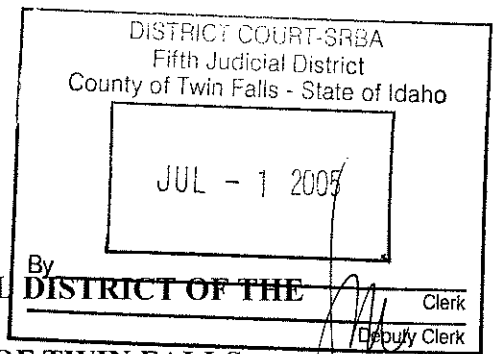




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA
Case No. 39576

Water Right: 45-07032,
45-07117 & 45-07330

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 June 30, 2005.


JOHN M. MELANSON

Presiding Judge
Snake River Basin Adjudication

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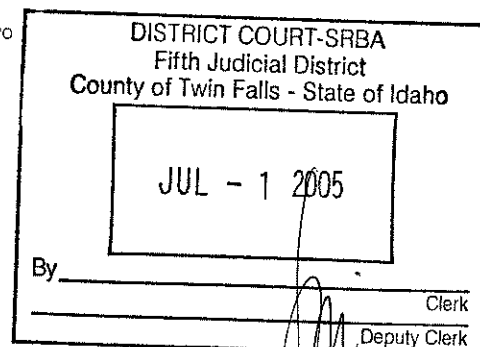
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 45-07032



NAME AND ADDRESS: HEPWORTH FAMILY LANDHOLDINGS
LLC
696 S 800 W
BURLEY, ID 83318

SOURCE: GROUND WATER

QUANTITY: 1.92 CFS
932.00 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 6.45 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 2404 AF. COMBINED RIGHT NOS.:
45-7117, 45-7032 & 45-7330.

PRIORITY DATE: 12/18/1968

POINT OF DIVERSION: T12S R21E S01 SESE Within Cassia County
S12 SWNW
NENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-01	1.92 CFS 932.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY CONTINUE TO
AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE
NOT EXCEEDED. THE USE OF WATER AFTER NOVEMBER 1 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN
THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:	Irrigation	Within Cassia County
	T12S R21E S01	NESW 40.0 NWSW 33.0 SESW 39.0 NESE 33.0 NWSE 40.0 SWSE 39.0 SESE 38.0
	S12	NENE 36.0 NWNE 39.0 SWNE 40.0 SENE 39.0 NENW 40.0 NWNW 32.0 SWNW 40.0 SENW 40.0
	601.0 Acres Total	

USE OF THIS RIGHT WITH RIGHT NO. 45-7330 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 306 ACRES IN A SINGLE
IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 601 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-7032, 45-7117,
45-7330.

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

THE REMAINDER OF THIS RIGHT, AMOUNTING TO 14 ACRES, WAS
FORFEITED FOR NON-USE FROM 1976 TO 1987.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT

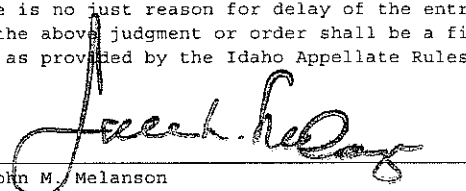
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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

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 45-07117

NAME AND ADDRESS: HEPWORTH FAMILY LANDHOLDINGS
LLC
696 S 800 W
BURLEY, ID 83318

SOURCE: GROUND WATER

QUANTITY: 3.41 CFS
1180.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 6.45 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 2404 AF. COMBINED RIGHT NOS.: 45-7117,
45-7032, 45-7330.

PRIORITY DATE: 01/03/1973

POINT OF DIVERSION: T12S R21E S01 SESE Within Cassia County
S12 SWNW
NENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	3.41 CFS 1180.00 AFY

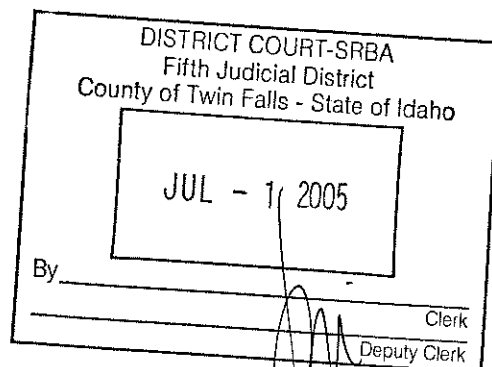
PLACE OF USE:	Irrigation	Within Cassia County
	T12S R21E S01	NESW 40.0 NWSW 33.0 SWSW 33.0 SESW 39.0 NESE 33.0 NWSE 40.0 SWSE 39.0 SESE 38.0 S12 NENE 36.0 NWNE 39.0 SWNE 40.0 SENE 39.0 NENW 40.0 NWNW 32.0 SWNW 40.0 SENW 40.0
	601.0 Acres Total	

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 601 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-7032, 45-7117,
45-7330.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 295 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

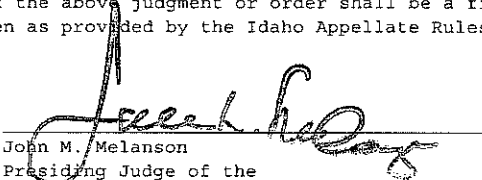
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

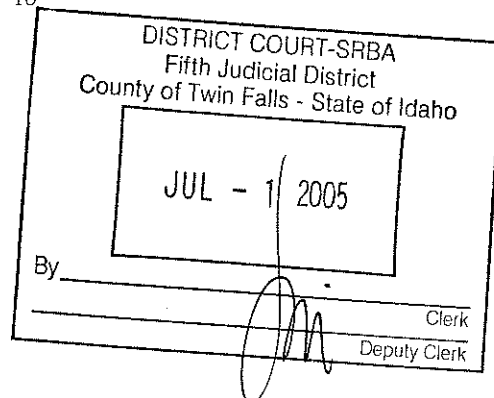
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 45-07330

NAME AND ADDRESS: HEPWORTH FAMILY LANDHOLDINGS
LLC
696 S 800 W
BURLEY, ID 83318

SOURCE: GROUND WATER

QUANTITY: 4.00 CFS
292.00 AFY



USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 6.45 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 2404 AF. COMBINED RIGHT NOS.: 45-7117,
45-7032, 45-7330.

PRIORITY DATE: 11/30/1977

POINT OF DIVERSION: T12S R21E S01 SESE Within Cassia County
S12 NENE
SWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	4.00 CFS 292.00 AFY

PLACE OF USE:	Irrigation	Within Cassia County
	T12S R21E S01	NESW 40.0 NWSW 33.0 SWSW 33.0 SESW 39.0 NESE 33.0 NWSE 40.0 SWSE 39.0 SESE 38.0 S12 NENE 36.0 NWNE 39.0 SWNE 40.0 SENE 39.0 NENW 40.0 NWNW 32.0 SWNW 40.0 SENW 40.0
	601.0 Acres Total	

USE OF THIS RIGHT WITH RIGHT NO. 45-7032 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 306 ACRES IN A SINGLE
IRRIGATION SEASON.

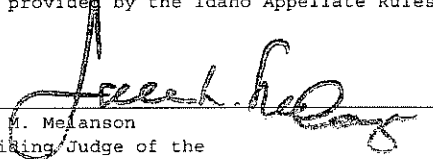
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 601 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-7032, 45-7117,
45-7330

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

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:

HEPWORTH FAMILY LANDHOLDINGS
LLC
696 S 800 W
BURLEY, ID 83318
Phone: 208-678-5790

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

A handwritten signature in cursive script, appearing to read "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".

