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Department of Water Resources

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED                       
2003 NOV 21 AM 10 50

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

)  
)  
)  
)  
**ORDER OF PARTIAL DECREE**

**Water Right 37-02532A**

On September 10, 2003, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *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 *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 37-02532A be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED November 21, 2003.

  
\_\_\_\_\_  
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

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
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In Re SRBA )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 37-02532A

NAME AND ADDRESS: NOTCH BUTTE FARMS LLC  
PO BOX 486  
JEROME, ID 83338

SOURCE: GROUND WATER

QUANTITY: 0.77 CFS  
462.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 37-2804A IS LIMITED TO A TOTAL  
COMBINED ANNUAL DIVERSION VOLUME OF 462 AF.

PRIORITY DATE: 10/13/1952

POINT OF DIVERSION: T06S R17E S31 LOT 2 (NESWNW) Within Lincoln County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|-------------------------------|----------------|----------------|------------------------|
|                               | Irrigation     | 04-15 TO 10-31 | 0.77 CFS<br>462.00 AFY |

| PLACE OF USE: | Irrigation                        | Within Lincoln County |
|---------------|-----------------------------------|-----------------------|
|               | T06S R17E S31 SWNE 40.0 SENE 40.0 |                       |
|               | LOT 2 (SWNW) 12.0 SENW 40.0       |                       |
|               | 132.0 Acres Total                 |                       |

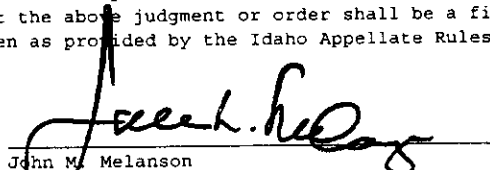
USE OF THIS RIGHT WITH RIGHT NO. 37-2804A IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 132 ACRES IN A SINGLE  
IRRIGATION SEASON.

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

2003 NOV 21 PM 02:00  
DISTRICT COURT - SRBA  
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In Re SRBA )  
 )  
Case No. 39576 )  
\_\_\_\_\_ )

CERTIFICATE OF MAILING

Water Right(s): 37-02532A

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 37-02532A was mailed  
on November 21, 2003, with sufficient first-class postage prepaid  
to the following:

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

NOTCH BUTTE FARMS LLC  
Represented by:  
JOHN T LEZAMIZ  
PO BOX 389  
TWIN FALLS, ID 83303-0389  
Phone: 208-734-7510

JULIE MURPHY  
Chief Deputy Clerk