

RECEIVED

FEB 02 2012

DEPARTMENT OF
WATER RESOURCES

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

FEB - 1 2012

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

ORDER OF PARTIAL DECREES

Subcases: 45-11168, 45-13606, 45-13607,
45-14331 and 45-14332
(Winecup Inc.)

On December 19, 2011, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights. 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 wholly adopts them as its own.

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

DATED February 1, 2012.


ERIC J. WILDMAN
Presiding Judge
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)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 45-11168

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

FEB - 1 2012

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: WINECUP INC
PO BOX 283
OAKLEY, ID 83346

SOURCE: GOOSE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 55.50 AFY

Pursuant to agreement with the Oakley Canal Company water is stored under this right whenever the U.S. Geological Survey stream gaging station on Goose Creek located in T15S, R21E, S13, NENE, together with the U.S. Geological Survey gaging station on Trapper Creek located in T14S, R21E, S34, SENW, measure a combined total flow of 10,185 Idaho miner's inches (207.3 cfs) or higher. The storage volume is calculated by multiplying 0.40 cfs by 1.9835 times the number of days the gages measure a combined total flow of 10,185 inches (207.3 cfs) or higher. The storage volume for this right is the maximum that may be stored under this right pursuant to agreement with Oakley Canal Company. The actual volume stored varies from year to year.

PRIORITY DATE: 03/31/1887

POINT OF DIVERSION: T14S R22E S17 NWSW (Rediversion) Within Cassia County
S19 NWSW (Rediversion)
NENE

Water is rediverted under this right from Goose Creek into the West Canal and the East Canal.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation Storage	01-01 TO 12-31	55.50 AFY
Irrigation from Storage	03-15 TO 11-15	55.50 AFY

Water is stored pursuant to agreement with the Oakley Canal Company, which agreement may be subject to future modification or termination.

Pursuant to agreement with the Oakley Canal Company stored irrigation water is deliverable from April 15 to July 20 inclusive.

PLACE OF USE:

Irrigation from Storage	Within Cassia County
T14S R22E S05 LOT 2 (NWNE) 25.0	SWNE 38.0
SENE 22.0	NESE 13.0
NWSE 19.0	
117.0 Acres Total	

Right Nos. 45-11168, 45-13606, 45-13607, 45-14331 and 45-14332 are limited to the irrigation of a combined total of 117 acres in a single irrigation season.

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

Future modifications of the agreement with the Oakley Canal Company, if any, shall not result in enlargement of this right.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT

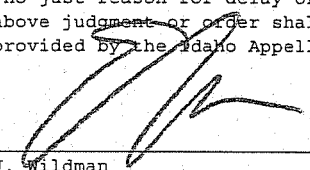
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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)
)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 45-13606

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

FEB - 1 2012

By

Clerk

Deputy Clerk

NAME AND ADDRESS:

WINECUP INC
PO BOX 283
OAKLEY, ID 83346

SOURCE:

GOOSE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY:

4.50 AFY

Pursuant to agreement with the Oakley Canal Company water is stored under this right from April 15 to July 20 inclusive whenever Goose Creek water rights with a priority date of 4/1/1876 are in priority (deliverable). The storage volume is calculated by multiplying the historic diversion rate of 0.02375 cfs by 1.9835 times the number of days the right is in priority (deliverable).

PRIORITY DATE:

04/01/1875

POINT OF DIVERSION:

T14S R22E S17
S19

NWSW (Rediversion)
NWSW (Rediversion)
NENE

Within Cassia County

Water is rediverted under this right from Goose Creek into the West Canal and the East Canal.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation Storage	01-01 TO 12-31	4.50 AFY
Irrigation from Storage	03-15 TO 11-15	4.50 AFY

Water is stored pursuant to agreement with the Oakley Canal Company, which agreement may be subject to future modification or termination.
Pursuant to agreement with the Oakley Canal Company, irrigation water is stored and delivered from April 15 to July 20 inclusive.

