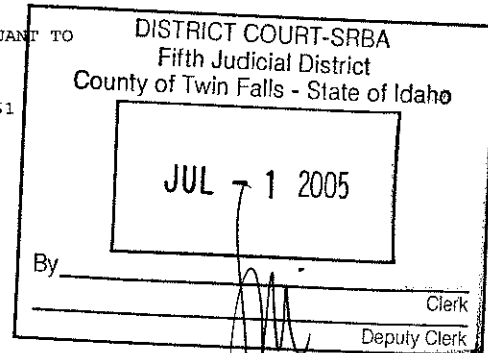


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )  
Case No. 39576 )  
\_\_\_\_\_ )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 45-02561



NAME AND ADDRESS: WAYNE C ANDERSEN LLC  
911 S 700 W  
BURLEY, ID 83318

SOURCE: GROUND WATER

QUANTITY: 4.02 CFS  
1280.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 45-11728 IS LIMITED TO A TOTAL  
COMBINED DIVERSION RATE OF 4.02 CFS AND TO A TOTAL COMBINED  
ANNUAL DIVERSION VOLUME OF 1280 AF.

PRIORITY DATE: 01/14/1958

POINT OF DIVERSION: T12S R22E S07 SESENE Within Cassia County  
SWSENE

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY                |
|----------------------------|----------------|----------------|-------------------------|
|                            | Irrigation     | 03-15 TO 11-15 | 4.02 CFS<br>1280.00 AFY |

| PLACE OF USE: | Irrigation        | Within Cassia County        |
|---------------|-------------------|-----------------------------|
|               | T12S R22E S06     | NESE 39.0 NWSE 40.0         |
|               |                   | SWSE 40.0 SESE 39.0         |
|               | S07               | NENE 39.0 NWNE 40.0         |
|               |                   | SWNE 39.0 SENE 37.0         |
|               |                   | NENW 40.0 LOT 1 (NWNW) 33.0 |
|               | LOT 2 (SWNW) 40.0 | SENW 39.0                   |
|               | 465.0 Acres Total |                             |

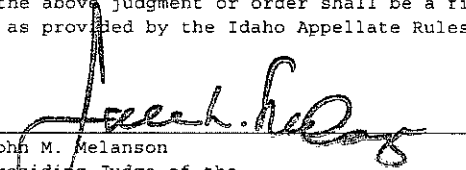
USE OF THIS RIGHT WITH RIGHT NO. 45-11728 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 465 ACRES IN A SINGLE  
IRRIGATION SEASON.  
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 320 ACRES WITHIN THE  
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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  
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

|                                                                                         |                       |
|-----------------------------------------------------------------------------------------|-----------------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |                       |
| JUL - 1/ 2005                                                                           |                       |
| By _____                                                                                | Clerk<br>Deputy Clerk |

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

|                       |   |                                             |
|-----------------------|---|---------------------------------------------|
| <b>In Re SRBA</b>     | ) | <b>Water Rights: See Attached Exhibit A</b> |
|                       | ) | <b>(45 Andersen – NCAPS)</b>                |
| <b>Case No. 39576</b> | ) |                                             |
|                       | ) | <b>ORDER OF PARTIAL DECREE</b>              |
|                       | ) |                                             |
| _____                 | ) |                                             |

On September 7, 2004, the Idaho Department of Water Resources filed its *Director's Report for Basin 45, Reporting Area 10, For Irrigation and Other Water Rights*, which included recommendations for the above named water rights. No objections were filed and the time period for filing objections has expired.

On April 20, 2005, the Idaho Department of Water Resources filed *Notices of Completed Administrative Proceeding and Amended Director's Reports* notifying the Court of a substitution of party in the above named water rights. No objections were filed to the *Amended Director's Reports* and the time period for filing objections has expired.

Therefore, IT IS ORDERED that the above-captioned water rights be decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED July 1, 2005.

  
 JOHN M. MELANSON  
 Presiding Judge  
 Snake River Basin Adjudication

EXHIBIT A (45 ANDERSEN - NCAPS)

Subcase Nos:

45-02476  
45-02561  
45-02574  
45-02591  
45-07048  
45-07347  
45-10310  
45-11728

**CERTIFICATE OF MAILING**

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE was mailed on July 01, 2005, with sufficient first-class postage to the following:

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

WAYNE C ANDERSEN LLC  
911 S 700 W  
BURLEY, ID 83318

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".