

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 45-02656

NAME AND ADDRESS:         WHITELEY BROTHERS LLC  
                              700 W 2000 S  
                              OAKLEY, ID 83346

SOURCE:                     GROUND WATER

QUANTITY:                   2.02 CFS  
                              985.80 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED  
DIVERSION RATE OF 6.27 CFS AND TO A TOTAL COMBINED ANNUAL  
DIVERSION VOLUME OF 2545.8 AF. COMBINED RIGHT NOS.: 45-2263,  
45-2547, 45-2656, & 45-10414.

PRIORITY DATE:            02/20/1961

POINT OF DIVERSION:       T12S R22E S33             SWSWSW Within Cassia County  
                                                      SWSWSE  
                                                      S34             SWSWSE  
                              T13S R22E S03            SWSWNW

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|-------------------------------|----------------|----------------|------------------------|
|                               | Irrigation     | 03-15 TO 11-15 | 2.02 CFS<br>985.80 AFY |

| PLACE OF USE: | Irrigation          |             | Within Cassia County |
|---------------|---------------------|-------------|----------------------|
|               | T12S R22E S33       | NENE 40.0   | NWNE 37.0            |
|               |                     | SWNE 37.0   | SENE 40.0            |
|               |                     | NESW 40.0   | NWSW 40.0            |
|               |                     | SWSW 40.0   | SESW 40.0            |
|               |                     | NESE 40.0   | NWSE 39.0            |
|               |                     | SWSE 37.0   | SESE 40.0            |
|               | S34                 | NENE 38.0   | NWNE 41.0            |
|               |                     | SWNE 41.0   | SENE 41.0            |
|               |                     | NENW 41.0   | NWNW 41.0            |
|               |                     | SWNW 41.0   | SENW 41.0            |
|               |                     | NESW 41.0   | NWSW 41.0            |
|               |                     | SWSW 42.0   | SESW 41.0            |
|               |                     | NESE 41.0   | NWSE 41.0            |
|               |                     | SWSE 40.0   | SESE 40.0            |
|               | T13S R22E S03 LOT 1 | (NENE) 40.0 | LOT 2 (NWNE) 41.0    |
|               |                     | SWNE 39.0   | SENE 33.0            |
|               | LOT 3               | (NENW) 41.0 | LOT 4 (NWNW) 41.0    |
|               |                     | SWNW 30.0   | SENW 39.0            |
|               | 1426.0 Acres Total  |             |                      |

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A  
COMBINED TOTAL OF 1426 ACRES IN A SINGLE IRRIGATION SEASON.  
COMBINED RIGHT NOS.: 45-2263, 45-2547, 45-2656, & 45-10414.  
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

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

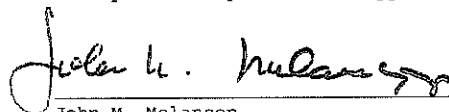
OTHER PROVISIONS (continued)

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.

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