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MAY 15 2007

DEPARTMENT OF
WATER RESOURCES

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

MAY 14 2007

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

)
) WATER RIGHT NOS.: 63-03093,
) 63-03170 & 63-08087
)
)
)
)

On March 27, 2007, 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 May 8, 2007.

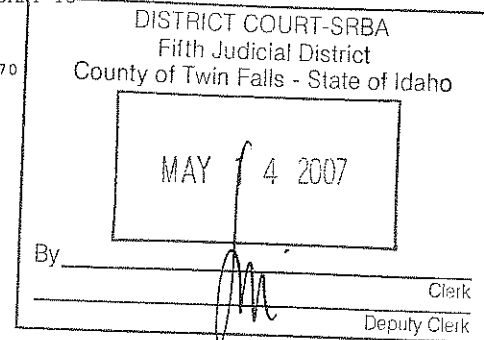


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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 63-03170



NAME AND ADDRESS: VANDER STELT DAIRY
2777 SWAN FALLS RD
KUNA, ID 83634

SOURCE: GROUND WATER

QUANTITY: 4.06 CFS
1605.20 AFY

The total instantaneous diversion of water from all points of
diversion under water right nos. 63-3093, 63-3170, 63-8087,
63-18592 and 63-18594 shall not exceed 9.25 cfs, nor a total
combined annual volume of 3620.6 af for irrigation of 382.0
total acres.

PRIORITY DATE: 09/17/1959

POINT OF DIVERSION: T02N R01W S35 NESE Within Ada County
SENW
NESW
NWSE
SWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	3.57 CFS 1503.00 AFY
	Stockwater	01-01 TO 12-31	0.49 CFS 51.60 AFY
	Commercial	01-01 TO 12-31	0.49 CFS 50.60 AFY

PLACE OF USE:	Irrigation	Within Ada County
T02N R01W S26	SWSW 4.0	
S35	NENE 19.0	NWNE 26.0
	SWNE 40.0	SENE 40.0
	NENW 30.0	NWNW 39.0
	SWNW 40.0	SENW 40.0
	NESW 13.0	NWSW 30.0
	NESE 38.0	NWSE 12.0
	SESE 11.0	
	382.0 Acres Total	

Stockwater	Within Ada County	
T02N R01W S26	SWSW	NWNE
S35	NENE	SENE
	SWNE	NWNW
	NENW	SENW
	SWNW	NWSW
	NESW	SESW
	NWSW	NWSE
	NESE	SESE
	SWSE	

Commercial	Within Ada County	
T02N R01W S35	NESW	NWSE

This right is limited to the irrigation of 334 acres within the

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

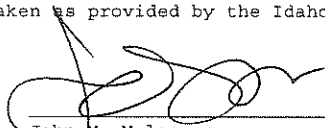
place of use described above in a single irrigation season.

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
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 63-03093

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

MAY 14 2007

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: VANDER STELT DAIRY
2777 SWAN FALLS RD
KUNA, ID 83634

SOURCE: GROUND WATER

QUANTITY: 1.73 CFS
508.50 AFY

The total instantaneous diversion of water from all points of
diversion under water right nos. 63-3093, 63-3170, 63-8087,
63-18592 and 63-18594 shall not exceed 9.25 cfs, nor a total
combined annual volume of 3620.6 af for irrigation of 382.0
total acres.

PRIORITY DATE: 08/21/1956

POINT OF DIVERSION: T02N R01W S35 SENW Within Ada County
NESE
NESW
NWSE
SWSE

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	1.73 CFS 508.50 AFY

PLACE OF USE:	Irrigation	Within Ada County
	T02N R01W S26	
	S35	
	SWSW 4.0	NWNE 26.0
	NENE 19.0	SENE 40.0
	SWNE 40.0	NWNW 39.0
	NENW 30.0	SENW 40.0
	SWNW 40.0	NWSW 30.0
	NESW 13.0	NWSE 12.0
	NESE 38.0	
	SESE 11.0	
	382.0 Acres Total	

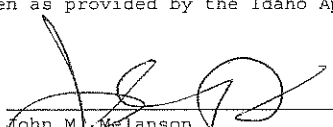
This right is limited to the irrigation of 113 acres within the
place of use described above in a single irrigation season.

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
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

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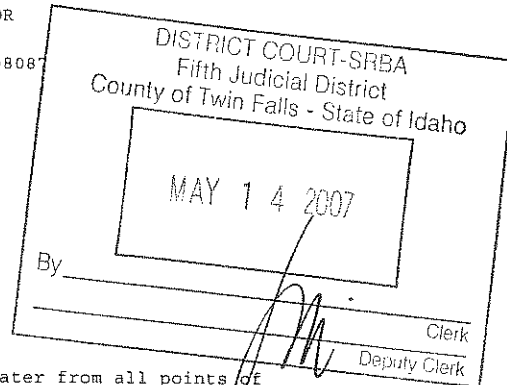
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

IN 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 63-08087



NAME AND ADDRESS: VANDER STELT DAIRY
2777 SWAN FALLS RD
KUNA, ID 83634

SOURCE: GROUND WATER

QUANTITY: 3.00 CFS
1489.50 AFY

The total instantaneous diversion of water from all points of diversion under water right nos. 63-3093, 63-3170, 63-8087, 63-18592 and 63-18594 shall not exceed 9.25 cfs, nor a total combined annual volume of 3620.6 af for irrigation of 382.0 total acres.

PRIORITY DATE: 02/19/1975

POINT OF DIVERSION: T02N R01W S35 SENW Within Ada County
NESE
NESW
NWSE
SWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation		04-01 TO 10-31	2.82 CFS
			1451.70 AFY
Stockwater		01-01 TO 12-31	0.18 CFS
			19.10 AFY
Commercial		01-01 TO 12-31	0.18 CFS
			18.70 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 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 Ada County
	T02N R01W S26	SWSW 4.0	
	S35	NENE 19.0	NWNE 26.0
		SWNE 40.0	SENE 40.0
		NENW 30.0	NWNW 39.0
		SWNW 40.0	SENW 40.0
		NESW 13.0	NWSW 30.0
		NESE 38.0	NWSE 12.0
		SESE 11.0	
	382.0 Acres Total		
	Stockwater		Within Ada County
T02N R01W S26	SWSW		
S35	NENE	NWNE	
	SWNE	SENE	
	NENW	NWNW	
	SWNW	SENW	
	NESW	NWSW	

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

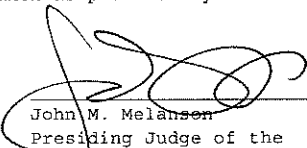
	SESW	NESE
	NWSE	SWSE
	SESE	
Commercial		Within Ada County
T02N R01W S35	NESW	NWSW
	NWSE	

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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RULE 54(b) CERTIFICATE

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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 May 14, 2007, with sufficient first-class postage to the following:

UNITED STATES OF AMERICA

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

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

VANDER STELT DAIRY
2777 SWAN FALLS RD
KUNA, ID 83634
Phone: 208-922-1179

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line.