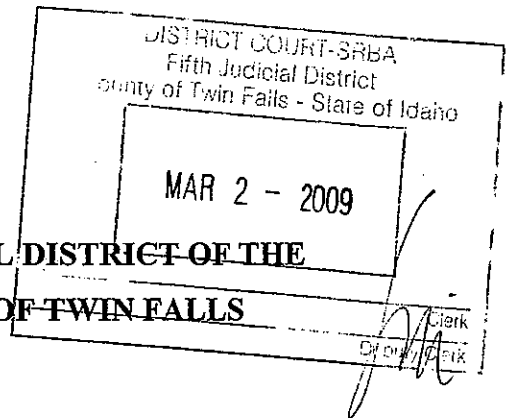


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MAR 04 2009

DEPARTMENT OF
WATER RESOURCES



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

) NOTICE OF COURT'S INTENT TO ISSUE
) PARTIAL DECREE and NOTICE SETTING
) HEARING THEREON
)

) Water Rights 63-03173 and 63-07140

A Special Master's Report and Findings of Fact and Conclusions of Law was issued for Water Rights 63-03173 and 63-7140 on February 9, 2009. On February 26, 2009, the Court was contacted by the Idaho Department of Water Resources regarding the addition of the following remark to the Purpose and Period of Use element for these rights:

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 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, it is the intent of the Court to issue a *Partial Decree* for these water rights consistent with the attached draft *Partial Decrees*. A hearing is set for the above subcases at 1:30 p.m. on May 19, 2009, at the Snake River Basin Adjudication Courthouse, 253 - 3rd Avenue North, Twin Falls, Idaho. Any party wishing to object or comment on the Court's proposed action shall do so at that time. Attendance at this hearing by the claimants is not required, as the Court will take the proposed action in the absence of any objection to the contrary. Telephone participation will be available by calling 1-918-583-3445 and entering 406128 when prompted.

If there are any problems connecting to the conference call, contact the Clerk of the SRBA Court immediately at 208-736-3011.

DATED Mar 16, 2009

JOHN M. MELANSON
Presiding Judge
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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 63-03173

NAME AND ADDRESS: LITTLE CATTLE CO
PO BOX 205
EMMETT, ID 83617

SOURCE: GROUND WATER

QUANTITY: 1.78 CFS
495.00 AFY

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation.

The total instantaneous diversion of water from all points of diversion under combined Right Nos. 63-03173, 63-07140 and 63-18509 shall not exceed 3.28 cfs.

PRIORITY DATE: 12/30/1959

POINT OF DIVERSION: T05N R01W S19 NESW Within Ada County
LOT 3 (NWSW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.78 CFS 495.00 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 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.

PLACE OF USE:	Irrigation		Within ADA & CANYON County
	T05N R01W S19	NWNE 4.0	SWNE 1.0
		NENW 16.0	LOT 1 (NWNW) 1.0
	LOT 2	(SWNW) 27.0	SENE 24.0
		NESW 2.0	LOT 3 (NWSW) 36.0
	LOT 4	(SWSW) 5.0	
	R02W S24	SENE 10.0	NESW 1.0
		SESW 5.0	NESE 39.0
		NWSE 22.0	SWSE 36.0
		SESE 23.0	
	252.0 Acres Total		

Right No. 63-03173 is limited to the irrigation of 110 acres in the place of use described above in a single irrigation season.

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.

DRAFT

John M. Melanson
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)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 63-07140

NAME AND ADDRESS: LITTLE CATTLE CO
PO BOX 205
EMMETT, ID 83617

SOURCE: GROUND WATER

QUANTITY: 2.21 CFS
850.50 AFY

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation.

The total instantaneous diversion of water from all points of diversion under combined Right Nos. 63-03173, 63-07140 and 63-18509 shall not exceed 3.28 cfs.

PRIORITY DATE: 09/05/1968

POINT OF DIVERSION: T05N R01W S19 NESW Within Ada County
LOT 3 (NWSW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.21 CFS 850.50 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 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.

PLACE OF USE:	Irrigation	Within ADA & CANYON County
	T05N R01W S19	NWNE 4.0 SWNE 1.0
		NENW 16.0 LOT 1 (NWNW) 1.0
	LOT 2 (SNNW) 27.0	SENW 24.0
		NESW 2.0 LOT 3 (NWSW) 36.0
	LOT 4 (SWSW) 5.0	
	R02W S24	SENE 10.0 NESW 1.0
		SESW 5.0 NESE 39.0
		NWSE 22.0 SWSE 36.0
		SESE 23.0
	252.0 Acres Total	

Right No. 63-07140 is limited to the irrigation of 189 acres in the place of use described above in a single irrigation season.

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.

DRAFT

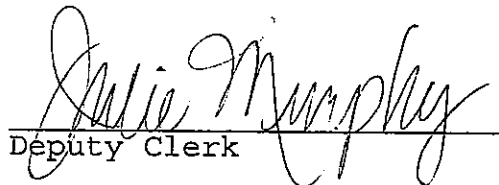
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the NOTICE OF COURT'S INTENT TO ISSUE PARTIAL DECREE AND NOTICE SETTING HEARING THEREON was mailed on March 02, 2009, with sufficient first-class postage to the following:

LITTLE CATTLE CO
PO BOX 205
EMMETT, ID 83617
Phone: 208-365-4611

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

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".