

RECEIVED

OCT 22 2008
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
OCT 21 2008	
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

ORDER OF PARTIAL DECREES

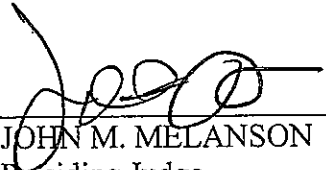
Subcases: 63-02600, 63-02855,
63-02967 & 63-10232
(The Amalgamated Sugar Co.)

On August 20, 2008, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights. 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 wholly adopts them as its own.

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

DATED October 21, 2008


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 63-02600

NAME AND ADDRESS: THE AMALGAMATED SUGAR CO
3184 ELDER ST
BOISE, ID 83705

SOURCE: GROUND WATER

QUANTITY: 14.15 CFS
6490.10 AFY

The rights listed below are limited to a total combined
diversion rate of 21.43 cfs and to a total combined annual
diversion volume of 9830 AF. Combined Right Nos.: 63-2600,
63-2855, 63-2967 and 63-10232.

PRIORITY DATE: 11/09/1942

POINT OF DIVERSION: T03N R02W S09 SESE Within Canyon County
SESE
SESE
SESE
SESE
SESE
SESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Industrial	01-01 TO 12-31	14.15 CFS 6490.10 AFY

Industrial and manufacturing purposes associated with the
production and processing of agricultural products.

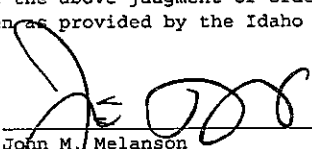
PLACE OF USE: Industrial Within Canyon County
T03N R02W S09 SESE

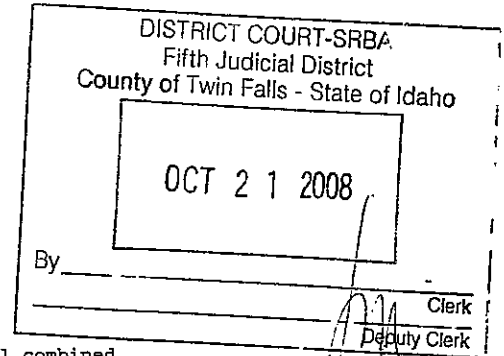
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

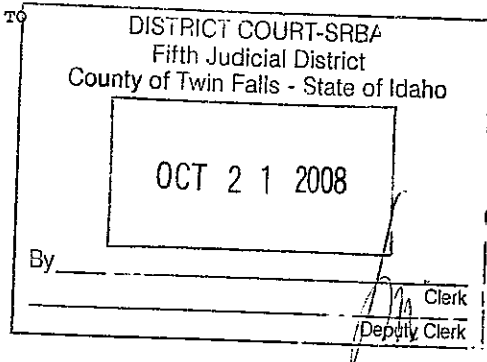

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



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 63-02855



NAME AND ADDRESS: THE AMALGAMATED SUGAR CO
3184 ELDER ST
BOISE, ID 83705

SOURCE: GROUND WATER

QUANTITY: 4.50 CFS
2064.20 AFY

The rights listed below are limited to a total combined
diversion rate of 21.43 cfs and to a total combined annual
diversion volume of 9830 AF. Combined Right Nos.: 63-2600,
63-2855, 63-2967 and 63-10232.

PRIORITY DATE: 04/07/1951

POINT OF DIVERSION: T03N R02W S09 SESE Within Canyon County
SESE
SESE
SESE
SESE
SESE
SESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Industrial	01-01 TO 12-31	4.50 CFS 2064.20 AFY

Industrial and manufacturing purposes associated with the
production and processing of agricultural products.

