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DEPARTMENT OF
WATER RESOURCES

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

APR - 8 2008

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Clerk

Deputy Clerk

In Re SRBA

) Water Right: 02-10338

Case No. 39576

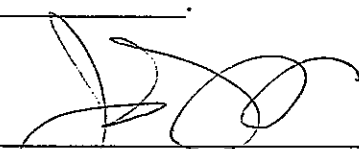
) ORDER OF PARTIAL DECREE
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On December 29, 2006, the Idaho Department of Water Resources filed its *Director's Report for Basin 02, Part 1, for Irrigation and Other Water Rights*, which included recommendations for water right number 02-10208.

On August 20, 2007, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Report* notifying the Court that water right 02-10208 had been split into water rights 02-10337 and 02-10338. On December 31, 2007, the Idaho Department of Water Resources filed an additional *Notice of Completed Administrative Proceeding and Amended Director's Report* for water right 02-10338 notifying the Court of a substitution of party. No objections were filed to either of the *Amended Director's Reports* for water right 02-10338 and the time period for filing objections has expired.

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 April 8, 2008


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

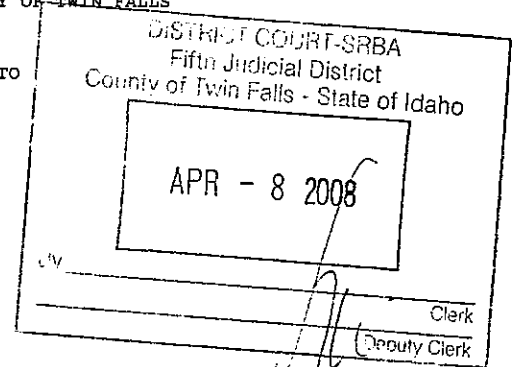
ORDER OF PARTIAL DECREE

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 02-10338



NAME AND ADDRESS: HAGERMAN WINGS FARM LLC
823 E 2700 S
HAGERMAN, ID 83332

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.60 CFS
120.00 AFY

ALL RIGHTS COMBINED, WHEN APPLIED TO THESE LANDS VIA SPRINKLERS,
SHALL PROVIDE NO MORE THAN 0.02 CFS PER ACRE NOR MORE THAN 4.0
AFY PER ACRE AT THE FIELD HEADGATE FOR IRRIGATION OF THE LANDS
ABOVE.

RIGHTS 02-10338, 36-98 AND 36-15467 WHEN COMBINED SHALL NOT
EXCEED A TOTAL DIVERSION RATE OF 10.55 CFS, A TOTAL ANNUAL
MAXIMUM DIVERSION VOLUME OF 484.0 AF AT THE FIELD HEADGATE.

PRIORITY DATE: 02/25/1963

POINT OF DIVERSION: T07S R13E S16 LOT 3 (NESE) Within Gooding County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 10-31	0.60 CFS 120.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 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 Gooding County
T07S R13E S15 LOT 5 (SWNW) 28.0	SENE 37.0
NESW 23.0	NWSW 40.0
SWSW 40.0	SESW 11.0
S16 LOT 3 (SENE) 3.0	LOT 3 (NESE) 20.0
202.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 30 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
RIGHTS 02-10338, 36-98 AND 36-15467 WHEN COMBINED SHALL NOT
EXCEED THE IRRIGATION OF 121 ACRES IN A SINGLE IRRIGATION SEASON.

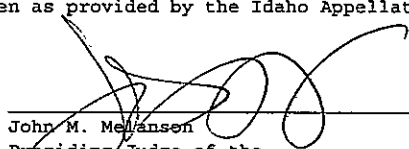
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

PRIOR TO DIVERSION OF WATER UNDER THIS WATER RIGHT, THE RIGHT
HOLDER SHALL SUBMIT TO THE DEPARTMENT A DIAGRAM IDENTIFYING THE
SPECIFIC LOCATION OF THE 121.0 ACRES AUTHORIZED FOR IRRIGATION
ANNUALLY, AND PRIOR TO THE IRRIGATION SEASON ANY YEAR WHEN
IRRIGATED ACRES WILL BE DIFFERENT THAN PREVIOUSLY IDENTIFIED.

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

2008 APR 08 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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 02-10338

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 02-10338 was mailed
on April 08, 2008, with sufficient first-class postage prepaid
to the following:

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

HAGERMAN WINGS FARM LLC
823 E 2700 S
HAGERMAN, ID 83332

JULIE MURPHY
Chief Deputy Clerk