887.0 acres in a single irrigation season.  
Combined Right Nos.: 21-7084, 22-2193, 22-7020, and 22-12543.

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

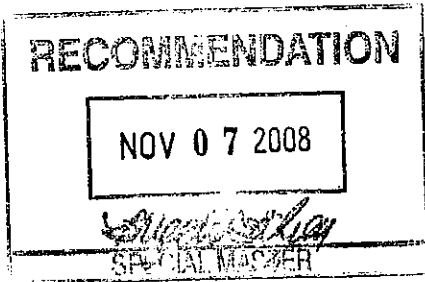
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT  
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY  
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE  
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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.

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John M. Melanson  
Presiding Judge of the  
Snake River Basin Adjudication



157-100-1-SPDA  
TWIN FALLS CO., IDAHO  
FILED

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

Water Right(s) : 21-07084

Janet Connell  
JANET CONNELL  
Deputy Clerk

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CERTIFICATE OF MAILING

Water Right(s): 21-07084

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on November 07, 2008, with sufficient first-class postage prepaid to the following:

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

DEAN SCHWENDIMAN & SONS INC  
Represented by:  
ROBERT L HARRIS  
1000 RIVERWALK DR, STE 200  
PO BOX 50130  
IDAHO FALLS, ID 83405  
Phone: 208-523-0620

DEAN SCHWENDIMAN & SONS INC  
PO BOX 57  
NEWDALE, ID 83436  
Phone: 208-458-4314

CERTIFICATE OF MAILING

  
JANET CONNELL  
Deputy Clerk

PAGE 1

11/07/08