

RECEIVED

DEC 31 2009

DEPARTMENT OF
WATER RESOURCES

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

DEC 30 2009

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

ORDER OF PARTIAL DECREES

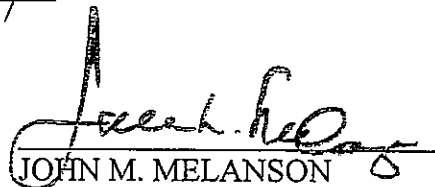
Subcases: See Attached Exhibit A
(Flat Top Sheep Co.)

On November 24, 2009, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights. 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 the above-captioned water rights are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED December 30, 2009.



JOHN M. MELANSON

Presiding Judge

Snake River Basin Adjudication

EXHIBIT A - FLAT TOP SHEEP CO

Subcase Nos:

37-00390
37-00391
37-00392
37-00393
37-00394
37-00395
37-00396
37-00397
37-00398
37-00399
37-00400
37-00401
37-02092
37-02234
37-02260A
37-02260B
37-02294

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PLACE OF USE (continued)

SENV 5.3

2126.9 Acres Total

The rights listed below are limited to the irrigation of a combined total of 2,126.9 acres in a single irrigation season. Combined Right Nos.: 37-390, 37-391, 37-392, 37-393, 37-394, 37-395, 37-396, 37-397, 37-398, 37-399, 37-400, 37-401, 37-2092, 37-2234, 37-2294, 37-2260A, and 37-2260B.

This right is limited to the irrigation of 1,600 acres within the place of use described above in a single irrigation season.

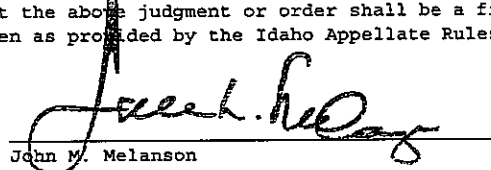
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OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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 37-00391

NAME AND ADDRESS: FLAT TOP SHEEP CO
PO BOX 99
CAREY, ID 83320

SOURCE: FRIEDMAN CREEK TRIBUTARY: SOUTH FORK MULDOON CREEK

QUANTITY: 0.40 CFS

PRIORITY DATE: 04/01/1885

POINT OF DIVERSION: T02N R21E S12 SESWSE Within Blaine County
S14 NENESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.40 CFS

PLACE OF USE:	Irrigation	Within Blaine County
	T02N R21E S13	NENW 26.5 SWNW 28.0 NESW 12.0
	S14	SWNE 5.1 NESW 1.7 NESE 40.0 SWSE 38.0
	S22	SESE 5.2
	S23	NENE 32.0 SWNE 34.0 NENW 1.5 NESW 40.0 SWSW 35.0 NESE 40.0 SWSE 40.0
	S24	SWNW 38.0 NWSW 39.0 SESW 17.0
	S25	NENW 13.0 SWNW 39.0 NESW 18.0 SWSW 8.1
	S26	NENE 40.0 SWNE 40.0 NENW 40.0 SWNW 40.0 NESW 40.0 SWSW 37.0 NESE 40.0 SWSE 32.0
	S27	NENE 35.0 SWNE 40.0 NENW 2.5 SESW 35.0 NWSW 2.8 NESE 40.0 SWSE 20.0
	S35	NENE 13.0 SWNE 25.0 NENW 16.0

PLACE OF USE (continued)

SEBW 5.3

2126.9 Acres Total

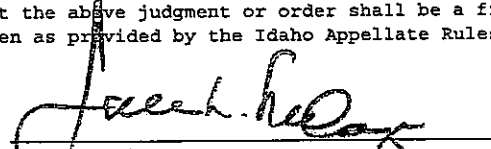
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Presiding Judge of the
Snake River Basin Adjudication

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)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-00392

