

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

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

FEB 16 2007

By _____ Clerk

Deputy Clerk

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
_____) Water Right 63-08992

NAME AND ADDRESS: MICRON TECHNOLOGY INC
8000 S FEDERAL WAY
PO BOX 6
BOISE, ID 83707-0006

SOURCE: GROUND WATER

Right holder shall comply with the drilling permit requirements
of Section 42-235, Idaho Code.

QUANTITY: 2.09 CFS
1267.90 AFY

The total instantaneous diversion of water from all points of
diversion under Rights 63-8992 and 63-9029 shall not exceed 6.09
cfs nor total combined annual volume of 2074.2 af.
This right when combined with all other rights shall provide no
more than 0.02 cfs per acre nor more than 4.5 afa per acre at
the field headgate for irrigation of the lands below.

PRIORITY DATE: 07/25/1977

POINT OF DIVERSION: T02N R02E S01 LOT 3 (NENW) Within Ada County
R03E S06 SESW
S07 SWNE
LOT 2 (SWNW)
NESW
T03N R03E S31 SENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	1.50 CFS
			450.00 AFY
	Industrial	01-01 TO 12-31	2.09 CFS
			1267.90 AFY

The right holder shall use the full allotment of appurtenant
surface water rights in conjunction with groundwater diverted
for irrigation purposes under this right and shall only divert
groundwater under this right for irrigation purposes when water
from the appurtenant surface water rights cannot be delivered to
the right holder.

If the surface water right(s) appurtenant to the place of use is
sold, transferred, leased or used on any other place of use,
this right to divert groundwater shall not be used for
irrigation purposes without an approved transfer pursuant to
Section 42-222, Idaho Code, or approval of the Department if a
transfer is not required.

PLACE OF USE:	Irrigation	Within Ada County
	T02N R03E S06	NESW 3.0 LOT 6 (NWSW) 3.0
	LOT 7	(SWSW) 8.0 SESW 6.0
		NESE 3.0 NWSE 3.0
		SWSE 10.0 SESE 3.0
	S07	NENE 4.0 NWNE 10.0
		SWNE 3.0 SENE 4.0
		NENW 3.0 LOT 1 (NWNW) 5.0
	LOT 2	(SWNW) 2.0 SENW 5.0

PLACE OF USE (continued)

	NESW	3.0	SESW	4.0
	NESE	4.0	NWSE	3.0
	SWSE	3.0	SESE	4.0
S18	NWNE	3.0	SWNE	1.0
100.0	Acres Total			
Industrial	Within Ada County			
T02N R03E S06	NESW	LOT 6	(NWSW)	
LOT 7	(SWSW)		SESW	
	NESE		NWSE	
	SWSE		SESE	
S07	NENE		NWNE	
	SWNE		SENE	
	NENW	LOT 1	(NWNW)	
LOT 2	(SWNW)		SENW	
	NESW		SESW	
	NESE		NWSE	
	SWSE		SESE	
S08	SWSW			
S18	NWNE		SWNE	
	NENW			

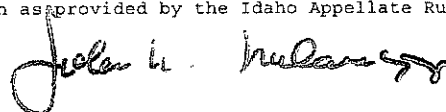
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Administration of water distribution to this right during times of scarcity shall recognize the provisions of the letter dated February 6, 2002 from the right holder to the department. The water right holder must comply with the measuring and reporting requirements of the Southeast Boise Groundwater Management Area and any management plan adopted by the director.

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