

RECEIVED

MAY 12 2009

DEPARTMENT OF
WATER RESOURCES

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

MAY 11 2009

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

)
)
)
)
)
)
)

Water Right Nos.: 02-02100A & 02-07086
(Rubber Band Holdings LLC)

ORDER OF PARTIAL DECREES

On December 29, 2006, the Idaho Department of Water Resources filed its *Director's Report for Basin 02, Part I, Reporting Area 20, 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 August 18, 2008, the Idaho Department of Water Resources filed an *Amended Notice of Completed Administrative Proceeding and Amended Director's Reports* notifying the Court of a transfer 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

May 11, 2009

JOHN M. MELANSON

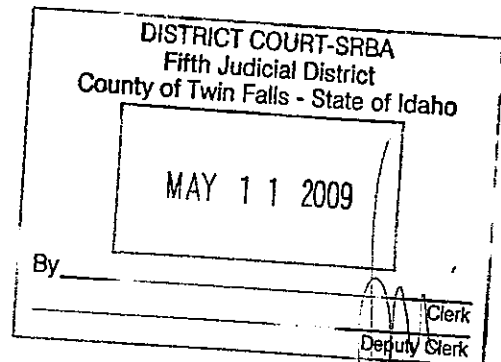
Presiding Judge

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 02-02100A



NAME AND ADDRESS: RUBBER BAND HOLDINGS LLC
910 N CURTIS RD
BOISE, ID 83706

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2.80 CFS
630.00 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 07/15/1952

POINT OF DIVERSION: T03S R01E S35 LOT 8 (NWSE) Within Owyhee County
LOT 7 (NESE)
S36 LOT 7 (NWSE)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.80 CFS 630.00 AFY

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:	Irrigation	Within Owyhee County
	T03S R01E S35 LOT 9 (NESW)38.3	NWSW 36.0
	SWSW 33.0	SESW 40.0
	LOT 7 (NESE)27.6	LOT 8 (NWSE)29.1
	SWSE 40.0	SESE 40.0
	S36 LOT 6 (NESW)30.0	LOT 5 (NWSW)32.0
	SWSW 32.0	SESW 25.0
	LOT 8 (NESE)15.0	LOT 7 (NWSE)25.0
	SWSE 24.0	SESE 10.0
	477.0 Acres Total	

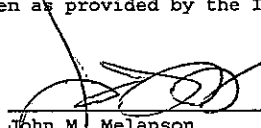
This right is limited to the irrigation of 140 acres within the place of use described above in a single irrigation season. Rights 2-2100A and 2-7086 when combined shall not exceed the irrigation of 372 acres in a single season.

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.

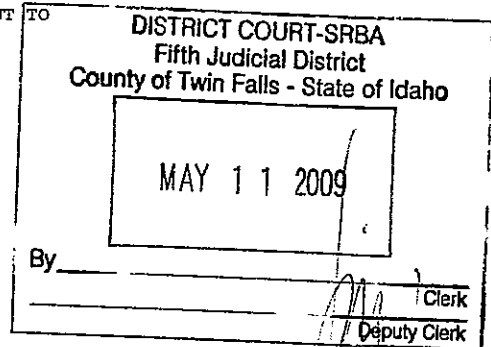


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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 02-07086



NAME AND ADDRESS: RUBBER BAND HOLDINGS LLC
910 N CURTIS RD
BOISE, ID 83706
SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 4.64 CFS
1044.00 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 07/28/1971
POINT OF DIVERSION: T03S R01E S35 LOT 7 (NESE) Within Owyhee County
LOT 8 (NWSE)
S36 LOT 7 (NWSE)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	4.64 CFS 1044.00 AFY

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:	Irrigation	Within Owyhee County
	T03S R01E S35 LOT 9 (NESW)38.3	NWSW 36.0
	SWSW 33.0	SESW 40.0
	LOT 7 (NESE)27.6	LOT 8 (NWSE)29.1
	SWSE 40.0	SESE 40.0
	S36 LOT 6 (NESW)30.0	LOT 5 (NWSW)32.0
	SWSW 32.0	SESW 25.0
	LOT 8 (NESE)15.0	LOT 7 (NWSE)25.0
	SWSE 24.0	SESE 10.0
	477.0 Acres Total	

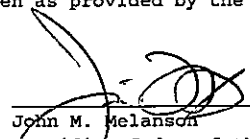
This right is limited to the irrigation of 232 acres within the place of use described above in a single irrigation season. Rights 2-2100A and 2-7086 when combined shall not exceed the irrigation of 372 acres in a single season.

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on May 11, 2009, with sufficient first-class postage to the following:

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

RUBBER BAND HOLDINGS LLC
910 N CURTIS RD
BOISE, ID 83706

ORDER

Page 1 5/11/09

FILE COPY FOR 00290

Deputy Clerk

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and stylized, with the first and last names being clearly legible.