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DEPARTMENT OF  
WATER RESOURCES

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

JUL 29 2011

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 DECREE

Subcase No. 02-02168

(Beranna Properties LP)

On June 10, 2011, 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 29, 2011

  
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 02-02168

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

JUL 29 2011

NAME AND ADDRESS: BERANNA PROPERTIES LP  
9166 PERCH RD  
CALDWELL, ID 83607

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 11.78 CFS

PRIORITY DATE: 12/26/1961

POINT OF DIVERSION: T01N R03W S16 SWNWNW Within Canyon County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY  |
|----------------------------|----------------|----------------|-----------|
|                            | Irrigation     | 03-01 TO 11-15 | 11.78 CFS |

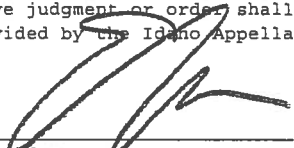
| PLACE OF USE: | Irrigation                      | Within Canyon County |
|---------------|---------------------------------|----------------------|
|               | T01N R03W S03 LOT 1 (NENE) 38.0 | LOT 2 (NWNE) 38.0    |
|               | SWNE 40.0                       | SENE 40.0            |
|               | LOT 3 (NENW) 37.0               | LOT 4 (NWNW) 37.0    |
|               | SWNW 40.0                       | SENW 40.0            |
|               | NESW 40.0                       | NWSW 40.0            |
|               | SWSW 40.0                       | SESW 40.0            |
|               | NESE 40.0                       | NWSE 40.0            |
|               | SWSE 40.0                       | SESE 40.0            |
|               | 630.0 Acres Total               |                      |

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. Weidman  
Presiding Judge of the  
Snake River Basin Adjudication

2011 JUL 29 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

Case No. 39576  
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CERTIFICATE OF MAILING

Water Right(s): 02-02168

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 02-02168 was mailed  
on July 29, 2011, with sufficient first-class postage prepaid  
to the following:

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

FARM DEVELOPMENT CORP  
Represented by:  
JOHN M MARSHALL  
575 W BANNOCK ST, SUITE B  
BOISE, ID 83702  
Phone: 208-991-2701

BERANNA PROPERTIES LP  
9166 PERCH RD  
CALDWELL, ID 83607

JULIE MURPHY  
Chief Deputy Clerk