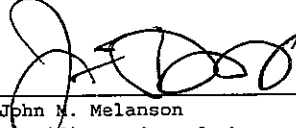
PLACE OF USE: Industrial Within Canyon County
T03N R02W S09 SESE

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

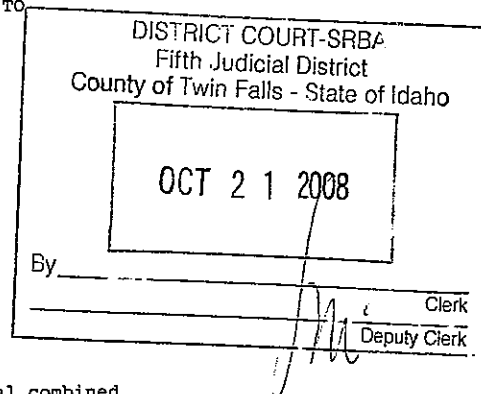
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment 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 63-02967



NAME AND ADDRESS: THE AMALGAMATED SUGAR CO
3184 ELDER ST
BOISE, ID 83705

SOURCE: GROUND WATER

QUANTITY: 2.78 CFS
1275.20 AFY

The rights listed below are limited to a total combined diversion rate of 21.43 cfs and to a total combined annual diversion volume of 9830 AF. Combined Right Nos.: 63-2600, 63-2855, 63-2967 and 63-10232.

PRIORITY DATE: 11/12/1953

POINT OF DIVERSION: T03N R02W S09 SESE Within Canyon County
SESE
SESE
SESE
SESE
SESE
SESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Industrial	01-01 TO 12-31	2.78 CFS 1275.20 AFY

Industrial and manufacturing purposes associated with the production and processing of agricultural products.

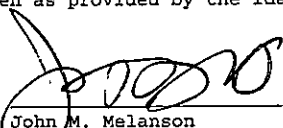
PLACE OF USE: Industrial Within Canyon County
T03N R02W S09 SESE

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).

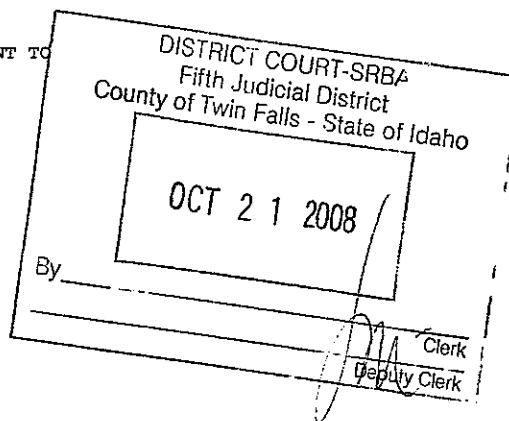
RULE 54(b) CERTIFICATE

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-10232



NAME AND ADDRESS: THE AMALGAMATED SUGAR CO
3184 ELDER ST
BOISE, ID 83705

SOURCE: GROUND WATER

QUANTITY: 3.00 CFS
675.00 AFY

The rights listed below are limited to a total combined diversion rate of 21.43 cfs and to a total combined annual diversion volume of 9830 AF. Combined Right Nos.: 63-2600, 63-2855, 63-2967 and 63-10232.

PRIORITY DATE: 04/23/1984

POINT OF DIVERSION: T03N R02W S09 SESE Within Canyon County
SESE
SESE
SESE
SESE
SESE
SESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	3.00 CFS 675.00 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 or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

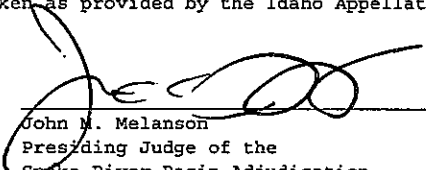
PLACE OF USE:	Irrigation	Within Canyon County
	T03N R02W S09	NENE 12.0 NWNE 34.0
		NWSE 17.0 SWSE 13.0
	S15	NWNW 24.0
	S16	NENE 25.0 NWNE 25.0
	150.0 Acres Total	

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 October 21, 2008, with sufficient first-class postage to the following:

THE AMALGAMATED SUGAR CO

Represented by:

JOHN M MARSHALL

601 W BANNOCK ST

PO BOX 2720

BOISE, ID 83701-2720

Phone: 208-388-1200

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

THE AMALGAMATED SUGAR CO

3184 ELDER ST

BOISE, ID 83705

Phone: 208-383-6500

A handwritten signature in cursive script, reading "Julie 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".