NAME AND ADDRESS: FLAT TOP SHEEP CO
PO BOX 99
CAREY, ID 83320

SOURCE: FRIEDMAN CREEK TRIBUTARY: SOUTH FORK MULDOON CREEK

QUANTITY: 2.20 CFS

PRIORITY DATE: 05/20/1885

POINT OF DIVERSION: T02N R21E S12 SESWSE Within Blaine County
S14 NENESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	2.20 CFS

PLACE OF USE:	Irrigation		Within Blaine County
	T02N R21E S13	NENW 26.5	NWNW 29.0
		SWNW 28.0	SENW 32.0
		NESW 12.0	NWSW 23.0
	S14	SWNE 5.1	SENE 25.0
		NESW 1.7	SESW 3.6
		NESE 40.0	NWSE 36.0
		SWSE 38.0	SESE 29.0
	S22	SESE 5.2	
	S23	NENE 32.0	NWNE 8.7
		SWNE 34.0	SENE 36.0
		NENW 1.5	SENW 27.0
		NESW 40.0	NWSW 13.0
		SWSW 35.0	SESW 40.0
		NESE 40.0	NWSE 40.0
		SWSE 40.0	SESE 40.0
	S24	SWNW 38.0	NESW 18.0
		NWSW 39.0	SWSW 39.0
		SESW 17.0	
	S25	NENW 13.0	NWNW 39.0
		SWNW 39.0	SENW 28.0
		NESW 18.0	NWSW 38.0
		SWSW 8.1	
	S26	NENE 40.0	NWNE 40.0
		SWNE 40.0	SENE 40.0
		NENW 40.0	NWNW 40.0
		SWNW 40.0	SENW 40.0
		NESW 40.0	NWSW 40.0
		SWSW 37.0	SESW 32.0
		NESE 40.0	NWSE 40.0
		SWSE 32.0	SESE 28.0
	S27	NENE 35.0	NWNE 26.0
		SWNE 40.0	SENE 38.0
		NENW 2.5	SWNW 2.4
		SENW 35.0	NESW 17.0
		NWSW 2.8	SESW 3.1
		NESE 40.0	NWSE 40.0
		SWSE 20.0	SESE 19.0
	S35	NENE 13.0	NWNE 14.0
		SWNE 25.0	SENE 20.0
		NENW 16.0	NWNW 8.4

PLACE OF USE (continued)

SEBW 5.3

2126.9 Acres Total

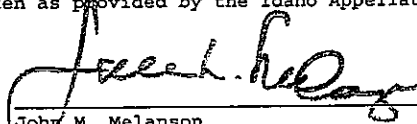
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Combined Right Nos.: 37-390, 37-391, 37-392, 37-393, 37-394, 37-395, 37-396, 37-397, 37-398, 37-399, 37-400, 37-401, 37-2092, 37-2234, 37-2294, 37-2260A, and 37-2260B.
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John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

PLACE OF USE (continued)

SEBW 5.3

2126.9 Acres Total

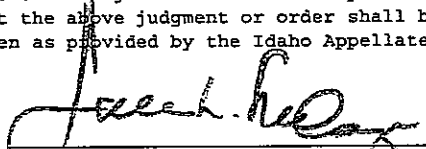
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-00394

