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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED
2009 DEC 14 PM 1 34

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: See Attached Exhibit A
(Whitworth Ranches, Inc.)

On September 1, 2009, 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 December 14, 2009.

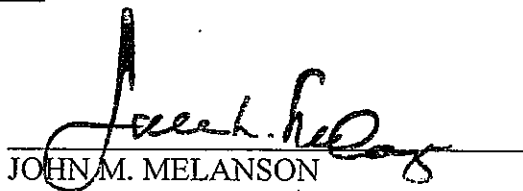

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A - WHITWORTH RANCHES INC

Subcase Nos:

73-00128
73-00133
73-00137
73-00138
73-04005

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED
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In Re SRBA)
Case No. 39576)

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

Water Right 73-00128

NAME AND ADDRESS: WHITWORTH RANCHES INC
PO BOX 167
MAY, ID 83253

SOURCE: MORGAN CREEK TRIBUTARY: PATTERSON CREEK

QUANTITY: 1.60 CFS

PRIORITY DATE: 03/01/1898

POINT OF DIVERSION: T15N R21E S11 NENE Within Lemhi County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-01 TO 10-31 1.60 CFS

PLACE OF USE: Irrigation Within Lemhi County

T15N R21E S12	SWSE 40.0	SESE 38.0
S13	NENE 37.0	NWNE 40.0
	SWNE 31.0	SENE 36.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	
S24	SESE 21.0	
S25	NENE 26.0	
R22E S07 LOT 4	(SWSW) 40.0	
S18	NENW 9.4	LOT 1 (NWNW) 40.0
LOT 2	(SWNW) 39.0	SENW 25.0
LOT 3	(NWSW) 40.0	
S19 LOT 1	(NWNW) 39.0	LOT 2 (SWNW) 40.0
LOT 3	(NWSW) 37.0	
698.4 Acres Total		

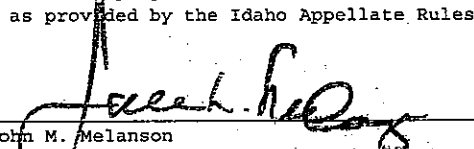
The rights listed below are limited to the irrigation of a
combined total of 698.4 acres in a single irrigation season.
Combined Right Nos.: 73-128, 73-133, 73-137, 73-138, 73-2166,
73-4005.

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.


John M. Melanson
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

DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED

In Re SRBA)
)
Case No. 39576)
)

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

Water Right 73-00133

2009 DEC 14 PM 1 35

NAME AND ADDRESS: WHITWORTH RANCHES INC
PO BOX 167
MAY, ID 83253

SOURCE: MORGAN CREEK TRIBUTARY: PATTERSON CREEK

QUANTITY: 3.20 CFS

PRIORITY DATE: 06/01/1883

POINT OF DIVERSION: T15N R21E S11 NENE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	3.20 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
T15N R21E S12	SWSE 40.0	SESE 38.0
S13	NENE 37.0	NWNE 40.0
	SWNE 31.0	SENE 36.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	
S24	SESE 21.0	
S25	NENE 26.0	
R22E S07 LOT 4	(SWSW) 40.0	
S18	NENW 9.4	LOT 1 (NWNW) 40.0
LOT 2	(SNNW) 39.0	SENE 25.0
LOT 3	(NWSW) 40.0	
S19 LOT 1	(NWNW) 39.0	LOT 2 (SNNW) 40.0
LOT 3	(NWSW) 37.0	
698.4 Acres Total		

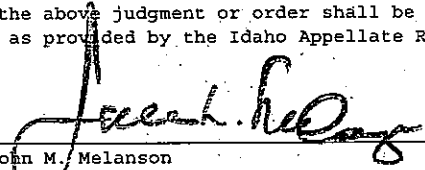
The rights listed below are limited to the irrigation of a combined total of 698.4 acres in a single irrigation season. Combined Right Nos.: 73-128, 73-133, 73-137, 73-138, 73-2166, 73-4005.

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.


