

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 63-03176

NAME AND ADDRESS: BROKEN HORN RANCH LP  
DAN D EMERY  
6417 DRY CREEK RD  
BOISE, ID 83703-9740

SCOTT D EMERY  
6417 DRY CREEK RD  
BOISE, ID 83714

SOURCE: GROUND WATER

QUANTITY: 0.10 CFS  
31.50 AFY

USE OF THIS RIGHT WITH RIGHT NO.63-3548 IS LIMITED TO A TOTAL  
COMBINED DIVERSION RATE OF 1.41 CFS AND TO A TOTAL COMBINED  
ANNUAL DIVERSION VOLUME OF 391.5 AF.

PRIORITY DATE: 12/18/1959

POINT OF DIVERSION: T05N R02E S31 NESW Within Ada County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY              |
|-------------------------------|----------------|----------------|-----------------------|
|                               | Irrigation     | 03-01 TO 11-15 | 0.10 CFS<br>31.50 AFY |

PLACE OF USE: Irrigation Within Ada County  
T05N R02E S31 NESW 7.0  
7.0 Acres Total

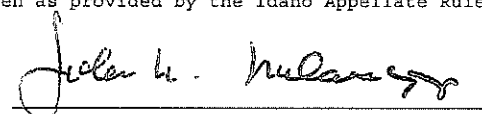
USE OF THIS RIGHT WITH RIGHT NO.63-3548 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 87 ACRES IN A SINGLE  
IRRIGATION SEASON.

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