

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 45-02476

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUL 1 2005

By _____ Clerk
_____ Deputy Clerk

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

SOURCE: GROUND WATER

QUANTITY: 4.61 CFS
1947.70 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 16.22 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 5056 AF. COMBINED RIGHT NOS.: 45-2476,
45-2574, 45-2591, 45-7048, 45-7347, 45-10310.

PRIORITY DATE: 03/29/1954

POINT OF DIVERSION: T11S R21E S25 NENENE Within Cassia County
NWSWNW
NWSWNW
NWNENE
S26 NWSESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	4.61 CFS 1947.70 AFY

PLACE OF USE:	Irrigation	Within Cassia County	
	T11S R21E S25	NENE 39.0 SWNE 40.0 NENW 40.0 SWNW 40.0 NESW 40.0 SWSW 39.0 NESE 39.0 SWSE 40.0	NWNE 40.0 SENE 40.0 NWNW 39.0 SENW 40.0 NWSW 39.0 SESW 40.0 NWSE 40.0 SESE 39.0
	S26	NENE 39.0 SWNE 40.0 NENW 39.0 SWNW 40.0 NESW 40.0 SWSW 40.0 NESE 37.0 SWSE 40.0	NWNE 40.0 SENE 40.0 NWNW 39.0 SENW 40.0 NWSW 40.0 SESW 40.0 NWSE 40.0 SESE 37.0
	1265.0 Acres Total		

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 1265 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 45-2476, 45-2574, 45-2591, 45-7048,
45-7347, 45-10310.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 588 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

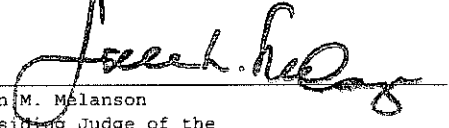
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. 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 Fifth Judicial District County of Twin Falls - State of Idaho	
JUL - 1/ 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	)	Water Rights: See Attached Exhibit A
	)	(45 Andersen – NCAPS)
Case No. 39576	)	
	)	ORDER OF PARTIAL DECREE
	)	
_____	)	

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.

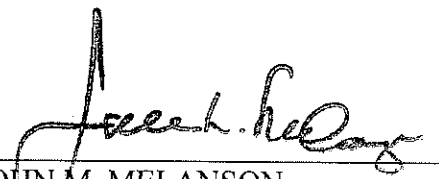

 JOHN M. MELANSON
 Presiding Judge
 Snake River Basin Adjudication

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.