

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 63-33516

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

DEC 21 2011

By

Clerk

Deputy Clerk

NAME AND ADDRESS: VALE ISLAND FARMS
35 HORIZON DR
BOISE, ID 83702

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 1.66 CFS

Whenever it becomes necessary for the watermaster to deliver this right the following condition shall apply. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

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DEPARTMENT OF
WATER RESOURCES

PRIORITY DATE: 04/01/1910

POINT OF DIVERSION: T04N R03W S07 LOT 2 (SESW) Within Canyon County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	1.66 CFS
	Stockwater	03-01 TO 11-15	0.05 CFS
	Recreation	03-01 TO 11-15	1.66 CFS
	Recreation Storage	03-01 TO 11-15	12.00 AFY

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE1/4 of the SE1/4 of the SE1/4, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:

Irrigation	Within Canyon County
T04N R04W S12 LOT 3 (NENE) 1.0	NWNE 1.0
LOT 8 (SWNE) 22.0	LOT 2 (SENE) 20.0
LOT 1 (NESE) 7.0	LOT 9 (NWSE) 3.0
54.0 Acres Total	
Stockwater	Within Canyon County
T04N R04W S12 LOT 3 (NENE)	NWNE

PLACE OF USE (continued)

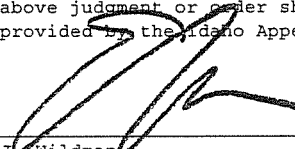
	LOT 8	(SWNE)	LOT 2	(SENE)
	LOT 7	(SENW)	LOT 1	(NESE)
	LOT 9	(NWSE)		
Recreation			Within Canyon County	
T04N R04W S12	LOT 3	(NENE)	NWNE	
	LOT 8	(SWNE)	LOT 2	(SENE)
	LOT 7	(SENW)	LOT 1	(NESE)
	LOT 9	(NWSE)		
Recreation Storage			Within Canyon County	
T04N R04W S12	LOT 8	(SWNE)	LOT 2	(SENE)

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the UNCONTESTED PARTIAL DECREE was mailed on December 21, 2011, with sufficient first-class postage to the following:

VALE ISLAND FARMS

Represented by:

MICHAEL P LAWRENCE

PO BOX 2720

BOISE, ID 83701

Phone: 208-388-1200

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".