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JUL 02 2013

DEPARTMENT OF  
WATER RESOURCES

|                                                                                           |
|-------------------------------------------------------------------------------------------|
| DISTRICT COURT - SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |
| JUL - 1 2013                                                                              |
| By _____<br>Clerk<br>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

ORDER OF PARTIAL DECREE

Subcase No. 63-03583

(Basin and Range Resource Company LLC)

On May 3, 2013, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report and Recommendation* and wholly adopts them as its own.

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

July 1, 2013

  
ERIC J. WILDMAN

Presiding Judge

Snake River Basin Adjudication

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DEPARTMENT OF  
WATER RESOURCESIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIn Re SRBA )  
)  
Case No. 39576 )  
\_\_\_\_\_ )PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR

Water Right 63-03583

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

JUL - 1 2013

By \_\_\_\_\_

Clerk  
Deputy ClerkNAME AND ADDRESS: BASIN AND RANGE RESOURCE  
COMPANY LLC  
C/O DOROTHY TIMIAN PALMER  
3480 G S RICHARDS BLVD #101  
CARSON CITY, NV 89703

SOURCE: GROUND WATER

QUANTITY: 1.50 CFS  
472.50 AFY

Rights 63-3182, 63-3308, 63-3583, 63-7177, 63-7349, and 63-7903 when combined shall not exceed a total diversion rate of 20.35 cfs, a total annual maximum diversion volume of 5733 af at the field headgate, and the irrigation of 1274 acres in a single irrigation season.

Rights 63-3308, 63-3583 and 63-7349 when combined shall not exceed a total diversion rate of 5.84 cfs.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

PRIORITY DATE: 02/17/1967

POINT OF DIVERSION: T06N R05W S22 SESW Within Payette County  
S23 NWSESW  
NWSESW  
NWSWSE  
SWNE  
NWSW  
NESE  
NESE  
NESE  
S24 NWNW

The following rights are diverted through points of diversion described above: 63-3182, 63-3308, 63-3583, 63-7177, 63-7349 and 63-7903.

## PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY   |
|----------------|----------------|----------------|------------|
|                | Irrigation     | 03-15 TO 11-15 | 1.50 CFS   |
|                |                |                | 472.50 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 Payette County |
|---------------|------------|-----------------------|
| T06N R05W S13 | SWSW 40.0  |                       |
| S14           | SWSW 40.0  | SESW 40.0             |
|               | SWSE 40.0  | SESE 40.0             |
| S15           | SESE 40.0  |                       |
| S22           | NENE 40.0  | NWNE 40.0             |
|               | SWNE 40.0  | SENE 40.0             |

PLACE OF USE (continued)

|                    |           |           |
|--------------------|-----------|-----------|
|                    | NENW 40.0 | SENW 40.0 |
|                    | NESW 40.0 | SESW 40.0 |
|                    | NESE 40.0 | NWSE 40.0 |
|                    | SWSE 40.0 | SESE 40.0 |
| S23                | NENE 40.0 | NWNE 40.0 |
|                    | SWNE 40.0 | SENE 40.0 |
|                    | NENW 40.0 | NWNW 40.0 |
|                    | SWNW 40.0 | SENW 40.0 |
|                    | NESW 40.0 | NWSW 40.0 |
|                    | SESW 20.0 | NESE 40.0 |
|                    | NWSE 40.0 | SWSE 20.0 |
| S24                | NWNW 40.0 | SWNW 40.0 |
|                    | NWSW 20.0 |           |
| 1340.0 Acres Total |           |           |

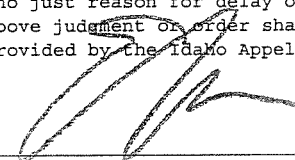
This right is limited to the irrigation of 105 acres within the place of use described above in a single irrigation season. The place of use within the NWSW of S24, T06N, R05W is limited to the west half of that quarter-quarter. The place of use within the SESW and SWSE of S23, T06N, R05W is limited to the north half of those quarter-quarters.

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

2013 JUL 01 PM 02:00  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

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     | ) | CERTIFICATE OF MAILING   |
|                | ) |                          |
| Case No. 39576 | ) |                          |
| _____          | ) | Water Right(s): 63-03583 |

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE  
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 63-03583 was mailed  
on July 01, 2013, with sufficient first-class postage prepaid  
to the following:

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

BASIN AND RANGE RESOURCE  
BASIN RANGE AND RESOURCE

Represented by:  
DANA L HOFSTETTER  
608 W FRANKLIN ST  
BOISE, ID 83702-5509  
Phone: 208-424-7800

UNITED STATES OF AMERICA

Represented by:  
US DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724

JULIE MURPHY  
Chief Deputy Clerk