NAME AND ADDRESS: FLAT TOP SHEEP CO
PO BOX 99
CAREY, ID 83320

SOURCE: FRIEDMAN CREEK TRIBUTARY: SOUTH FORK MULDOON CREEK

QUANTITY: 1.00 CFS

PRIORITY DATE: 04/01/1886

POINT OF DIVERSION: T02N R21E S12 SESWSE Within Blaine County
S14 NENESE

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-15 TO 10-31 1.00 CFS

PLACE OF USE: Irrigation T02N R21E S13 Within Blaine County

	NENW 26.5	NWNW 29.0
	SWNW 28.0	SENW 32.0
	NESW 12.0	NWSW 23.0
S14	SWNE 5.1	SENE 25.0
	NESW 1.7	SESW 3.6
	NESE 40.0	NWSE 36.0
	SWSE 38.0	SESE 29.0
S22	SESE 5.2	
S23	NENE 32.0	NWNE 8.7
	SWNE 34.0	SENE 36.0
	NENW 1.5	SENW 27.0
	NESW 40.0	NWSW 13.0
	SWSW 35.0	SESW 40.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 40.0
S24	SWNW 38.0	NESW 18.0
	NWSW 39.0	SWSW 39.0
	SESW 17.0	
S25	NENW 13.0	NWNW 39.0
	SWNW 39.0	SENW 28.0
	NESW 18.0	NWSW 38.0
	SWSW 8.1	
S26	NENE 40.0	NWNE 40.0
	SWNE 40.0	SENE 40.0
	NENW 40.0	NWNW 40.0
	SWNW 40.0	SENW 40.0
	NESW 40.0	NWSW 40.0
	SWSW 37.0	SESW 32.0
	NESE 40.0	NWSE 40.0
	SWSE 32.0	SESE 28.0
S27	NENE 35.0	NWNE 26.0
	SWNE 40.0	SENE 38.0
	NENW 2.5	SWNW 2.4
	SENW 35.0	NESW 17.0
	NWSW 2.8	SESW 3.1
	NESE 40.0	NWSE 40.0
	SWSE 20.0	SESE 19.0
S35	NENE 13.0	NWNE 14.0
	SWNE 25.0	SENE 20.0
	NENW 16.0	NWNW 8.4

PLACE OF USE (continued)

SEBW 5.3

2126.9 Acres Total

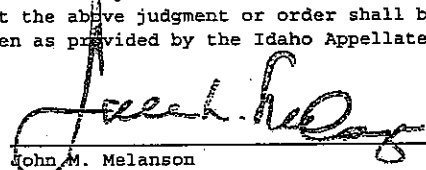
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 37-00395

NAME AND ADDRESS: FLAT TOP SHEEP CO
PO BOX 99
CAREY, ID 83320

SOURCE: FRIEDMAN CREEK TRIBUTARY: SOUTH FORK MULDOON CREEK

QUANTITY: 3.20 CFS

PRIORITY DATE: 06/01/1888

POINT OF DIVERSION: T02N R21E S12 SESWSE Within Blaine County
S14 NENESE

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
	T02N R21E S13	NENW 26.5	NWNW 29.0
		SWNW 28.0	SENW 32.0
		NESW 12.0	NWSW 23.0
	S14	SWNE 5.1	SENE 25.0
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		SWNE 40.0	SENE 40.0
		NENW 40.0	NWNW 40.0
		SWNW 40.0	SENW 40.0
		NESW 40.0	NWSW 40.0
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	S35	NENE 13.0	NWNE 14.0
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PLACE OF USE (continued)

SEBW 5.3

2126.9 Acres Total

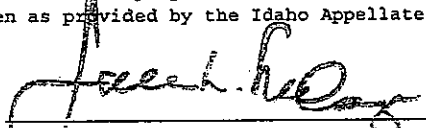
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Presiding Judge of the
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PAGE 1
Dec-30-2009

PLACE OF USE (continued)

SENW 5.3

2126.9 Acres Total

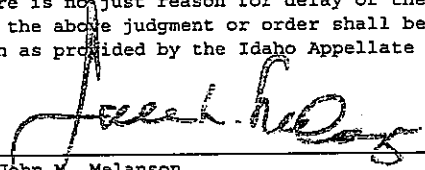
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Dec-30-2009

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

PLACE OF USE (continued)

SEBW 5.3

2126.9 Acres Total

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Combined Right Nos.: 37-390, 37-391, 37-392, 37-393, 37-394, 37-395, 37-396, 37-397, 37-398, 37-399, 37-400, and 37-401.

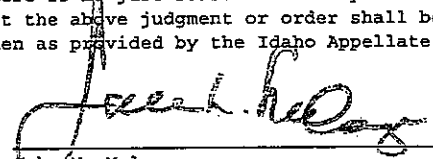
This right is limited to the irrigation of 1,600 acres within the place of use described above in a single irrigation season.

