

2004 MAY -4 PM 3: 17  
DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED 

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

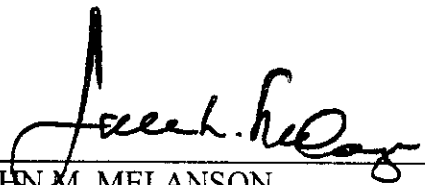
|                |   |                           |
|----------------|---|---------------------------|
| In Re SRBA     | ) | ORDER OF PARTIAL DECREE   |
|                | ) |                           |
| Case No. 39576 | ) | Water Right No.: 43-02519 |
|                | ) |                           |
| _____          | ) |                           |

On March 30, 2004, an *Amended Special Master's Report and Recommendation* was filed for water right 43-02519. No Challenges were filed to the *Amended Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Amended Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 43-02519 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED May 4, 2004.

  
\_\_\_\_\_  
JOHN M. MELANSON  
Presiding Judge  
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 43-02519

2004 MAY -4 PM 3:17  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED  
*M*

NAME AND ADDRESS: SUN VALLEY AGRIBUSINESS  
PARTNERS LLC  
PO BOX 2169  
SUN VALLEY, ID 83353

SOURCE: GROUND WATER

QUANTITY: 4.20 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED  
ANNUAL DIVERSION VOLUME OF 2496 AF. COMBINED RIGHT NOS.  
43-2473 AND 43-02519  
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED  
ANNUAL DIVERSION VOLUME OF 2256 AF. COMBINED RIGHT NOS.  
43-2488 AND 43-2519

PRIORITY DATE: 03/28/1961

POINT OF DIVERSION: T11S R27E S05 NWSENE Within Cassia County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY                |
|-------------------------------|----------------|----------------|-------------------------|
|                               | Irrigation     | 03-15 TO 11-15 | 4.20 CFS<br>1216.00 AFY |

| PLACE OF USE: | Irrigation                                        | Within Cassia County |
|---------------|---------------------------------------------------|----------------------|
|               | T11S R27E S04 LOT 3 (NENW) 40.0 LOT 4 (NWNW) 40.0 |                      |
|               | SWNW 40.0 SENW 40.0                               |                      |
|               | NESW 40.0 NWSW 40.0                               |                      |
|               | SWSW 32.0 SESW 21.0                               |                      |
|               | SWSE 11.0                                         |                      |
|               | 304.0 Acres Total                                 |                      |

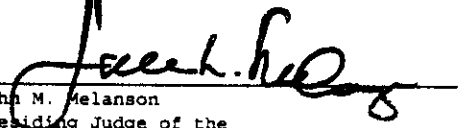
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A  
COMBINED TOTAL OF 624 ACRES IN A SINGLE IRRIGATION SEASON.  
COMBINED RIGHT NOS. 43-2473, AND 43-2519  
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A  
COMBINED TOTAL OF 564 ACRES IN A SINGLE IRRIGATION SEASON.  
COMBINED RIGHT NOS. 43-2488, AND 43-2519

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

2004 MAY 04 PM 02:00  
DISTRICT COURT - SRBA  
TWIN FALLS CO.; IDAHO  
FILED                     

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                            )  
\_\_\_\_\_  
                                                      )

CERTIFICATE OF MAILING

Water Right(s): 43-02519

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE  
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 43-02519 was mailed  
on May 04, 2004, with sufficient first-class postage prepaid  
to the following:

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

SUN VALLEY AGRIBUSINESS  
Represented by:  
ANGELA SCHAER KAUFMANN  
101 S CAPITOL BLVD, 10TH FLOOR  
PO BOX 829  
BOISE, ID 83701-0829  
Phone: 208-345-2000

JULIE MURPHY  
Chief Deputy Clerk

CERTIFICATE OF MAILING

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05/04/04