

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 63-00014

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

MAY 10 2011

By

Clerk
Deputy Clerk

NAME AND ADDRESS: EDWARDS FAMILY LLC
4106 SAND CREEK
BOISE, ID 83703

SOURCE: GROUND WATER

QUANTITY: 0.84 CFS
250.00 AFY

Use of this right with Right No. 63-5067 is limited to a total combined diversion rate of .33 cfs for outside irrigation. The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day. This right may be limited to a total of 108.3 AF during the period from October 1 through April 1 and/or 145.2 AF during the period April 1 to October 1 for the purpose of protecting the artesian flow of water from the two wells used under water rights 63-12 and 63-13 and located in T04N R02E Section 29 NENESE.

PRIORITY DATE: 11/22/1926

POINT OF DIVERSION: T04N R02E S29 SWNE Within Ada County

Water is low temperature geothermal water.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-01 TO 11-15	0.33 CFS
Commercial	01-01 TO 12-31	0.84 CFS 250.00 AFY
Heating	01-01 TO 12-31	0.84 CFS 250.00 AFY
Domestic	01-01 TO 12-31	0.04 CFS

Commercial use is for all uses within the greenhouses, shop, retail shops, and watering of plants, except heating. Irrigation use is for areas outside of the greenhouses. Domestic use is for heating in the apartment. Diversion of low temperature geothermal water under this right for outside irrigation and watering of plants shall, to the extent possible, occur only when the cold water under Water Right No. 63-5067 is insufficient or cannot be used.

PLACE OF USE:

Irrigation		Within Ada County
T04N R02E S29	SWNE 8.3	
8.3 Acres Total		
Commercial		Within Ada County
T04N R02E S29	SWNE	
Heating		Within Ada County
T04N R02E S29	SWNE	
Domestic		Within Ada County
T04N R02E S29	SWNE	

Use of this right with Right No. 63-5067 is limited to the outside irrigation of a combined total of 8.3 acres.

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

Commercial use is included as an accomplished transfer pursuant to Section 42-1425, Idaho Code.

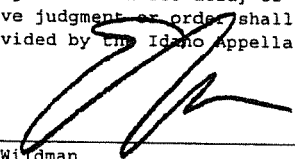
The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

This water right is subject to the terms of a private Agreement dated January 24, 2002, recorded at the Ada County Recorder's Office on August 27, 2002, as Instrument No. 102097169.

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