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.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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PLACE OF USE (continued)

SEBW 5.3

2126.9 Acres Total

The rights listed below are limited to the irrigation of a combined total of 2,126.9 acres in a single irrigation season. Combined Right Nos.: 37-390, 37-391, 37-392, 37-393, 37-394, 37-395, 37-396, 37-397, 37-398, 37-399, 37-400, 37-401, 37-2092, 37-2234, 37-2294, 37-2260A, and 37-2260B.

This right is limited to the irrigation of 1,600 acres within the place of use described above in a single irrigation season.

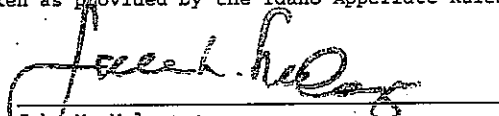
The rights listed below are limited to the irrigation of a combined total of 1,600 acres in a single irrigation season. Combined Right Nos.: 37-390, 37-391, 37-392, 37-393, 37-394, 37-395, 37-396, 37-397, 37-398, 37-399, 37-400, and 37-401.

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

PLACE OF USE (continued)

SEBW 5.3

2126.9 Acres Total

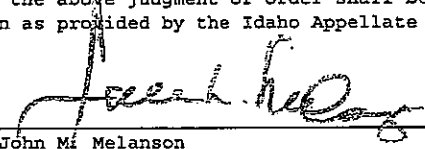
The rights listed below are limited to the irrigation of a combined total of 1,600 acres in a single irrigation season. Combined Right Nos.: 37-390, 37-391, 37-392, 37-393, 37-394, 37-395, 37-396, 37-397, 37-398, 37-399, 37-400, and 37-401. The rights listed below are limited to the irrigation of a combined total of 2,126.9 acres in a single irrigation season. Combined Right Nos.: 37-390, 37-391, 37-392, 37-393, 37-394, 37-395, 37-396, 37-397, 37-398, 37-399, 37-400, 37-401, 37-2092, 37-2234, 37-2294, 37-2260A, and 37-2260B. This right is limited to the irrigation of 1,600 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.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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PLACE OF USE (continued)

SENV 5.3

2126.9 Acres Total

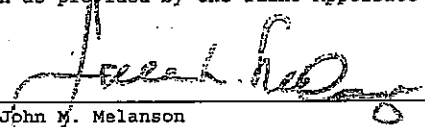
The rights listed below are limited to the irrigation of a combined total of 1,600 acres in a single irrigation season. Combined Right Nos.: 37-390, 37-391, 37-392, 37-393, 37-394, 37-395, 37-396, 37-397, 37-398, 37-399, 37-400, and 37-401. The rights listed below are limited to the irrigation of a combined total of 2,126.9 acres in a single irrigation season. Combined Right Nos.: 37-390, 37-391, 37-392, 37-393, 37-394, 37-395, 37-396, 37-397, 37-398, 37-399, 37-400, 37-401, 37-2092, 37-2234, 37-2294, 37-2260A, and 37-2260B. This right is limited to the irrigation of 1,600 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.


John M. Melanson
Presiding Judge of the
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 37-00401

NAME AND ADDRESS: FLAT TOP SHEEP CO
PO BOX 99
CAREY, ID 83320

SOURCE: FRIEDMAN CREEK TRIBUTARY: SOUTH FORK MULDOON CREEK

QUANTITY: 9.40 CFS

PRIORITY DATE: 05/12/1888

POINT OF DIVERSION: T02N R21E S12 SESWSE Within Blaine County
S14 NENESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	9.40 CFS

PLACE OF USE:	Irrigation		Within Blaine County
	T02N R21E S13	NENW 26.5	NWNW 29.0
		SWNW 28.0	SEnw 32.0
		NESW 12.0	NWSW 23.0
	S14	SWNE 5.1	SENE 25.0
		NESW 1.7	SESW 3.6
		NESE 40.0	NWSE 36.0
		SWSE 38.0	SESE 29.0
	S22	SESE 5.2	
	S23	NENE 32.0	NWNE 8.7
		SWNE 34.0	SENE 36.0
		NENW 1.5	SEnw 27.0
		NESW 40.0	NWSW 13.0
		SWSW 35.0	SESW 40.0
		NESE 40.0	NWSE 40.0
		SWSE 40.0	SESE 40.0
	S24	SWNW 38.0	NESW 18.0
		NWSW 39.0	SWSW 39.0
		SESW 17.0	
	S25	NENW 13.0	NWNW 39.0
		SWNW 39.0	SEnw 28.0
		NESW 18.0	NWSW 38.0
		SWSW 8.1	
	S26	NENE 40.0	NWNE 40.0
		SWNE 40.0	SENE 40.0
		NENW 40.0	NWNW 40.0
		SWNW 40.0	SEnw 40.0
		NESW 40.0	NWSW 40.0
		SWSW 37.0	SESW 32.0
		NESE 40.0	NWSE 40.0
		SWSE 32.0	SESE 28.0
	S27	NENE 35.0	NWNE 26.0
		SWNE 40.0	SENE 38.0
		NENW 2.5	SWNW 2.4
		SEnw 35.0	NESW 17.0
		NWSW 2.8	SESW 3.1
		NESE 40.0	NWSE 40.0
		SWSE 20.0	SESE 19.0
	S35	NENE 13.0	NWNE 14.0
		SWNE 25.0	SENE 20.0
		NENW 16.0	NWNW 8.4

PLACE OF USE (continued)

SEBW 5.3

2126.9 Acres Total

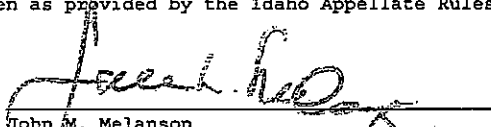
This right is limited to the irrigation of 1,600 acres within the place of use described above in a single irrigation season. The rights listed below are limited to the irrigation of a combined total of 1,600 acres in a single irrigation season. Combined Right Nos.: 37-390, 37-391, 37-392, 37-393, 37-394, 37-395, 37-396, 37-397, 37-398, 37-399, 37-400, and 37-401. The rights listed below are limited to the irrigation of a combined total of 2,126.9 acres in a single irrigation season. Combined Right Nos.: 37-390, 37-391, 37-392, 37-393, 37-394, 37-395, 37-396, 37-397, 37-398, 37-399, 37-400, 37-401, 37-2092, 37-2234, 37-2294, 37-2260A, and 37-2260B.

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

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PLACE OF USE (continued)

SENV 5.3

2126.9 Acres Total

The rights listed below are limited to the irrigation of a combined total of 2,126.9 acres in a single irrigation season. Combined Right Nos.: 37-390, 37-391, 37-392, 37-393, 37-394, 37-395, 37-396, 37-397, 37-398, 37-399, 37-400, 37-401, 37-2092, 37-2234, 37-2294, 37-2260A, and 37-2260B.

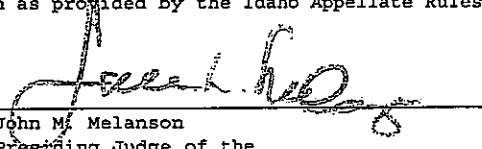
This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.

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.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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PLACE OF USE (continued)

SENW 5.3
2126.9 Acres Total

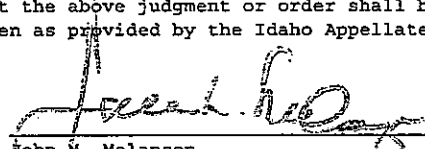
The rights listed below are limited to the irrigation of a combined total of 2,126.9 acres in a single irrigation season. Combined Right Nos.: 37-390, 37-391, 37-392, 37-393, 37-394, 37-395, 37-396, 37-397, 37-398, 37-399, 37-400, 37-401, 37-2092, 37-2234, 37-2294, 37-2260A, and 37-2260B. This right is limited to the irrigation of 140 acres within the place of use described above in a single irrigation season. The rights listed below are limited to the irrigation of a combined total of 165 acres in a single irrigation season. Combined Right Nos.: 37-2234 and 37-2294.

