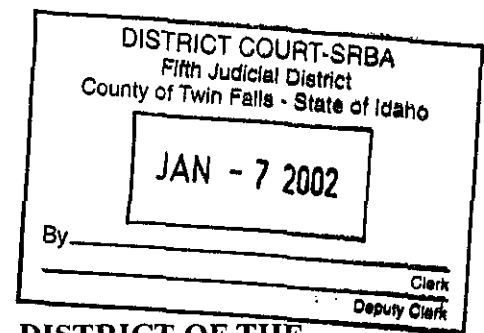


RECEIVED

JAN - 6 2002



**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

For Water Right 36-02526

On November 2, 1992, the Idaho Department of Water Resources (IDWR) filed its *Director's Report, Part 1, For Reporting Area 3 (Basin 36)*, which included a recommendation for the above water right. No objections to this recommendation were filed and the time period for filing objections has now expired.

On August 2, 1999, in response to the Idaho Supreme Court decision in *A&B Irrigation District v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions* which included a recommendation for the irrigation season of use for this water right. No objections to this Supplemental Report were filed and the time period for filing objections has now expired.

Therefore, IT IS ORDERED that water right 36-02526 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

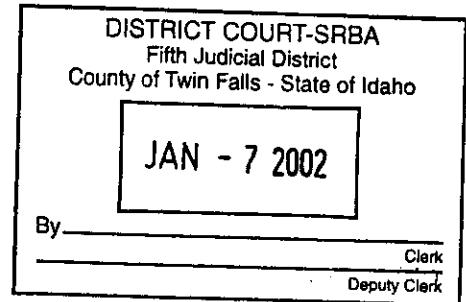
DATED January 7, 2002.

A handwritten signature in black ink, reading 'Roger Burdick'.

ROGER S. BURDICK
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 36-02526



NAME AND ADDRESS: ABC AGRA LLC
PO BOX 378
JEROME, ID 83338-0378

SOURCE: GROUNDWATER

QUANTITY: 5.68 CFS
704.00 AFY

PRIORITY DATE: 10/27/1961

POINT OF DIVERSION: T09S R17E S10 SWNWSE Within Jerome County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.56 CFS
			311.30 AFY
	Commercial	01-01 TO 12-31	4.12 CFS
			392.70 AFY

PLACE OF USE:	Irrigation		Within Jerome County
T09S R17E S10	NESW 40.0		NWSW 23.0
	SWSW 40.0		SESW 40.0
	NESE 38.0		NWSE 40.0
	SWSE 40.0		SESE 35.0
S15	NENE 24.0		NWNE 40.0
	SWNE 18.0		NENW 40.0
	NWNW 33.0		SWNW 1.0
	SENE 18.0		
S16	NENE 17.0		NWNE 4.0
491.0 Acres Total			
Commercial			Within Jerome County
T09S R17E S10	NESW		NWSW
	SWSW		SESW
	NESE		NWSE
	SWSE		SESE
S15	NENE		NWNE
	SWNE		NENW
	NWNW		SENE
S16	NENE		

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 130 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.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication