

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

2002 OCT 18 PM 4 53

In Re SRBA )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 63-21471

RECEIVED

OCT 21 2002

Department of Water Resources

NAME AND ADDRESS: CLAYTON TREE FARM LLC  
PO BOX 10  
STAR, ID 83669

SOURCE: GROUNDWATER

QUANTITY: 0.14 CFS  
7.90 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF  
DIVERSION UNDER RIGHTS 63-10578 AND 63-21471 SHALL NOT EXCEED  
2.14 CFS, NOR TOTAL COMBINED ANNUAL VOLUME OF 673.9 AF.

PRIORITY DATE: 01/01/1909

POINT OF DIVERSION: T04N R05W S13 SWNW Within Canyon County  
NWNW

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE  | PERIOD OF USE  | QUANTITY |
|-------------------------------|-----------------|----------------|----------|
|                               | Domestic 1 HOME | 01-01 TO 12-31 | 0.04 CFS |
|                               |                 |                | 1.20 AFY |
|                               | Stockwater      | 01-01 TO 12-31 | 0.10 CFS |
|                               |                 |                | 6.70 AFY |

|               |               |      |                      |
|---------------|---------------|------|----------------------|
| PLACE OF USE: | Stockwater    |      | Within Canyon County |
|               | T04N R05W S13 | SWNW |                      |
|               | Domestic      |      | Within Canyon County |
|               | T04N R05W S13 | SWNW |                      |

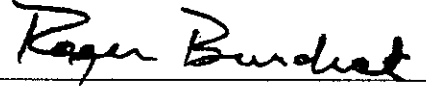
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.  
THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY THIS  
TRANSFER WITHIN ONE YEAR OF THE DATE OF THIS APPROVAL OR 6/17/03.

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.

A handwritten signature in black ink, appearing to read "Roger Burdick", is written over a horizontal line.

Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication