

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 45-02594B

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

JAN - 6 2006

By \_\_\_\_\_

Clerk

Deputy Clerk

NAME AND ADDRESS: CRANNEY LAND COMPANY LLC  
1310 S 600 W  
OAKLEY, ID 83346

SOURCE: GROUND WATER

QUANTITY: 1.24 CFS  
480.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED  
DIVERSION RATE OF 29.29 CFS AND TO A TOTAL COMBINED ANNUAL  
DIVERSION VOLUME OF 10,018.4 AF. COMBINED RIGHT NOS.: 45-2413,  
45-2431, 45-2432, 45-2594B, 45-4045, 45-4107, 45-7055, 45-7064,  
45-7150, 45-7242, 45-7307, & 45-13550.

PRIORITY DATE: 12/11/1959

POINT OF DIVERSION: T12S R21E S36      SENESE Within Cassia County  
                         R22E S19 LOT 1      (SWNWNW)  
                         S20      SENWNW  
                         S32      SESWNE  
                              NWNWSW  
                              NWNWSW  
T13S R21E S01 LOT 1      (NENENE)

TWO POINTS OF DIVERSION LOCATED IN T12S, R22E, S32, NWNWSW.

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|-------------------------------|----------------|----------------|------------------------|
|                               | Irrigation     | 03-15 TO 11-15 | 1.24 CFS<br>480.00 AFY |

| PLACE OF USE: | Irrigation    | Within Cassia County                                                                                                                                                                                                         |
|---------------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|               | T12S R21E S36 | NESW 34.0      NWSW 32.0<br>SWSW 32.0      SESW 34.0<br>NESE 38.0      NWSE 34.0<br>SWSE 32.0      SESE 36.0                                                                                                                 |
|               | R22E S17      | NENE 39.0      NWNE 39.0<br>SWNE 40.0      SENE 40.0<br>NENW 39.0      NWNW 38.0<br>SWNW 39.0      SENW 40.0<br>NESW 40.0      NWSW 39.0<br>SWSW 39.0      SESW 40.0<br>NESE 40.0      NWSE 40.0<br>SWSE 40.0      SESE 36.0 |
|               | S19           | NENE 40.0      NWNE 40.0<br>SWNE 40.0      SENE 39.0<br>NENW 40.0      LOT 1 (NWNW) 40.0<br>NESE 39.0      NWSE 40.0<br>SWSE 33.0      SESE 33.0                                                                             |
|               | S20           | NENW 40.0      NWNW 39.0<br>SWNW 39.0      SENW 40.0<br>NESW 40.0      NWSW 39.0<br>SWSW 39.0      SESW 39.0                                                                                                                 |
|               | S28           | NWNW 11.0      SWNW 33.0<br>NESW 33.0      NWSW 39.0<br>SWSW 39.0      SESW 39.0                                                                                                                                             |
|               | S29           | NENE 39.0      NWNE 27.0                                                                                                                                                                                                     |

PLACE OF USE (continued)

|                     |             |       |             |
|---------------------|-------------|-------|-------------|
|                     | SWNE 35.0   |       | SENE 40.0   |
|                     | NENW 40.0   |       | NWNW 40.0   |
|                     | SWNW 40.0   |       | SENW 40.0   |
|                     | NESW 40.0   |       | NWSW 40.0   |
|                     | SWSW 39.0   |       | SESW 39.0   |
|                     | NESE 39.0   |       | NWSE 34.0   |
|                     | SWSE 33.0   |       | SESE 38.0   |
| S30                 | NESE 37.0   |       | NWSE 39.0   |
|                     | SWSE 39.0   |       | SESE 34.0   |
| S31                 | NENE 30.0   |       | NWNE 33.0   |
|                     | SWNE 40.0   |       | SENE 37.0   |
|                     | NENW 39.0   |       | SENW 40.0   |
| LOT 3               | (NWSW) 41.0 | LOT 4 | (SWSW) 40.0 |
| S32                 | NENE 38.0   |       | NWNE 33.0   |
|                     | SWNE 34.0   |       | SENE 38.0   |
|                     | NENW 39.0   |       | NWNW 31.0   |
|                     | SWNW 36.0   |       | SENW 38.0   |
| S33                 | NENW 39.0   |       | NWNW 39.0   |
|                     | SWNW 39.0   |       | SENW 39.0   |
| T13S R21E S01 LOT 1 | (NENE) 40.0 | LOT 2 | (NWNE) 40.0 |
|                     | SWNE 39.0   |       | SENE 39.0   |
| LOT 3               | (NENW) 40.0 | LOT 4 | (NWNW) 41.0 |
|                     | SWNW 39.0   |       | SENW 39.0   |
| 3605.0 Acres Total  |             |       |             |

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4235 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-425D, 45-433, 45-514A, 45-516, 45-2413, 45-2431, 45-2432, 45-2594B, 45-4045, 45-4107, 45-7055, 45-7064, 45-7150, 45-7242, 45-7307, 45-7355, 45-13549, 45-13550.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3605 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2413, 45-2431, 45-2432, 45-2594B, 45-4045, 45-4107, 45-7055, 45-7064, 45-7150, 45-7242, 45-7307, & 45-13550.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

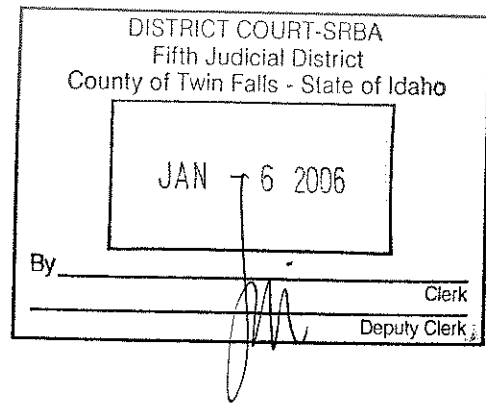
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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     | ) | ORDER OF PARTIAL DECREES               |
|                | ) |                                        |
| Case No. 39576 | ) | SUBCASES: 45-02413, <i>et al.</i>      |
|                | ) | (See Attached Exhibit A – Cranney Land |
|                | ) | Company, LLC)                          |
|                | ) |                                        |
|                | ) |                                        |

On November 22, 2005, 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 January 5, 2006.

  
JOHN M. MELANSON  
Presiding Judge  
Snake River Basin Adjudication

EXHIBIT A (CRANNEY LAND CO., LLC)

Subcase Nos:

45-02413  
45-02431  
45-02432  
45-02594B  
45-04045  
45-04107  
45-07055  
45-07064  
45-07150  
45-07242  
45-07307  
45-13550

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on January 06, 2006, with sufficient first-class postage to the following:

HOWARD R ADAMS & SONS INC

Represented by:

ROGER D LING

615 H ST

PO BOX 396

RUPERT, ID 83350-0396

Phone: 208-436-4717

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

CRANNEY LAND COMPANY LLC

1310 S 600 W

OAKLEY, ID 83346

Phone: 208-862-3346

HOWARD R ADAMS & SONS INC

496 W 1000 S

BURLEY, ID 83318

Phone: 208-678-2978

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".