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

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PLACE OF USE (continued)

SEBW 5.3

2126.9 Acres Total

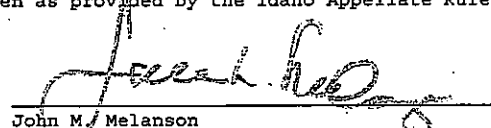
This right is limited to the irrigation of 47 acres within the place of use described above in a single irrigation season. The rights listed below are limited to the irrigation of a combined total of 2,126.9 acres in a single irrigation season. Combined Right Nos.: 37-390, 37-391, 37-392, 37-393, 37-394, 37-395, 37-396, 37-397, 37-398, 37-399, 37-400, 37-401, 37-2092, 37-2234, 37-2294, 37-2260A, and 37-2260B.

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

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 37-02260B

NAME AND ADDRESS: FLAT TOP SHEEP CO
PO BOX 99
CAREY, ID 83320

SOURCE: FRIEDMAN CREEK TRIBUTARY: SOUTH FORK MULDOON CREEK

QUANTITY: 0.60 CFS

PRIORITY DATE: 02/13/1913

POINT OF DIVERSION: T02N R21E S12 SESWSE Within Blaine County
S14 NENESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.60 CFS

PLACE OF USE:	Irrigation	Within Blaine County
	T02N R21E S13	NENW 26.5 NWNW 29.0
		SWNW 28.0 SENW 32.0
		NESW 12.0 NWSW 23.0
	S14	SWNE 5.1 SENE 25.0
		NESW 1.7 SESW 3.6
		NESE 40.0 NWSE 36.0
		SWSE 38.0 SESE 29.0
	S22	SESE 5.2
	S23	NENE 32.0 NWNW 8.7
		SWNE 34.0 SENE 36.0
		NENW 1.5 SENW 27.0
		NESW 40.0 NWSW 13.0
		SWSW 35.0 SESW 40.0
		NESE 40.0 NWSE 40.0
		SWSE 40.0 SESE 40.0
	S24	SWNW 38.0 NESW 18.0
		NWSW 39.0 SWSW 39.0
		SESW 17.0
	S25	NENW 13.0 NWNW 39.0
		SWNW 39.0 SENW 28.0
		NESW 18.0 NWSW 38.0
		SWSW 8.1
	S26	NENE 40.0 NWNW 40.0
		SWNE 40.0 SENE 40.0
		NENW 40.0 NWNW 40.0
		SWNW 40.0 SENW 40.0
		NESW 40.0 NWSW 40.0
		SWSW 37.0 SESW 32.0
		NESE 40.0 NWSE 40.0
		SWSE 32.0 SESE 28.0
	S27	NENE 35.0 NWNW 26.0
		SWNE 40.0 SENE 38.0
		NENW 2.5 SWNW 2.4
		SESW 35.0 NESW 17.0
		NWSW 2.8 SESW 3.1
		NESE 40.0 NWSE 40.0
		SWSE 20.0 SESE 19.0
	S35	NENE 13.0 NWNW 14.0
		SWNE 25.0 SENE 20.0
		NENW 16.0 NWNW 8.4

PLACE OF USE (continued)

SENV 5.3

2126.9 Acres Total

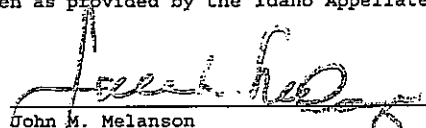
The rights listed below are limited to the irrigation of a combined total of 2,126.9 acres in a single irrigation season. Combined Right Nos.: 37-390, 37-391, 37-392, 37-393, 37-394, 37-395, 37-396, 37-397, 37-398, 37-399, 37-400, 37-401, 37-2092, 37-2234, 37-2294, 37-2260A, and 37-2260B. This right is limited to the irrigation of 30.5 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.


John M. Melanson
Presiding Judge of the
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 37-02294

NAME AND ADDRESS: FLAT TOP SHEEP CO
PO BOX 99
CAREY, ID 83320

SOURCE: FRIEDMAN CREEK TRIBUTARY: SOUTH FORK MULDOON CREEK

QUANTITY: 1.50 CFS

PRIORITY DATE: 08/12/1914

POINT OF DIVERSION: T02N R21E S12 SESWSE Within Blaine County
S14 NENESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	1.50 CFS

PLACE OF USE:	Irrigation		Within Blaine County
	T02N R21E S13	NENW 26.5	NWNW 29.0
		SWNW 28.0	SENW 32.0
		NESW 12.0	NWSW 23.0
	S14	SWNE 5.1	SENE 25.0
		NESW 1.7	SESW 3.6
		NESE 40.0	NWSE 36.0
		SWSE 38.0	SESE 29.0
	S22	SESE 5.2	
	S23	NENE 32.0	NWNE 8.7
		SWNE 34.0	SENE 36.0
		NENW 1.5	SENW 27.0
		NESW 40.0	NWSW 13.0
		SWSW 35.0	SESW 40.0
		NESE 40.0	NWSE 40.0
		SWSE 40.0	SESE 40.0
	S24	SWNW 38.0	NESW 18.0
		NWSW 39.0	SWSW 39.0
		SESW 17.0	
	S25	NENW 13.0	NWNW 39.0
		SWNW 39.0	SENW 28.0
		NESW 18.0	NWSW 38.0
		SWSW 8.1	
	S26	NENE 40.0	NWNE 40.0
		SWNE 40.0	SENE 40.0
		NENW 40.0	NWNW 40.0
		SWNW 40.0	SENW 40.0
		NESW 40.0	NWSW 40.0
		SWSW 37.0	SESW 32.0
		NESE 40.0	NWSE 40.0
		SWSE 32.0	SESE 28.0
	S27	NENE 35.0	NWNE 26.0
		SWNE 40.0	SENE 38.0
		NENW 2.5	SWNW 2.4
		SENW 35.0	NESW 17.0
		NWSW 2.8	SESW 3.1
		NESE 40.0	NWSE 40.0
		SWSE 20.0	SESE 19.0
	S35	NENE 13.0	NWNE 14.0
		SWNE 25.0	SENE 20.0
		NENW 16.0	NWNW 8.4

PLACE OF USE (continued)

SENV 5.3

2126.9 Acres Total

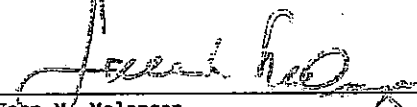
This right is limited to the irrigation of 150 acres within the place of use described above in a single irrigation season. The rights listed below are limited to the irrigation of a combined total of 2,126.9 acres in a single irrigation season. Combined Right Nos.: 37-390, 37-391, 37-392, 37-393, 37-394, 37-395, 37-396, 37-397, 37-398, 37-399, 37-400, 37-401, 37-2092, 37-2234, 37-2294, 37-2260A, and 37-2260B. The rights listed below are limited to the irrigation of a combined total of 165 acres in a single irrigation season. Combined Right Nos.: 37-2234 and 37-2294.

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on December 30, 2009, with sufficient first-class postage to the following:

UNITED STATES OF AMERICA

Represented by:

US DEPARTMENT OF JUSTICE

ENVIRONMENT & NATL' RESOURCES

550 WEST FORT STREET, MSC 033

BOISE, ID 83724

DIRECTOR OF IDWR

PO BOX 83720

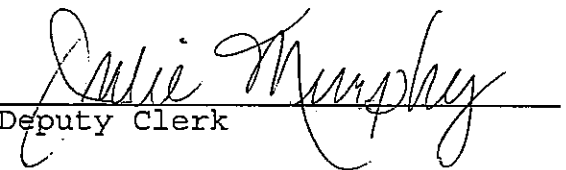
BOISE, ID 83720-0098

FLAT TOP SHEEP CO

PO BOX 99

CAREY, ID 83320

Phone: 208-788-2850

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line.