

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 37-00667C

NAME AND ADDRESS: ROBERT E GARDNER  
PO BOX 1200  
HAILEY, ID 83333

C W & R H GARDNER FAMILY  
TRUST LTD PARTNERSHIP  
PO BOX 1200  
HAILEY, ID 83333

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 3.20 CFS

PRIORITY DATE: 06/15/1891

POINT OF DIVERSION: T02N R18E S36 SWNW Within Blaine County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Irrigation     | 04-15 TO 10-31 | 3.20 CFS |

| PLACE OF USE: | Irrigation        | Within Blaine County                |
|---------------|-------------------|-------------------------------------|
|               | T01N R19E S33     | NESE 22.0<br>NWSE 40.0<br>SESE 38.0 |
|               | S34               | SWSW 3.0                            |
|               | 143.0 Acres Total |                                     |

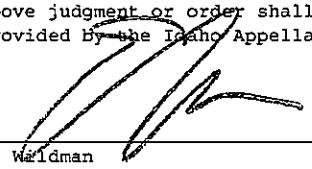
Right Nos. 37-115B, 37-667C, 37-881 and 37-4433 are limited to  
the irrigation of a combined total of 143 acres in a single  
irrigation season.

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.

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