

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                            )  
\_\_\_\_\_)                                         Water Right 85-04464

NAME AND ADDRESS:             WITTMAN FARMS INC  
                                  33588 MC CORMACK RIDGE RD  
                                  LAPWAI, ID 83540

SOURCE:                         SPRINGS    TRIBUTARY: WEBB CREEK  
                                  UNNAMED STREAM   TRIBUTARY: WEBB CREEK  
                                  WEBB CREEK    TRIBUTARY: SWEETWATER CREEK

QUANTITY:                     0.04   CFS  
  
                                  The quantity of water under this right shall not exceed 13,000  
                                  gallons per day.

PRIORITY DATE:               01/01/1926

POINT OF DIVERSION:         T34N R03W S19 LOT 11   (SWSWSW) Within Nez Perce County  
                                                          SWSESW  
                                                          S31               NENE  
                                                          S32               NENESW  
                                  R04W S24 LOT 17   (NESE )

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY   |
|-------------------------------|----------------|----------------|------------|
|                               | Stockwater     | 01-01 TO 12-31 | 0.04   CFS |

| PLACE OF USE: | Stockwater                    | Within Nez Perce County |
|---------------|-------------------------------|-------------------------|
|               | T34N R03W S19 LOT 11   (SWSW) | SESW                    |
|               | S31               NENE        |                         |
|               | S32               NESW        |                         |
|               | R04W S24 LOT 17   (NESE)      |                         |

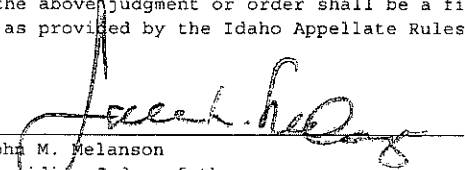
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a  
determination of historical beneficial use.

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