

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 63-22193

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

NAME AND ADDRESS: FRED D & CECELIA HOFELDT TRUST
 C/O KATHRYN C BROOK TRUSTEE
 PO BOX 2691
 NYSSA, OR 97913

FRED D & CECELIA HOFELDT TRUST
C/O PATRICIA J GALLOWAY TRUSTE
PO BOX 2691
NYSSA, OR 97913

FRED D & CECELIA HOFELDT TRUST
C/O RONALD L HOFELDT TRUSTEE
PO BOX 2691
NYSSA, OR 97913

SOURCE: WASTE WATER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.09 CFS

PRIORITY DATE: 03/01/1938

POINT OF DIVERSION: T05N R05W S09 SWSE Within Canyon County

PURPOSE AND	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PERIOD OF USE:	Irrigation	03-01 TO 11-15	0.09 CFS

PLACE OF USE: Irrigation Within Canyon County
 T05N R05W S09 SESW 4.5
 4.5 Acres Total

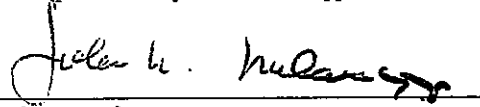
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

A handwritten signature in black ink, appearing to read "John M. Melanson", is written over a horizontal line.

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