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DEPARTMENT OF
WATER RESOURCES

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

OCT 21 2009

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

)
) Water Right: 02-07109

) (Kasper Land and Cattle LLC)

)
) ORDER OF PARTIAL DECREE
)
)

On December 29, 2006, the Idaho Department of Water Resources filed its *Director's Report for Basin 02, Part I, Reporting Area 20, for Irrigation and Other Water Rights*, which included recommendation for the above named water right.

On July 2, 2007, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Report* notifying the Court of a substitution of party for named water right. No objections were filed to the *Amended Director's Report* and the time period for filing objections has expired.

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

DATED

October 21, 2009


JOHN M. MELANSON

Presiding Judge

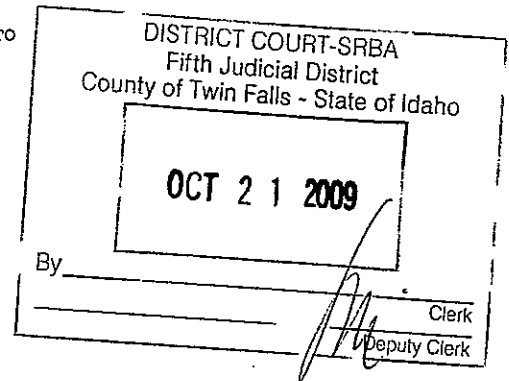
Snake River Basin Adjudication

ORDER OF PARTIAL DECREE

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 02-07109



NAME AND ADDRESS: KASPER LAND AND CATTLE LLC
3349 HILL RD
MELBA, ID 83641

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 11.87 CFS

This right when combined with Right Nos. 63-2712, 63-2955,
63-2631A, 63-2631B, 63-2632A, 63-2632B, and 63-3099 shall
provide no more than .02 cfs per acre.

PRIORITY DATE: 03/03/1973

POINT OF DIVERSION: T01S R02W S21 LOT 3 (SWNW) Within Canyon County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	11.87 CFS
	Stockwater	01-01 TO 12-31	0.23 CFS

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 and after November 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 Canyon County
	T01S R02W S16	NENE 33.0	NWNE 20.0
		SWNE 36.0	SENE 36.0
		NENW 31.0	NWNW 36.0
		SWNW 29.0	SENE 36.0
		NESW 36.0	NWSW 36.0
		SWSW 35.0	SESW 35.0
		NESE 35.0	NWSE 36.0
		SWSE 37.0	SESE 37.0
	S21	SWNE 40.0	SENE 40.0
		SENE 29.0	NESE 37.0
		NWSE 11.0	SESE 8.0
	S22	NENW 8.0	NWNW 38.0
		SWNW 40.0	SENE 31.0
		NESW 36.0	NWSW 37.0
		SWSW 40.0	SESW 40.0
		NWSE 30.0	SWSE 39.0
		SESE 2.0	
		1050.0 Acres Total	

Stockwater	Within Canyon County
Same as Irrigation	

Right Nos. 2-7109, 63-2712, 63-2955, 63-2631A, 63-2631B,
63-2632A, 63-2632B and 63-3099 are limited to the irrigation of
a combined total of 1729 acres in a single irrigation season.

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

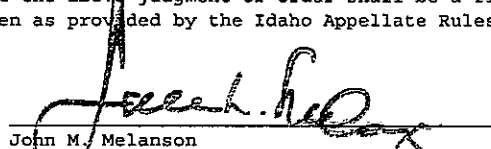
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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.



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