

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

2009 JUN 2 PM 1 31

In Re SRBA )  
 )  
Case No. 39576 )  
 )

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

Water Right 47-02353

NAME AND ADDRESS: VISSER HOLSTEINS  
450 E 3950 N  
BUHL, ID 83316

SOURCE: GROUND WATER

QUANTITY: 1.25 CFS  
944.00 AFY

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO  
MORE THAN .02 CFS PER ACRE NOR MORE THAN 4 AFA PER ACRE FOR  
IRRIGATION OF THE LANDS DESCRIBED.

PRIORITY DATE: 08/17/1961

POINT OF DIVERSION: T10S R13E S05 SESESE Within Twin Falls County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|-------------------------------|----------------|----------------|------------------------|
|                               | Irrigation     | 03-15 TO 11-15 | 1.25 CFS<br>944.00 AFY |

| PLACE OF USE: | Irrigation          | Within Twin Falls County    |
|---------------|---------------------|-----------------------------|
|               | T09S R13E S32       | NESE 40.0 NWSE 40.0         |
|               |                     | SWSE 40.0 SESE 40.0         |
|               | T10S R13E S04 LOT 1 | (NENE)39.0 LOT 2 (NWNE)39.0 |
|               |                     | SWNE 40.0 SENE 40.0         |
|               | LOT 3               | (NENW)39.0 LOT 4 (NWNW)39.0 |
|               |                     | SWNW 40.0 SENW 40.0         |
|               |                     | NESW 40.0 NWSW 36.0         |
|               |                     | SWSW 40.0 SESW 40.0         |
|               |                     | NESE 40.0 NWSE 40.0         |
|               |                     | SWSE 40.0                   |
|               | S05                 | NENE 39.0 NWNE 39.0         |
|               |                     | SWNE 40.0 SENE 40.0         |
|               |                     | NENW 39.0 SENW 40.0         |
|               |                     | NESW 40.0 SESW 40.0         |
|               |                     | NESE 40.0 NWSE 40.0         |
|               |                     | SWSE 40.0 SESE 40.0         |
|               | 1229.0 Acres Total  |                             |

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF  
A COMBINED TOTAL OF 1232.5 ACRES IN A SINGLE IRRIGATION SEASON.  
COMBINED RIGHT NOS.: 47-2316A, 47-2353, 47-4099, 47-7252,  
47-7615, 47-7618.

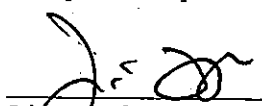
This right is limited to the irrigation of 236 acres within the  
place of use described above in a single irrigation season.  
USE OF THIS RIGHT WITH RIGHT NO. 47-2316A IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 713 ACRES IN A SINGLE  
IRRIGATION SEASON.

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.

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

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JUN 03 2009

DEPARTMENT OF  
WATER RESOURCES

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In Re SRBA

Case No. 39576

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Water Rights: See Attached Exhibit A  
(Visser Holsteins)

ORDER OF PARTIAL DECREES

On February 2, 2007, the Idaho Department of Water Resources filed its *Director's Report for Basin 47, Part I, Reporting Area 12, for Irrigation and Other Water Rights*, which included recommendations for the above named water rights. No objections were filed and the time period for filing objections has expired.

On September 11, 2008, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Report* notifying the Court of a substitution of party in each of the above named water rights. No objections were filed to the *Amended Director's Reports* and the time period for filing objections has expired.

Therefore, IT IS ORDERED that the above-captioned water rights be decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED June 2, 2009

  
JOHN M. MELANSON

Presiding Judge  
Snake River Basin Adjudication

EXHIBIT A - VISSER HOLSTEINS (DECREES)

Subcase Nos:

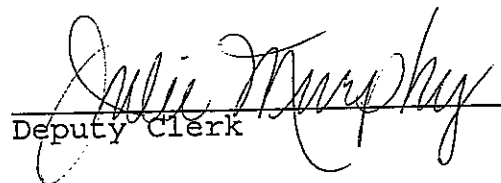
47-02316A  
47-02353  
47-02374  
47-02376  
47-02377  
47-02379  
47-02419  
47-04099  
47-07040  
47-07252  
47-07565  
47-07569  
47-07615  
47-07618  
47-12971

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on June 02, 2009, with sufficient first-class postage to the following:

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

VISSER HOLSTEINS  
450 E 3950 N  
BUHL, ID 83316

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line.