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MAR 13 2009

DEPARTMENT OF  
WATER RESOURCES

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

MAR 12 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 Rights: See Attached Exhibit A  
) (Huntsman Springs Inc.)  
)  
)

) ORDER OF PARTIAL DECREES  
)  
)

On December 22, 2006, the Idaho Department of Water Resources filed its *Director's Report for Basin 22, Part II, Reporting Area 17, 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 November 19, 2007, 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

March 12, 2009

JOHN M. MELANSON

Presiding Judge

Snake River Basin Adjudication

EXHIBIT A (HUNTSMAN SPRINGS INC)

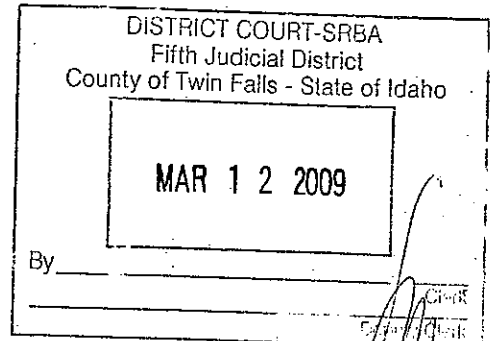
Subcase Nos:

22-00153  
22-10649  
22-11981  
22-13611  
22-13613

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 22-00153



NAME AND ADDRESS: HUNTSMAN SPRINGS INC  
97 N HWY 93  
DRIGGS, ID 83422

SOURCE: TETON CREEK TRIBUTARY: TETON RIVER

QUANTITY: 0.80 CFS

PRIORITY DATE: 06/01/1899

POINT OF DIVERSION: T05N R46E S19 NESESE Within Teton County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Irrigation     | 04-15 TO 10-31 | 0.80 CFS |

PLACE OF USE: Irrigation Within Teton County  
T05N R45E S27 NESE 40.0  
40.0 Acres Total

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

To mitigate for the depletion of water resulting from the use of water under this right and to prevent injury to senior water right holders, the right holder shall cease diverting and using water as authorized by the following water rights for the purposes and amounts specified below. Moreover, the official record for the following water right will be changed to show that diversion and use of water is not authorized because the rights, or portion thereof, are being dedicated to mitigation purposes.

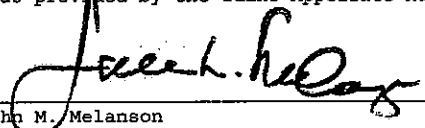
| Mitigation Right No. | Use Changed to Mitigation | Mitigation Rate (cfs) | Mitigation Volume (AF) | Acres |
|----------------------|---------------------------|-----------------------|------------------------|-------|
| 22-00153             | Irrigation                | 0.57                  | 28.1                   |       |

The land that will no longer be irrigated under this right is located within the NENE, Section 27, Township 5N, Range 46E, B.M. If the specified mitigation right, or portion thereof, is sold, transferred, leased, used on any place of use, or is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under this permit approval shall be reduced by the same proportion as the reduction to the mitigation rights.

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 22-10649

NAME AND ADDRESS:

HUNTSMAN SPRINGS INC  
97 N HWY 93  
DRIGGS, ID 83422

SOURCE:

SPRINGS TRIBUTARY: UNNAMED STREAM

QUANTITY:

0.72 CFS

PRIORITY DATE:

04/01/1968

POINT OF DIVERSION:

T05N R45E S27

NENENW Within Teton County  
SENENW  
NWNENW

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

Irrigation  
Stockwater

PERIOD OF USE

04-15 TO 10-31  
04-15 TO 10-31

QUANTITY

0.72 CFS  
0.02 CFS

PLACE OF USE:

Irrigation

T05N R45E S27 NENW 36.0  
36.0 Acres Total

Within Teton County

Stockwater

T05N R45E S27 NENW

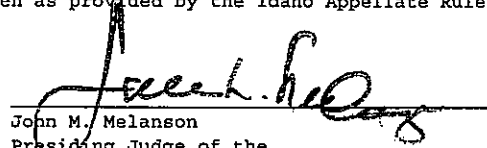
Within Teton County

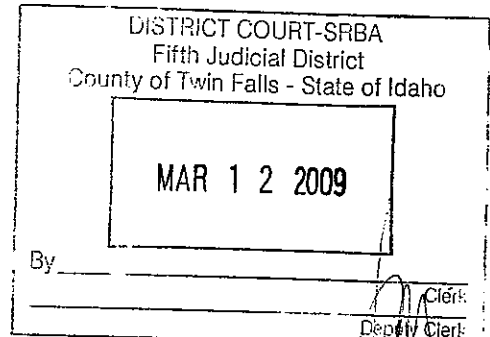
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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



In Re SRBA ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 22-11981

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

MAR 12 2009

By \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Right Nos. 22-153 and 22-11981 are limited to the irrigation of a combined total of 320 acres in a single irrigation season.

