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MAR 23 2010

DEPARTMENT OF
WATER RESOURCESTHE 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

Case No. 39576)

I.R.C.P. 54(b) FOR

Water Right 63-045308

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

MAR 22 2010

NAME AND ADDRESS:

FDF INC
C/O THOMAS L WELSH
419 E HIGHLAND VIEW DR
BOISE, ID 83702

SOURCE:

UNNAMED DRAINS TRIBUTARY: BOISE RIVER

QUANTITY:

1.20 CFS
270.00 AFY

By

Deputy Clerk

The surface area of the wildlife storage pond shall not exceed 9.0 acres, nor shall the total combined annual diversion volume for all wildlife uses exceed 45.0 af. The total instantaneous diversion of water from all points of diversion under this right shall not exceed 1.20 cfs, nor total combined annual volume of 270.0 af.

PRIORITY DATE:

05/10/1926

POINT OF DIVERSION:

T04N R04W S01	SWNW	Within Canyon County
T05N R04W S35	SWSE	

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-01 TO 11-15	1.00 CFS 225.00 AFY
Wildlife	01-01 TO 12-31	1.20 CFS 18.00 AFY
Wildlife Storage	01-01 TO 12-31	27.00 AFY
Diversion to Storage	01-01 TO 12-31	1.20 CFS

PLACE OF USE:

Irrigation		Within Canyon County
T04N R04W S02	SWNE 20.0	SENE 15.0
LOT 4	(SENE)15.0	
50.0 Acres Total		
Wildlife		Within Canyon County
T04N R04W S02	SWNE	SENE
LOT 4	(SENE)	
Wildlife Storage		Within Canyon County
T04N R04W S02	SENE	

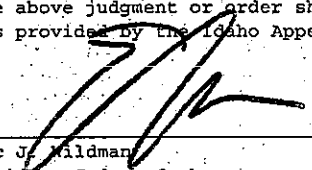
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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