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DEPARTMENT OF  
WATER RESOURCES

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

FEB 19 2009

*[Signature]*

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

)  
)  
)  
)  
)

ORDER OF PARTIAL DECREE

Subcase No. 21-12978  
(Loosco Farms)

On November 7, 2008, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report and Recommendation* and wholly adopts them as its own.

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

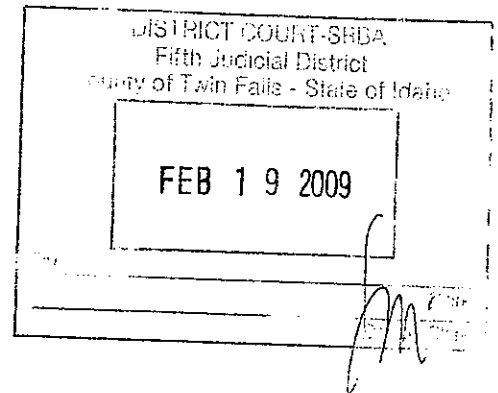
DATED February 19, 2009.

*[Signature]*

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 )  
                  ) PARTIAL DECREE PURSUANT TO  
                  ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
                  ) Water Right 21-12978



NAME AND ADDRESS: LOOSCO FARMS  
C/O LYNN LOOSLI  
3140 E 1100 N  
ASHTON, ID 83420

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 1.50 CFS

THE RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL COMBINED  
DIVERSION RATE OF 7.02 CFS.  
COMBINED RIGHT NOS.: 21-41G, 21-51B, 21-12358, 21-12977,  
21-12978.  
THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL  
NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 07/25/1919

POINT OF DIVERSION: T08N R42E S18 NESESE Within Fremont County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Irrigation     | 04-01 TO 10-31 | 1.50 CFS |
|                            | Stockwater     | 04-01 TO 11-01 | 0.02 CFS |

| PLACE OF USE: | Irrigation         | Within Fremont County         |
|---------------|--------------------|-------------------------------|
|               | T08N R41E S12      | SWSE 6.4 SESE 6.8             |
|               | S13                | NENE 40.0 NWNE 37.0           |
|               |                    | SWNE 36.0 SENE 38.0           |
|               | LOT 3              | (SNNW) 31.0 SENW 40.0         |
|               | LOT 5              | (NESW) 13.0 LOT 4 (NWSW) 20.0 |
|               | S14 LOT 1          | (NESE) 10.0                   |
|               | 278.2 Acres Total  |                               |
|               | Stockwater         | Within Fremont County         |
|               | Same as Irrigation |                               |

This right is limited to the irrigation of 75 acres within the  
place of use described above in a single irrigation season.  
Use of the rights listed below is limited to the irrigation of a  
combined total of 278.2 acres in a single irrigation season.  
Combined Right Nos.: 21-12358, 21-41G, 21-51B, 21-12977,  
21-12978

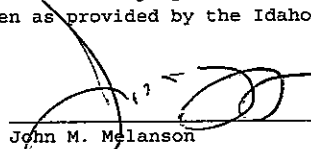
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for  
stockwater use is not a determination of historical beneficial  
use.

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

2009 FEB 19 PM 02:00  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

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 )  
\_\_\_\_\_ )

CERTIFICATE OF MAILING

Water Right(s): 21-12978

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE  
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 21-12978 was mailed  
on February 19, 2009, with sufficient first-class postage prepaid  
to the following:

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

BRIAN L LOOSLI  
Represented by:  
RAY W. RIGBY  
25 N 2ND E  
PO BOX 250  
REXBURG, ID 83440-0250  
Phone: 208-356-3633

LOOSCO FARMS  
C/O LYNN LOOSLI  
3140 E 1100 N  
ASHTON, ID 83420  
Phone: 208-652-3312

S LYNN LOOSLI  
3140 E 1100 N  
ASHTON, ID 83420  
Phone: 208-652-3312

CERTIFICATE OF MAILING

JULIE MURPHY  
Chief Deputy Clerk

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02/19/09