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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED

2009 DEC 14 PM 1 35

In Re SRBA)
Case No. 39576)

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

Water Right 73-00137

NAME AND ADDRESS: WHITWORTH RANCHES INC
PO BOX 167
MAY, ID 83253

SOURCE: MORGAN CREEK TRIBUTARY: PATTERSON CREEK

QUANTITY: 3.20 CFS

PRIORITY DATE: 05/01/1891

POINT OF DIVERSION: T15N R21E S11 NENE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	3.20 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
T15N R21E S12	SWSE 40.0	SESE 38.0
S13	NENE 37.0	NWNE 40.0
	SWNE 31.0	SENE 36.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	
S24	SESE 21.0	
S25	NENE 26.0	
R22E S07 LOT 4	(SWSW) 40.0	
S18	NENW 9.4	LOT 1 (NWNW) 40.0
LOT 2	(SWNW) 39.0	SENE 25.0
LOT 3	(NWSW) 40.0	
S19 LOT 1	(NWNW) 39.0	LOT 2 (SWNW) 40.0
LOT 3	(NWSW) 37.0	
698.4 Acres Total		

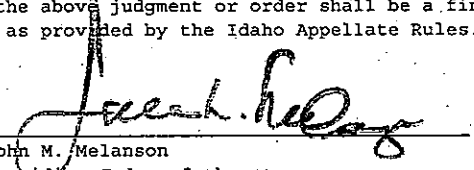
The rights listed below are limited to the irrigation of a combined total of 698.4 acres in a single irrigation season. Combined Right Nos.: 73-128, 73-133, 73-137, 73-138, 73-2166, 73-4005.

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).

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DISTRICT COURT - SRBA
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In Re SRBA)
Case No. 39576)

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

Water Right 73-00138

2009 DEC 14 PM 1 35

NAME AND ADDRESS: WHITWORTH RANCHES INC
PO BOX 167
MAY, ID 83253

SOURCE: MORGAN CREEK TRIBUTARY: PATTERSON CREEK

QUANTITY: 1.60 CFS

PRIORITY DATE: 06/01/1895

POINT OF DIVERSION: T15N R21E S11 NENE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.60 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
T15N R21E S12	SWSE 40.0	SESE 38.0
S13	NENE 37.0	NWNE 40.0
	SWNE 31.0	SENE 36.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	
S24	SESE 21.0	
S25	NENE 26.0	
R22E S07 LOT 4	(SWSW) 40.0	
S18	NENW 9.4	LOT 1 (NWNW) 40.0
LOT 2	(SWNW) 39.0	SENE 25.0
LOT 3	(NWSW) 40.0	
S19 LOT 1	(NWNW) 39.0	LOT 2 (SWNW) 40.0
LOT 3	(NWSW) 37.0	
698.4 Acres Total		

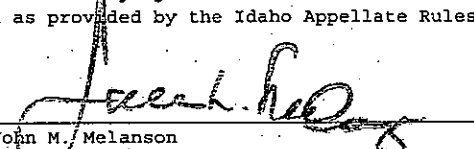
The rights listed below are limited to the irrigation of a combined total of 698.4 acres in a single irrigation season. Combined Right Nos.: 73-128, 73-133, 73-137, 73-138, 73-2166, 73-4005.

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

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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

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

In Re SRBA)
)
Case No. 39576)
)

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

Water Right 73-04005

2009 DEC 14 PM 1 35

NAME AND ADDRESS: WHITWORTH RANCHES INC
PO BOX 167
MAY, ID 83253

SOURCE: MORGAN CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 9.66 CFS

PRIORITY DATE: 06/16/1917

POINT OF DIVERSION: T15N R21E S11 NENE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 09-30	9.66 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
T15N R21E S12	SWSE 40.0	SESE 38.0
S13	NENE 37.0	NWNE 40.0
	SWNE 31.0	SENE 36.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	
S24	SESE 21.0	
S25	NENE 26.0	
R22E S07 LOT 4	(SWSW) 40.0	
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S19 LOT 1	(NWNW) 39.0	LOT 2 (SWNW) 40.0
LOT 3	(NWSW) 37.0	
698.4 Acres Total		

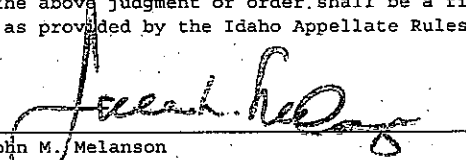
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John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on December 14, 2009, with sufficient first-class postage to the following:

UNITED STATES OF AMERICA

Represented by:

US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

WHITWORTH RANCHES INC
PO BOX 167
MAY, ID 83253
Phone: 208-876-4278

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.