PLACE OF USE:

Irrigation from Storage
T14S R22E S05 LOT 2 (NWNE) 25.0
SENE 22.0
NWSE 19.0
117.0 Acres Total

Within Cassia County
SWNE 38.0
NESE 13.0

Right Nos. 45-11168, 45-13606 and 45-13607 are limited to the irrigation of a combined total of 117 acres in a single irrigation season.

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

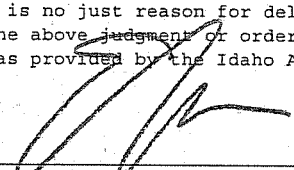
Future modifications of the agreement with the Oakley Canal Company, if any, shall not result in enlargement of this right.

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).

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

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)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 45-13607

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

FEB - 1 2012

By _____

Clerk
Deputy Clerk

NAME AND ADDRESS:

WINECUP INC
PO BOX 283
OAKLEY, ID 83346

SOURCE:

GOOSE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY:

42.80 AFY

Pursuant to agreement with the Oakley Canal Company water is stored under this right from April 15 to July 20 inclusive whenever Goose Creek water rights with a priority date of 4/27/1880 are in priority (deliverable). The storage volume is calculated by multiplying the historic diversion rate of 0.2725 cfs by 1.9835 times the number of days the right is in priority (deliverable).

PRIORITY DATE:

04/27/1880

POINT OF DIVERSION:

T14S R22E S17
S19

NWSW (Rediversion)
NWSW (Rediversion)
NENE

Within Cassia County

Water is rediverted under this right from Goose Creek into the West Canal and the East Canal.

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

Irrigation Storage

01-01 TO 12-31

42.80 AFY

Irrigation from Storage

03-15 TO 11-15

42.80 AFY

Water is stored pursuant to agreement with the Oakley Canal Company, which agreement may be subject to future modification or termination.

Pursuant to agreement with the Oakley Canal Company, irrigation water is stored and delivered from April 15 to July 20 inclusive.

PLACE OF USE:

Irrigation from Storage

Within Cassia County

T14S R22E S05 LOT 2 (NWNE) 25.0
SENE 22.0
NWSE 19.0

SWNE 38.0
NESE 13.0

117.0 Acres Total

Right Nos. 45-11168, 45-13606, 45-13607, 45-14331 and 45-14332 are limited to the irrigation of a combined total of 117 acres in a single irrigation season.

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

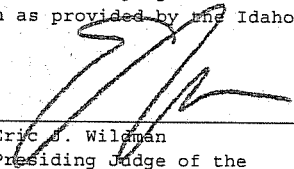
Future modifications of the agreement with the Oakley Canal Company, if any, shall not result in enlargement of this right.

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).

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

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)
)
Case No. 39576)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 45-14331

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho FEB - 1 2012 By _____ Clerk Deputy Clerk
--

NAME AND ADDRESS: WINECUP INC
PO BOX 283
OAKLEY, ID 83346

SOURCE: GOOSE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 4.50 AFY

Pursuant to agreement with the Oakley Canal Company water is stored under this right from April 15 to July 20 inclusive whenever Goose Creek water rights with a priority date of 2/1/1880 are in priority (deliverable). The storage volume is calculated by multiplying the historic diversion rate of 0.02375 cfs by 1.9835 times the number of days the right is in priority (deliverable).

PRIORITY DATE: 02/01/1880

POINT OF DIVERSION:	T14S R22E S17	NWSW (Rediversion)	Within Cassia County
	S19	NWSW (Rediversion)	
		NENE	

Water is rediverted under this right from Goose Creek into the West Canal and the East Canal.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation Storage	01-01 TO 12-31	4.50 AFY
Irrigation from Storage	03-15 TO 11-15	4.50 AFY

Water is stored pursuant to agreement with the Oakley Canal Company, which agreement may be subject to future modification or termination.