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).

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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Oct-23-2008

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 22-13611

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

MAR 12 2009

NAME AND ADDRESS: HUNTSMAN SPRINGS INC  
97 N HWY 93  
DRIGGS, ID 83422

SOURCE: TETON CREEK TRIBUTARY: TETON RIVER

QUANTITY: 1.13 CFS

Right Nos. 22-13611 and 21-13613 are limited to a total combined  
diversion rate of 1.13 cfs.

PRIORITY DATE: 06/01/1899

POINT OF DIVERSION: T05N R46E S19 NESESE Within Teton County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-15 TO 10-31 | 1.13 CFS |

| PLACE OF USE: | Irrigation        | Within Teton County                              |
|---------------|-------------------|--------------------------------------------------|
|               | T05N R45E S26     | SWNW 40.0<br>SENW 16.0<br>NESW 17.0<br>NWSW 40.0 |
|               | 113.0 Acres Total |                                                  |

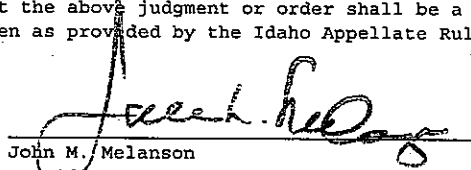
Right Nos. 22-13611 and 22-13613 are limited to the irrigation  
of a combined total of 113 acres in a single irrigation season.  
This right is limited to the irrigation of 97 acres within the  
place of use described above in a single irrigation season.

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  
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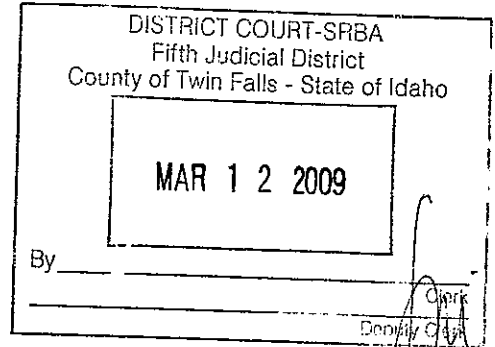
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with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a  
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final  
judgment upon which 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 22-13613



NAME AND ADDRESS: HUNTSMAN SPRINGS INC  
97 N HWY 93  
DRIGGS, ID 83422  
SOURCE: TETON CREEK TRIBUTARY: TETON RIVER  
QUANTITY: 0.21 CFS  
21.20 AFY

Right Nos. 22-13611 and 21-13613 are limited to a total combined  
diversion rate of 1.13 cfs.

PRIORITY DATE: 04/01/1987

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: T05N R46E S19 NESESE Within Teton County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY              |
|-------------------------------|----------------|----------------|-----------------------|
|                               | Irrigation     | 04-15 TO 10-31 | 0.21 CFS<br>21.20 AFY |

| PLACE OF USE: | Irrigation        | Within Teton County                 |
|---------------|-------------------|-------------------------------------|
|               | T05N R45E S26     | SWNW 40.0<br>SENW 16.0<br>NWSW 40.0 |
|               | 113.0 Acres Total |                                     |

Right Nos. 22-13611 and 22-13613 are limited to the irrigation  
of a combined total of 113 acres in a single irrigation season.

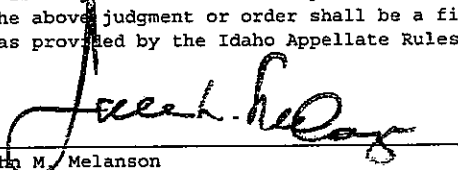
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is based upon an enlargement of Right No. 22-13611  
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  
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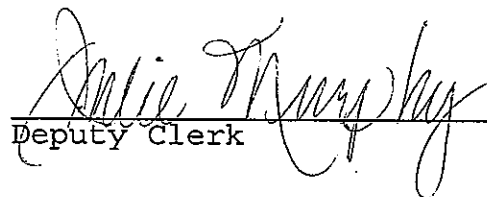
  
\_\_\_\_\_  
John M. Melanson  
Presiding Judge of the  
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on March 12, 2009, with sufficient first-class postage to the following:

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

HUNTSMAN SPRINGS INC  
97 N HWY 93  
DRIGGS, ID 83422

A handwritten signature in cursive script, appearing to read "Annie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".