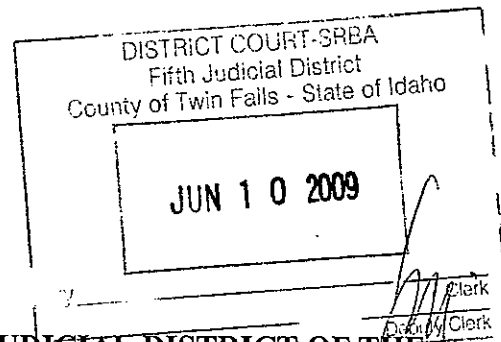


RECEIVED
JUN 11 2009
DEPARTMENT OF
WATER RESOURCES



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: 67-02372 & 67-08004
(Seward Prosser Mellon)

On March 12, 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 June 10, 2009


JOHN M. MELANSON
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)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 67-02372

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

JUN 10 2009

NAME AND ADDRESS: SEWARD PROSSER MELLON
PO BOX RKM
LIGONIER, PA 15658-0780

SOURCE: GROUND WATER

QUANTITY: 0.75 CFS
150.00 AFY

RIGHT NOS. 67-2372 AND 67-8004 ARE LIMITED TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1038 AF FOR IRRIGATION PURPOSES.
RIGHT NOS. 67-2372 AND 67-8004 ARE LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.61 CFS.

PRIORITY DATE: 09/19/1966

POINT OF DIVERSION: T12N R04W S05 SWSESW Within Washington County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.75 CFS 150.00 AFY

PLACE OF USE:	Irrigation	Within Washington County
	T12N R04W S09	NESE 4.5 NWSE 10.0 SWSE 7.0 SESE 16.0
	37.5 Acres Total	

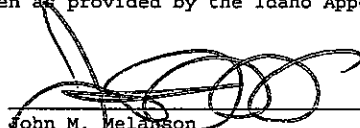
The rights listed below are limited to the irrigation of a
combined total of 230.3 acres in a single irrigation season.
Combined Right Nos.: 67-8004 & 67-2372

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 67-08004

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

JUN 10 2009

NAME AND ADDRESS: SEWARD PROSSER MELLON
PO BOX RKM
LIGONIER, PA 15658-0780

SOURCE: GROUND WATER
SPRINGS TRIBUTARY: THOUSAND SPRINGS CREEK
THOUSAND SPRINGS CREEK TRIBUTARY: WEISER RIVER

QUANTITY: 4.61 CFS
1060.00 AFY

Storage of water under the rights listed below are limited to a
combine total of 19.0 acre feet per year. Combined Right No(s):
67-8004, & 67-14110
Right Nos. 67-2372 and 67-8004 are limited to a total combined
annual diversion volume of 1038 AF for irrigation purposes.
Right Nos. 67-2372 and 67-8004 are limited to a total combined
diversion rate of 4.61 cfs.

PRIORITY DATE: 09/19/1996

POINT OF DIVERSION: T12N R04W S04 SWNWSE Within Washington County
NWSE
SWNE
LOT 2 (NWNE)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	4.61 CFS
			1038.00 AFY
	Irrigation Storage	01-01 TO 12-31	19.00 AFY
	Irrigation from Storage	03-01 TO 11-15	19.00 AFY
	Stockwater	01-01 TO 12-31	0.03 CFS
			1.30 AFY
	Stockwater Storage	01-01 TO 12-31	19.00 AFY
	Wildlife	01-01 TO 12-31	0.03 CFS
			1.30 AFY
	Wildlife Storage	01-01 TO 12-31	19.00 AFY
	Domestic	01-01 TO 12-31	0.06 CFS
			1.20 AFY
	Fire Protection Storage	01-01 TO 12-31	19.00 AFY
	Diversion to Storage	01-01 TO 12-31	4.61 CFS

Domestic use is for 2 homes.

PLACE OF USE:	Irrigation	Within Washington County
T12N R04W S04	SWNE 2.1	NWSE 1.8
S09	NENE 1.8	NWNE 13.0
	SWNE 9.2	SENE 21.0
	NESE 31.0	NWSE 4.9
	SESE 33.0	
S10	NWSW 10.0	SWSW 4.1
S15	NWNW 17.0	SWNW 19.0
	NWSW 19.0	
S16	NENE 24.0	SENE 16.0
	NESE 3.4	
	230.3 Acres Total	

PLACE OF USE (continued)

Irrigation Storage T12N R04W S04	NWSE	Within Washington County
Irrigation from Storage Same as Irrigation		Within Washington County
Stockwater Same as Irrigation		Within Washington County
Stockwater Storage T12N R04W S04	NWSE	Within Washington County
Wildlife Same as Irrigation		Within Washington County
Wildlife Storage T12N R04W S04	NWSE	Within Washington County
Domestic T12N R04W S04	NWSE	Within Washington County
Fire Protection Storage T12N R04W S04	NWSE	Within Washington County

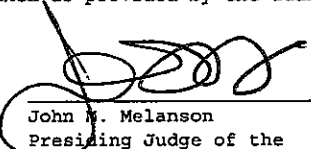
The rights listed below are limited to the irrigation of a combined total of 230.3 acres in a single irrigation season.
Combined Right Nos.: 67-8004 & 67-2372

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 June 10, 2009, with sufficient first-class postage to the following:

SEWARD PROSSER MELLON

Represented by:
SCOTT L CAMPBELL
101 S CAPITOL BLVD 10TH FLOOR
PO BOX 829
BOISE, ID 83701-0829
Phone: 208-345-2000

UNITED STATES OF AMERICA

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

SEWARD PROSSER MELLON

PO BOX RKM
LIGONIER, PA 15658-0780
Phone: 412-238-7085

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098