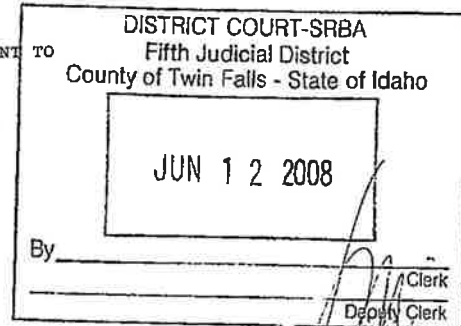


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 22-02204



NAME AND ADDRESS: BASIC AMERICAN FOODS
AMERICAN POTATO CO
40 E 7TH N
REXBURG, ID 83440

SOURCE: GROUND WATER

QUANTITY: 2.66 CFS
1925.80 AFY

RIGHT NOS. 22-2204 AND 22-7391 ARE LIMITED TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 2389.1 AF.

PRIORITY DATE: 03/30/1961

POINT OF DIVERSION: T06N R40E S19 NENE Within Madison County
NENE
NENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Industrial	01-01 TO 12-31	2.66 CFS 1925.80 AFY

INDUSTRIAL USE IS FOR POTATO PROCESSING. THE WATER DIVERTED UNDER
THIS RIGHT FOR INDUSTRIAL PURPOSES MUST FIRST BE USED IN
ASSOCIATION WITH POTATO PROCESSING. USE IN ASSOCIATION WITH
POTATO PROCESSING MAY INCLUDE THE TREATMENT OF PROCESS WATER WITH
FRESH WATER. AFTER WATER IS USED FOR THESE INDUSTRIAL PURPOSES
IT MAY BE APPLIED TO LAND TO SATISFY FEDERAL OR STATE WATER
QUALITY REQUIREMENTS. WATER DIVERTED SHALL NOT BE USED FOR LAND
APPLICATION UNLESS THE WATER IS APPLIED TO LAND THAT HAS AN
APPURTENANT WATER RIGHT, WHICH NORMALLY PROVIDES A FULL SUPPLY OF
WATER FOR IRRIGATION.

PLACE OF USE: Industrial T06N R40E S19 NENE Within Madison County
NWNE

PLACE OF USE MAY ALSO INCLUDE OTHER LANDS UPON WHICH THE PROCESS
WATER MAY BE APPLIED FOR LAND APPLICATION PURPOSES TO SATISFY
FEDERAL OR STATE WATER QUALITY REQUIREMENTS. WATER DIVERTED SHALL
NOT BE USED FOR LAND APPLICATION UNLESS THE WATER IS APPLIED TO
LAND THAT HAS AN APPURTENANT WATER RIGHT, WHICH NORMALLY PROVIDES
A FULL SUPPLY OF WATER FOR IRRIGATION. WATER DIVERTED
SHALL NOT BE USED FOR LAND APPLICATION UNLESS THE WATER IS FIRST
USED IN ASSOCIATION WITH POTATO PROCESSING AS AUTHORIZED BY THE
WATER RIGHT. THE INDUSTRIAL USE OF WATER UNDER THIS RIGHT
INCLUDES TREATMENT OF PROCESS WATER WITH FRESH WATER.

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.



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