

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 45-12909A

NAME AND ADDRESS: OAKLEY VALLEY FARMS
 1496 S 500 W
 OAKLEY, ID 83346

SOURCE: GROUND WATER

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right 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 without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

QUANTITY: 0.23 CFS
 40.60 AFY

USE OF THIS RIGHT WITH RIGHT NO. 45-2434A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.18 CFS.

PRIORITY DATE: 04/01/1961

POINT OF DIVERSION: T13S R22E S08 SESENE Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.23 CFS
			40.60 AFY

PLACE OF USE:	Irrigation		Within Cassia County
	T13S R22E S05	NESE 39.2	NWSE 24.9
		SWSE 32.0	SESE 33.4
	S08	NENE 30.3	SENE 31.0
	190.8 Acres Total		

USE OF THIS RIGHT WITH RIGHT NO. 45-2434A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 190.8 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 20.7 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. SECTION 42-1412(6), IDAHO CODE.

The right holder shall retain all Oakley Canal Company shares previously used in conjunction with ground water Rights 45-2434 and 45-12909 on the original 218.8 acre place of use, and shall continue to use the surface water shares on the remaining 190.8 acre place use described above.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS

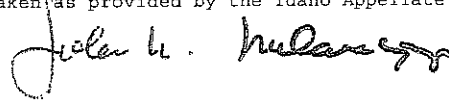
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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