

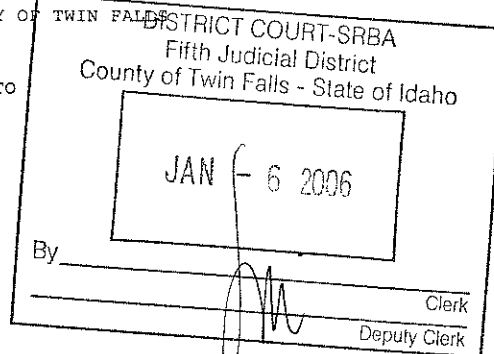
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 45-02392



NAME AND ADDRESS:

HOWARD R ADAMS & SONS INC
496 W 1000 S
BURLEY, ID 83318

SOURCE:

GROUND WATER

RIGHT HOLDER SHALL COMPLY WITH THE DRILLING PERMIT REQUIREMENTS
OF SECTION 42-235, IDAHO CODE AND APPLICABLE WELL CONSTRUCTION
RULES OF THE DEPARTMENT.

QUANTITY:

5.56 CFS
1280.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 11.76 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 2869.6 AF. COMBINED RIGHT NOS.: 45-2377C,
45-2392, 45-2504, 45-2605 & 45-4041.
THE RIGHT HOLDER SHALL RECORD THE QUANTITY OF WATER DIVERTED AND
ANNUALLY REPORT DIVERSIONS OF WATER AND/OR OTHER PERTINENT
HYDROLOGIC AND SYSTEM INFORMATION AS REQUIRED BY SECTION 42-701,
IDAHO CODE.
THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO
MORE THAN .02 CFS PER ACRE NOR MORE THAN 4.0 AFA PER ACRE AT THE
FIELD HEADGATE FOR IRRIGATION OF THE LANDS ABOVE.
PRIOR TO DIVERSION OF WATER UNDER THIS APPROVAL, THE RIGHT HOLDER
SHALL PROVIDE A MEANS OF MEASUREMENT ACCEPTABLE TO THE DEPARTMENT
FROM ALL AUTHORIZED POINTS OF DIVERSION WHICH WILL ALLOW
DETERMINATION OF THE TOTAL RATE OF DIVERSION.
THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF
DIVERSION UNDER RIGHTS 45-2377C, 45-2392, 45-2411, 45-2412,
45-2504, 45-2605, 45-2594A, 45-4041, 45-7439A AND 45-10365 SHALL
NOT EXCEED 20.10 CFS, NOR A TOTAL COMBINED ANNUAL VOLUME OF
5812.8 AF.

PRIORITY DATE:

10/19/1951

POINT OF DIVERSION:

T12S R21E S24
R22E S08

NENWNE Within Cassia County

SWSNW

SWNWSW

SWSWSW

SWSESW

S09

NESW

S18

SESWNE

S19

NENENE

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Irrigation

PERIOD OF USE
03-15 TO 11-15

QUANTITY
5.56 CFS
1280.00 AFY

PLACE OF USE:

Irrigation
T12S R22E S07

NESE 40.0

Within Cassia County

NWSE 40.0

SESE 39.0

S08

NENE 40.0

NWNE 40.0

SWNE 40.0

SENE 40.0

NENW 40.0

NWNW 39.0

SWNW 38.0

SENE 40.0

NESW 40.0

NWSW 40.0

PLACE OF USE (continued)

SWSW 39.0	SESW 39.0
NESE 40.0	NWSE 40.0
SWSE 39.0	SESE 36.0

749.0 Acres Total

RIGHTS 45-2377C, 45-2392, 45-2504, AND 45-2605 WHEN COMBINED ARE LIMITED TO THE IRRIGATION OF 717.4 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 749 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2377C, 45-2392, 45-2504, 45-2605 AND 45-4041.

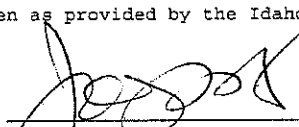
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 320 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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



ORDER OF PARTIAL DECREES

**SUBCASES: See Attached Exhibit A
(Howard R. Adams & Sons, Inc.)**

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

HOWARD R. ADAMS & SONS, INC. (OPD)

Subcase Nos:

45-02377C
45-02392
45-02411
45-02412
45-02504
45-02594A
45-02605
45-04041
45-07439A
45-10365

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

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".