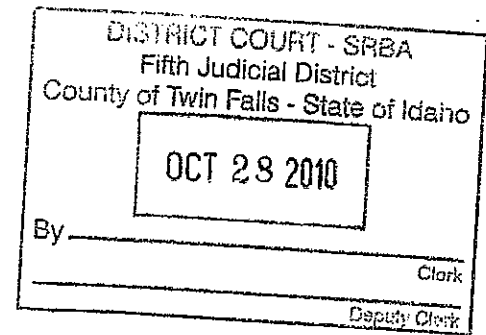


RECEIVED

OCT 29 2010

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) Subcases 02-2061 and 02-2086
) (Snake River Valley II, LLC)
)
Case No. 39576) SPECIAL MASTER REPORT
_____)

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, Reporting Area Basin 02* on December 29, 2006. The Director recommended the claims to DBSI Cobra 370, LLC, for 1.35 cfs and 1.93cfs from the Snake River to irrigate 79 acres and 164 acres in Owyhee County from April 1 to October 31 with priority dates of January 20 and 23, 1956, based on licenses.

DBSI Cobra 370, LLC, filed *Objections* on December 5, 2007, objecting to point of diversion and place of use. IDWR filed a *Notice of Completed Administrative Proceeding* on October 23, 2009, for a substitution of party with Snake River Valley II, LLC, 4508 Pacer Way, Flower Mound, Texas, 75028, as the new claimant. On October 28, 2010, Snake River Valley II, LLC, with IDWR's concurrence, filed *Standard Forms 5*.

Conclusions of Law

Snake River Valley II, LLC, is entitled to partial decrees adjudicating water rights as described in the *SF-5s* and the attached *Special Master Recommendations for Partial Decrees for Water Rights 02-2061 and 02-2086*.

DATED October 28, 2010.


TERRENCE A. DOLAN
Special Master
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 02-02061

NAME AND ADDRESS: SNAKE RIVER VALLEY II LLC
4508 PACE WY
FLOWER MOUND, TX 75028

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.35 CFS

Right Nos. 02-2061 and 02-2086 are limited to a total combined
diversion rate of 3.28 cfs.

PRIORITY DATE: 01/20/1956

POINT OF DIVERSION: T01N R03W S36 LOT 4 (NWSW) Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.35 CFS

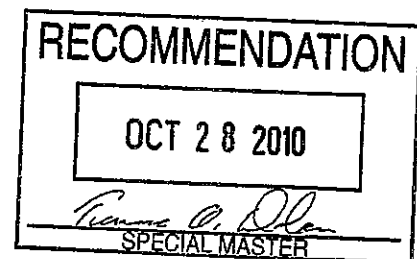
The use of water for irrigation under this right may begin as
early as March 1 and may continue to as late as November 15,
provided other elements of the right are not exceeded. The use
of water before April 1 and after October 31 under this remark
is subordinate to all water rights having no subordinated 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 Owyhee County
T01N.R03W S36 LOT 4 (NWSW)21.0 LOT 3 (SESW)37.0
LOT 2 (SWSE)21.0
79.0 Acres Total

The rights listed below are limited to the irrigation of a
combined total of 187 acres in a single irrigation season.
Combined Right Nos.: 02-2061, 02-2086, and 57-276.

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.

Eric J. Wildman
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
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 02-02086

NAME AND ADDRESS: SNAKE RIVER VALLEY II LLC
4508 PACER WY
FLOWER MOUND, TX 75028

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.93 CFS

Right Nos. 02-2061 and 02-2086 are limited to a total combined
diversion rate of 3.28 cfs.

PRIORITY DATE: 01/23/1956

POINT OF DIVERSION: T01N R03W S36 LOT 4 (NWSW) Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.93 CFS

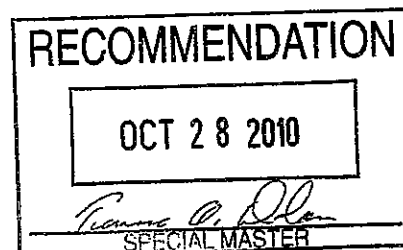
The use of water for irrigation under this right may begin as
early as March 1 and may continue to as late as November 15,
provided other elements of the right are not exceeded. The use
of water before April 1 and after October 31 under this remark
is subordinate to all water rights having no subordinated 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 Owyhee County
	T01N R03W S36 LOT 4 (NWSW) 21.0	LOT 3 (SESW) 47.0
	LOT 2 (SWSE) 40.0	LOT 1 (SESE) 13.0
	T01S R03W S01 LOT 2 (NWNE) 33.0	LOT 3 (NENW) 10.0
	164.0 Acres Total	

The rights listed below are limited to the irrigation of a
combined total of 187 acres in a single irrigation season.
Combined Right Nos.: 02-2061, 02-2086, and 57-276.
This right authorizes the irrigation of 164 total acres.

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.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
OCT 28 2010	
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)
)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 02-02061
02-02086

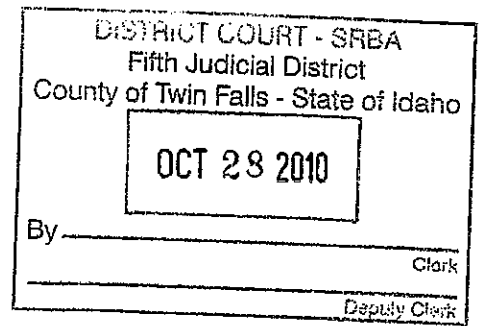
On October 28, 2010, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED October 28, 2010.


DIANA R DELANEY
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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 02-02061
02-02086

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 October 28, 2010, with sufficient first-class postage prepaid to the following:

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

DBSI COBRA 370 LLC
Represented by:
ANDREW J WALDERA
101 S CAPITOL BLVD 10TH FLOOR
PO BOX 829
BOISE, ID 83701-0829
Phone: 208-345-2000

MARC A MYRIN
THOMPSON & KNIGHT LLP
ONE ARTS PLAZA
1722 ROUTH ST, STE 1500
DALLAS, TX 75201
Phone: 214-969-1166

CERTIFICATE OF MAILING

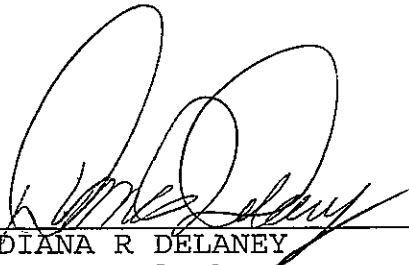
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10/28/10

DBSI COBRA 370 LLC
1550 S TECH LN
MERIDIAN, ID 83642
Phone: 208-955-9800

SNAKE RIVER VALLEY II LLC
4508 PACE WY
FLOWER MOUND, TX 75028

WAYNE EDGERTON
4508 PACER WAY
FLOWER MOUND, TX 75028
Phone: 972-539-8530

SNAKE RIVER VALLEY II LLC
4508 PACER WY
FLOWER MOUND, TX 75028



DIANA R DELANEY
Deputy Clerk