

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
_____) Water Right 63-29025

NAME AND ADDRESS: BERANNA DAIRY
 9166 PERCH AVE
 CALDWELL, ID 83607

SOURCE: GROUND WATER

QUANTITY: 0.64 CFS
 144.00 AFY

The total instantaneous diversion of water from all points of diversion under Rights 63-2839, 63-3329, 63-3366, 63-3396, 63-8232, 63-8253, 63-10268 and 63-29025 shall not exceed 8.98 cfs, nor a total combined annual volume of 3622.7 af for the irrigation of 780 acres in a single irrigation season. Rights 63-2839 and 63-29025 when combined shall not exceed a total diversion rate of 1.35 cfs.

PRIORITY DATE: 08/15/1960

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION:	T02N R03W S09	NWSWSW Within Canyon County
	S16	NENW
		NENW
		NESE
		NWSW
		NWSW
	S17	NENE
		NENE

Rights 63-2839, 63-3329, 63-3366, 63-3396, 63-8232, 63-08253 and 63-10268 are also diverted through the points of diversion described above.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.64 CFS 144.00 AFY

PLACE OF USE:	Irrigation	Within Canyon County
	T02N R03W S08	SWSE 40.0
	S09	SWSW 40.0 SESW 39.0
		SWSE 32.0
	S16	NENE 38.0 NWNE 37.0
		SWNE 40.0 SENE 39.0
		NENW 39.0 NWNW 40.0
		SWNW 40.0 SENW 40.0
		NESW 40.0 NWSW 28.0
		SWSW 32.0 SESW 37.0
		NESE 39.0 NWSE 20.0
		SWSE 30.0 SESE 40.0
	S17	NENE 18.0 NWNE 36.0
		SWNE 26.0 SENE 15.0

PLACE OF USE (continued)

825.0 Acres Total

This right is limited to the irrigation of 32 acres within the place of use described above in a single irrigation season.

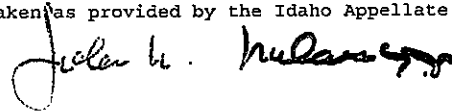
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Right 63-29025 is an enlargement of Right 63-2839 pursuant to Section 42-1426, Idaho Code.

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