Pursuant to agreement with the Oakley Canal Company, irrigation water is stored and delivered from April 15 to July 20 inclusive.

PLACE OF USE:

Irrigation from Storage	Within Cassia County
T14S R22E S05 LOT 2 (NWNE) 25.0	SWNE 38.0
SENE 22.0	NESE 13.0
NWSE 19.0	
117.0 Acres Total	

Right Nos. 45-11168, 45-13606, 45-13607, 45-14331 and 45-14332 are limited to the irrigation of a combined total of 117 acres in a single irrigation season.

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

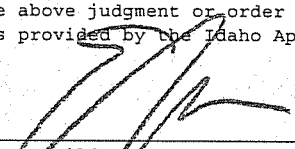
Future modifications of the agreement with the Oakley Canal Company, if any, shall not result in enlargement of this right.

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).

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

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)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 45-14332

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
FEB - 1 2012
By _____ Clerk - Deputy Clerk

NAME AND ADDRESS: WINECUP INC
PO BOX 283
OAKLEY, ID 83346

SOURCE: GOOSE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 4.50 AFY

Pursuant to agreement with the Oakley Canal Company water is stored under this right from April 15 to July 20 inclusive whenever Goose Creek water rights with a priority date of 3/23/1880 are in priority (deliverable). The storage volume is calculated by multiplying the historic diversion rate of 0.02375 cfs by 1.9835 times the number of days the right is in priority (deliverable).

PRIORITY DATE: 03/23/1880

POINT OF DIVERSION:	T14S R22E S17	NWSW (Rediversion)	Within Cassia County
	S19	NWSW (Rediversion)	
		NENE	

Water is rediverted under this right from Goose Creek into the West Canal and the East Canal.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation Storage	01-01 TO 12-31	4.50 AFY
Irrigation from Storage	03-15 TO 11-15	4.50 AFY

Water is stored pursuant to agreement with the Oakley Canal Company, which agreement may be subject to future modification or termination.

Pursuant to agreement with the Oakley Canal Company, irrigation water is stored and delivered from April 15 to July 20 inclusive.

PLACE OF USE:

Irrigation from Storage	Within Cassia County
T14S R22E S05 LOT 2	(NWNE)25.0 SWNE 38.0
	SENE 22.0 NESE 13.0
	NWSE 19.0
117.0 Acres Total	

Right Nos. 45-11168, 45-13606, 45-13607, 45-14331 and 45-14332 are limited to the irrigation of a combined total of 117 acres in a single irrigation season.

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

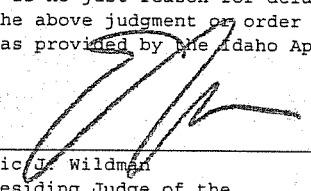
Future modifications of the agreement with the Oakley Canal Company, if any, shall not result in enlargement of this right.

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).

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

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on February 01, 2012, with sufficient first-class postage to the following:

OAKLEY CANAL COMPANY

Represented by:
WILLIAM A. PARSONS
137 W 13TH ST
PO BOX 910
BURLEY, ID 83318
Phone: 208-878-8382

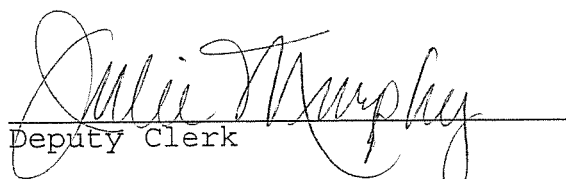
DENNIS K SMITH
PO BOX 233
OAKLEY, ID 83346

WINECUP INC
PO BOX 283
OAKLEY, ID 83346

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

BRUCE BEDKE
JARED K BEDKE
42 E BASIN RD
OAKLEY, ID 83346
Phone: 208-862-9288

SCOTT BEDKE
630 N CENTER AVE
OAKLEY, ID 83346

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and stylized, with the first and last names being clearly legible.