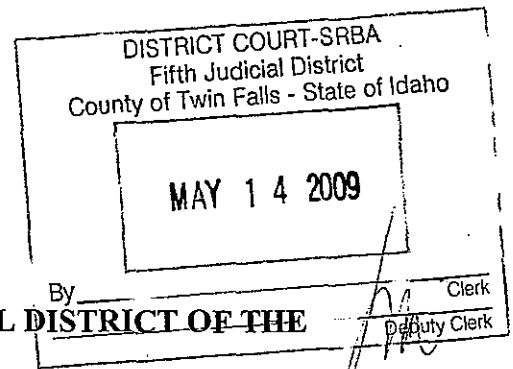


RECEIVED

MAY 15 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

)
) Water Right Nos.: See Attached Exhibit A
) (Kearns)
)
) ORDER OF PARTIAL DECREES
)
)

On February 21, 2007, the Idaho Department of Water Resources filed its *Director's Report for Basin 37, Part III, Reporting Area 16, for Irrigation and Other Water Rights*, which included recommendations for the above named water rights. No objections were filed and the time period for filing objections has expired.

On November 26, 2008, the Idaho Department of Water Resources filed an *Amended Notice of Completed Administrative Proceeding* and *Amended Director's Reports* notifying the Court of a substitution of party in each of the above named water rights. No objections were filed to the *Amended Director's Reports* and the time period for filing objections has expired.

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

DATED

May 14, 2009

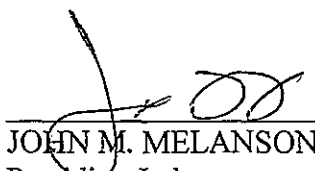

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A (KEARNS)

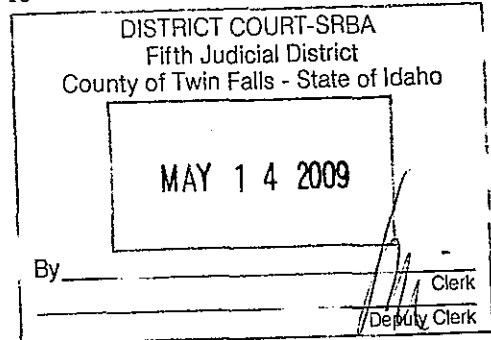
Subcase Nos:

37-21850
37-21867
37-21884
37-21901
37-21918

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 37-21850



NAME AND ADDRESS: GAIL GOODELL KEARNS
PO BOX 1262
HAILEY, ID 83333

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.08 CFS

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION: T02N R18E S36 NESWNW Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.08 CFS

PLACE OF USE: Irrigation Within Blaine County
T01N R19E S07 LOT 3 (NWSW) 5.0
5.0 Acres Total

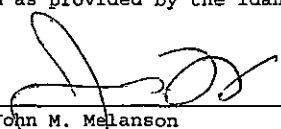
Right Nos. 37-21850, 37-21867, 37-21884, 37-21901 and 37-21918
are limited to the irrigation of a combined total of 5 acres in
a single irrigation season.

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.



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 37-21867

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

MAY 14 2009

By _____ Clerk
_____ Deputy Clerk

NAME AND ADDRESS: GAIL GOODELL KEARNS
PO BOX 1262
HAILEY, ID 83333

LISA N EMERICK
PO BOX 266
HAILEY, ID 83333

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.005 CFS

PRIORITY DATE: 07/10/1884

POINT OF DIVERSION: T02N R18E S36 NESWNW Within Blaine County

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.005 CFS

PLACE OF USE: Irrigation Within Blaine County
T01N R19E S07 LOT 3 (NWSW) 5.0
5.0 Acres Total

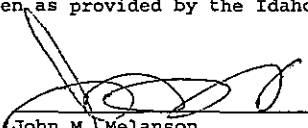
Right Nos. 37-21850, 37-21867, 37-21884, 37-21901 and 37-21918
are limited to the irrigation of a combined total of 5 acres in
a single irrigation season.

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
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judgment upon which execution may issue and an appeal may be taken, as provided by the Idaho Appellate Rules.

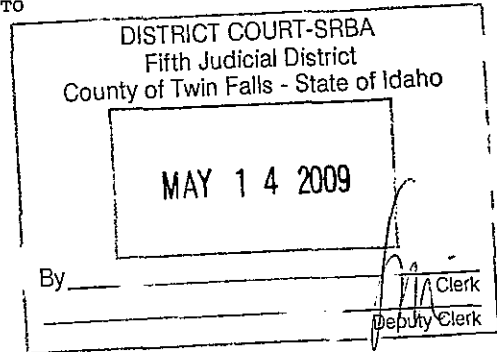

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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 37-21884



NAME AND ADDRESS: GAIL GOODELL KEARNS
PO BOX 1262
HAILEY, ID 83333

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.05 CFS

PRIORITY DATE: 09/18/1885

POINT OF DIVERSION: T02N R18E S36 NESWNW Within Blaine County

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.05 CFS

PLACE OF USE: Irrigation Within Blaine County
T01N R19E S07 LOT 3 (NWSW) 5.0
5.0 Acres Total

Right Nos. 37-21850, 37-21867, 37-21884, 37-21901 and 37-21918
are limited to the irrigation of a combined total of 5 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
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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

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John M. Melanson
Presiding Judge of the
Shake 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 37-21901

NAME AND ADDRESS: GAIL GOODELL KEARNS
PO BOX 1262
HAILEY, ID 83333

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.005 CFS

PRIORITY DATE: 06/12/1886

POINT OF DIVERSION: T02N R18E S36 NESWNW Within Blaine County

PURPOSE AND	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PERIOD OF USE:	Irrigation	04-15 TO 10-31	0.005 CFS

PLACE OF USE: Irrigation Within Blaine County
T01N R19E S07 LOT 3 (NWSW) 5.0
5.0 Acres Total

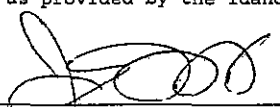
Right Nos. 37-21850, 37-21867, 37-21884, 37-21901 and 37-21918
are limited to the irrigation of a combined total of 5 acres in
a single irrigation season.

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

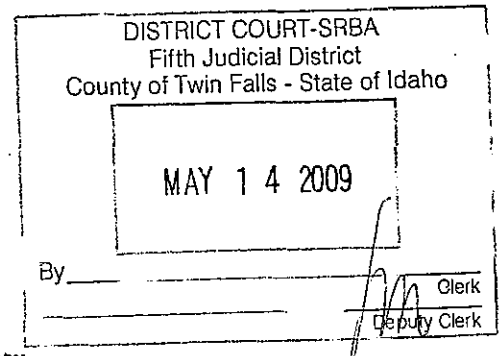
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
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John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



In Re SRBA	)	PARTIAL DECREE PURSUANT TO
	)	I.R.C.P. 54 (b) FOR
Case No. 39576	)	
	)	Water Right 37-21918

PAGE 1
May-01-2009

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on May 14, 2009, with sufficient first-class postage to the following:

GAIL GOODELL KEARNS
PO BOX 1262
HAILEY, ID 83333

LISA N EMERICK
PO BOX 266
HAILEY, ID 83333
Phone: 208-788-9526

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

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