

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 29-02352

NAME AND ADDRESS: GEM VALLEY FARMS
C/O CHAD NEIBAUER 1
550 CENTRAL RD
BANCROFT, ID 83217

SOURCE: GROUND WATER

QUANTITY: 2.50 CFS
687.00 AFY

This right when combined with all other rights shall provide no more than 3.0 cfs per acre for irrigation of the lands above. USE OF THIS RIGHT WITH RIGHT NO. 13-02203B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.23 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1081.5 AF. THIS RIGHT WHEN COMBINED WITH RIGHT NO. 13-02203B SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 07/31/1954

POINT OF DIVERSION: T09S R40E S18 SWSE Within Caribou County
S19 NENW

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-15 TO 10-15 2.50 CFS
687.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 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.

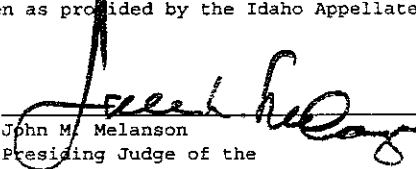
PLACE OF USE: Irrigation Within Caribou County
T09S R39E S13 LOT 2 (SENE) 30.0 LOT 3 (NESW) 30.0
R40E S18 NESW 30.0 LOT 3 (NWSW) 30.0
LOT 4 (SWSW) 30.0 SESE 30.0
NESE 30.0 NWSE 30.0
SWSE 30.0 SESE 30.0
S19 NENW 25.0 LOT 1 (NWNW) 35.5
360.5 Acres Total

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