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DEPARTMENT OF  
WATER RESOURCES

|   |              |
|---|--------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |              |
| AUG 18 2005   |              |
| By _____  | Clerk        |
| _____   | Deputy Clerk |

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

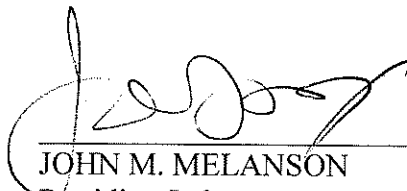
Case No. 39576

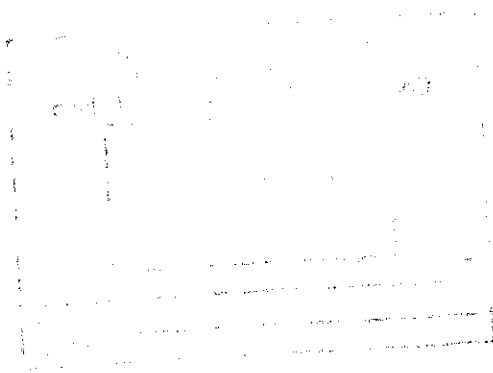
) ORDER OF AMENDED  
) PARTIAL DECREE  
)  
) For Water Right: 45-02457C  
)

On May 6, 2005, a *Partial Decree* was issued for the above-captioned water right. On May 24, 2005, this court issued a *Notice of Court's Intent to Issue Amended Partial Decree, and Notice of Hearing Thereon*. The hearing on said *Notice* was held on August 16, 2005, and no objections were filed.

THEREFORE, IT IS ORDERED that an *Amended Partial Decree* for water right 45-02457C be **decreed** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*. The previously issued *Partial Decree* is replaced and superseded thereby.

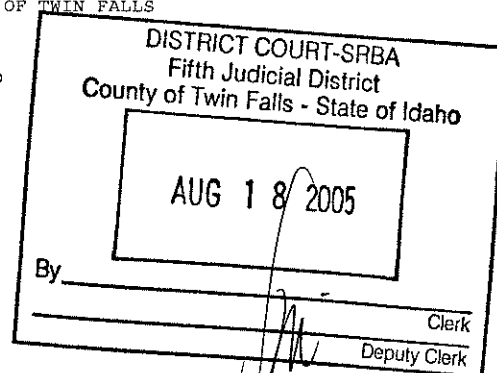
DATED August 17<sup>th</sup>, 2005.

  
\_\_\_\_\_  
JOHN M. MELANSON  
Presiding Judge  
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 )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 45-02457C



NAME AND ADDRESS: JACKSON FARMS INC  
750 E 100 S  
RUPERT, ID 83350

SOURCE: GROUND WATER

QUANTITY: 2.48 CFS

The right holder shall measure 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 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above. RIGHTS 45-2429E, 45-2457C, 45-2616E AND 45-4241A WHEN COMBINED SHALL NOT EXCEED A TOTAL DIVERSION RATE OF 4.38 CFS.

PRIORITY DATE: 09/14/1953

POINT OF DIVERSION: T09S R25E S28 SWSW Within Cassia County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY   |
|----------------------------|----------------|----------------|------------|
|                            | Irrigation     | 03-15 TO 11-15 | 2.48 CFS   |
|                            |                |                | 584.00 AFY |

| PLACE OF USE: | Irrigation        | Within Cassia County |
|---------------|-------------------|----------------------|
|               | T09S R25E S28     | NESW 40.0 NWSW 23.5  |
|               |                   | SWSW 40.0 SESW 40.0  |
|               |                   | NWSE 23.5 SWSE 40.0  |
|               | S33               | NWNE 23.5 NENW 40.0  |
|               |                   | NWNW 23.5            |
|               | 294.0 Acres Total |                      |

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 146 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

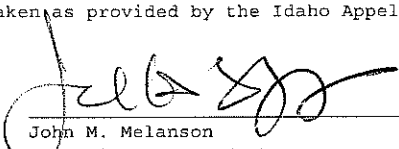
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF AMENDED PARTIAL DECREE was mailed on August 18, 2005, with sufficient first-class postage to the following:

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

JACKSON FARMS INC  
750 E 100 S  
RUPERT, ID 83350  
Phone: 208-436-1214

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".

