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JUN 05 2013

DEPARTMENT OF  
WATER RESOURCES

|                                       |              |
|---------------------------------------|--------------|
| DISTRICT COURT - SRBA                 |              |
| Fifth Judicial District               |              |
| County of Twin Falls - State of Idaho |              |
| JUN - 4 2013                          |              |
| By _____                              | Clerk        |
|                                       | Deputy Clerk |

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 | ) | Subcase No. 84-12263                 |
|                | ) | (State of Idaho Department of Lands) |
| _____          | ) |                                      |

On April 16, 2013, a *Special Master's Report and Recommendation* was filed for the above-captioned 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 Recommendation* and wholly adopts them as its own.

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

DATED June 4, 2013.

  
\_\_\_\_\_  
ERIC J. WILDMAN  
Presiding Judge  
Snake River Basin Adjudication

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DEPARTMENT OF  
WATER RESOURCES

DISTRICT COURT - SRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho

JUN - 4 2013

By

Clerk

Deputy Clerk

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

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 84-12263

NAME AND ADDRESS: STATE OF IDAHO  
DEPARTMENT OF LANDS  
300 N 6TH ST STE 103  
PO BOX 83720  
BOISE, ID 83720-0050

SOURCE: UNNAMED STREAM TRIBUTARY: GROUSE CREEK  
UNNAMED STREAM TRIBUTARY: JIM FORD CREEK  
UNNAMED STREAM TRIBUTARY: LOLO CREEK

QUANTITY: 3.65 AFY

The capacity of the 4 storage reservoirs is 1.48 AF. The  
reservoirs may be refilled multiple times up to the total  
diversion volume in a single year.  
The quantity of water under this right for stockwater use shall  
not exceed 13,000 gallons per day.  
The quantity of water under this right for industrial use shall  
not exceed 0.20 acre-feet per day.

PRIORITY DATE: 09/08/1968

POINT OF DIVERSION: T34N R04E S01 NWSE Within Clearwater County  
SESE  
S02 NESW  
S11 SWNE

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE            | PERIOD OF USE  | QUANTITY |
|---------------------------|----------------|----------|
| Stockwater Storage        | 01-01 TO 12-31 | 3.65 AFY |
| Stockwater from Storage   | 01-01 TO 12-31 | 3.65 AFY |
| Industrial Storage        | 01-01 TO 12-31 | 3.65 AFY |
| Industrial from Storage   | 01-01 TO 12-31 | 3.65 AFY |
| Fire Protection Storage   | 01-01 TO 12-31 | 3.65 AFY |
| Fire Protect from Storage | 01-01 TO 12-31 | 3.65 AFY |

Industrial use is for forest practices and forest dust abatement  
as provided for by Section 42-201, Idaho Code.

PLACE OF USE: Stockwater from Storage Within Clearwater County  
T34N R04E S01 NWSE SESE  
S02 NESW  
S11 SWNE

Industrial from Storage Within Clearwater County

| Lot                 | Section | Quarter      |              |
|---------------------|---------|--------------|--------------|
| T34N R04E S01 LOT 3 | (NENW)  | LOT 4 (NWNW) |              |
|                     | SWNW    | SENE         |              |
|                     | NESW    | NWSW         |              |
|                     | SWSW    | SESW         |              |
|                     | NESE    | NWSE         |              |
| S02 LOT 1           | SWSE    | SESE         |              |
|                     | (NENE)  | LOT 2 (NWNE) |              |
|                     | SWNE    | SENE         |              |
|                     | LOT 3   | (NENW)       | LOT 4 (NWNW) |
|                     |         | SWNW         | SENE         |
| NESW                |         | NWSW         |              |
| SWSW                |         | SESW         |              |
| NESE                |         | NWSE         |              |

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

|                           |        |              |
|---------------------------|--------|--------------|
|                           | SWSE   | SESE         |
| S11                       | NENE   | NWNE         |
|                           | SWNE   | SENE         |
|                           | NENW   | NWNW         |
|                           | SWNW   | SENW         |
|                           | NESW   | NWSW         |
|                           | SWSW   | SESW         |
|                           | NESE   | NWSE         |
|                           | SWSE   | SESE         |
| Fire Protect from Storage |        |              |
| T34N R04E S01 LOT 3       | (NENW) | LOT 4 (NWNW) |
|                           | SWNW   | SENW         |
|                           | NESW   | NWSW         |
|                           | SWSW   | SESW         |
|                           | NESE   | NWSE         |
|                           | SWSE   | SESE         |
| S02 LOT 1                 | (NENE) | LOT 2 (NWNE) |
|                           | SWNE   | SENE         |
| LOT 3                     | (NENW) | LOT 4 (NWNW) |
|                           | SWNW   | SENW         |
|                           | NESW   | NWSW         |
|                           | SWSW   | SESW         |
|                           | NESE   | NWSE         |
|                           | SWSE   | SESE         |
| S11                       | NENE   | NWNE         |
|                           | SWNE   | SENE         |
|                           | NENW   | NWNW         |
|                           | SWNW   | SENW         |
|                           | NESW   | NWSW         |
|                           | SWSW   | SESW         |
|                           | NESE   | NWSE         |
|                           | SWSE   | SESE         |

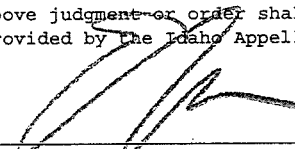
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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.

  
Eric J. Wildman  
Presiding Judge of the  
Snake River Basin Adjudication

2013 JUN 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     | ) | CERTIFICATE OF MAILING   |
|                | ) |                          |
| Case No. 39576 | ) |                          |
| _____          | ) | Water Right(s): 84-12263 |

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 84-12263 was mailed  
on June 04, 2013, with sufficient first-class postage prepaid  
to the following:

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

STATE OF IDAHO  
Represented by:  
CHIEF NATURAL RESOURCES DIV  
OFFICE OF THE ATTORNEY GENERAL  
STATE OF IDAHO  
PO BOX 44449  
BOISE, ID 83711-0449  
Phone: 208-334-2400

JULIE MURPHY  
Chief Deputy Clerk