

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 45-12441

NAME AND ADDRESS:       MARK T NEWCOMB  
                              251 E 200 S  
                              RUPERT, ID 83350

SOURCE:                   GROUND WATER

QUANTITY:                 4.39 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED  
ANNUAL DIVERSION VOLUME OF 2184 AF. COMBINED RIGHT NOS.:  
45-2508, 45-2389B, 45-12441, and 45-13629.

PRIORITY DATE:           09/30/1950

POINT OF DIVERSION:     T10S R24E S12        SENNW   Within Cassia County  
                              R25E S07        NWSWNE  
                              S08            NESENW  
                                              NWNW

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY                |
|-------------------------------|----------------|----------------|-------------------------|
|                               | Irrigation     | 03-15 TO 11-15 | 4.39 CFS<br>1532.00 AFY |

| PLACE OF USE: | Irrigation        |             | Within Cassia County |
|---------------|-------------------|-------------|----------------------|
|               | T10S R24E S12     | NENE 40.0   | NWNE 22.0            |
|               |                   | SWNE 15.0   | SENE 35.0            |
|               | R25E S07          | NENE 40.0   | NWNE 40.0            |
|               |                   | SWNE 34.0   | SENE 35.0            |
|               |                   | NENW 40.0   | LOT 1 (NWNW) 33.0    |
|               | LOT 2             | (SWNW) 28.0 | SENE 34.0            |
|               | S08               | NENW 40.0   | NWNW 40.0            |
|               |                   | SWNW 35.0   | SENE 35.0            |
|               | 546.0 Acres Total |             |                      |

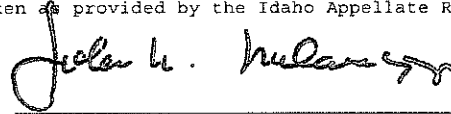
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A  
COMBINED TOTAL OF 546 ACRES IN A SINGLE IRRIGATION SEASON.  
COMBINED RIGHT NOS. 45-2508, 45-2389B, 45-12441, and 45-13629.  
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 383 ACRES WITHIN THE  
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION 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.

A handwritten signature in dark ink, appearing to read "John M. Melanson", is written over a horizontal line.

John M. Melanson  
Presiding Judge of the  
Snake River Basin Adjudication