

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 37-00026

|                                                                                                                                                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| DISTRICT COURT - SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho<br><br>SEP 24 2010<br><br>By _____<br>Clerk<br><br>Deputy Clerk |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|

NAME AND ADDRESS: MV PROPERTY LLC  
PO BOX 5  
KETCHUM, ID 83340

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 4.50 CFS

Total rate of diversion includes 0.45 cfs charged for river  
channel loss. The right is limited to 4.05 cfs at the point of  
diversion.

PRIORITY DATE: 05/23/1885

POINT OF DIVERSION: T01S R18E S19 NWNENE Within Blaine County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-15 TO 10-31 | 4.05 CFS |
|                               | Mitigation     | 04-15 TO 10-31 | 0.45 CFS |

Mitigation use is water charged for river channel loss.

| PLACE OF USE: | Irrigation                 | Within Blaine County |
|---------------|----------------------------|----------------------|
|               | T01S R17E S13 SESE 38.0    |                      |
|               | S24 NENE 17.0              |                      |
|               | R18E S18 LOT 4 (SWSW) 29.0 | SESW 26.0            |
|               | SWSE 17.0                  |                      |
|               | S19 NENW 18.0              | LOT 1 (NWNW) 26.0    |
|               | 171.0 Acres Total          |                      |

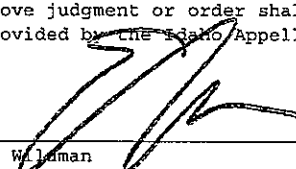
Right Nos. 37-26 and 37-27 are limited to the irrigation of a  
combined total of 171 acres in a single irrigation season.

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. Wilman  
Presiding Judge of the  
Snake River Basin Adjudication