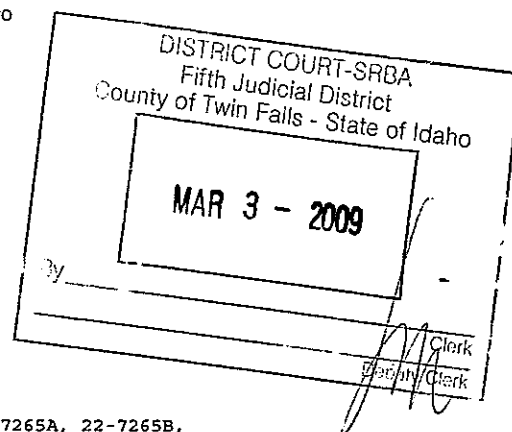


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MAR 05 2009
DEPARTMENT OF
WATER RESOURCES

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 22-07270



NAME AND ADDRESS: M & B ENTERPRISES LTD
PARTNERSHIP
PO BOX 326
ST ANTHONY, ID 83445

SOURCE: TETON RIVER TRIBUTARY: HENRYS FORK

QUANTITY: 18.00 CFS
3784.50 AFY

Use of this right with Right Nos. 22-7205, 22-7265A, 22-7265B,
22-7270, and 22-7314 are limited to a total combined
(re)diversion capacity of 24.5 cfs and to a total combined
annual diversion volume of 9590.7 AF.

PRIORITY DATE: 03/02/1978

POINT OF DIVERSION: T07N R42E S23 SENWSE Within Fremont County

Four points of diversion are located at the point of diversion
described above.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 07-15	18.00 CFS 3784.50 AFY

The use of water for irrigation under this right may continue to
as late as October 31, provided other elements of the right are
not exceeded. The use of water after July 15 under this remark
is subordinate to all water rights having no subordinated early
or late irrigation use and a priority date earlier than the date
a partial decree is entered for this right.

PLACE OF USE:	Irrigation		Within Fremont County
	T07N R42E S02	SWSW 4.0	
	S03	SESE 24.0	
	S10	NENE 20.0	NWNE 31.0
		SWNE 30.0	SENE 37.0
		NENW 20.0	SENE 36.0
		NESW 33.0	NWSW 30.0
		NESE 38.0	NWSE 38.0
		SWSE 25.0	SESE 37.0
	S11	NENW 0.3	NWNW 34.0
		SWNW 38.0	SENE 0.2
		NESW 1.6	NWSW 30.0
		SWSW 40.0	SESE 40.0
		SWSE 40.0	SESE 30.0
	S12	SWSW 5.5	SESE 0.6
		SWSE 2.4	SESE 1.6
	S13	NENE 37.0	NWNE 39.0
		SWNE 33.0	SENE 36.0
		NENW 34.0	NWNW 38.0
		SWNW 34.0	SENE 29.0
		NESW 40.0	NWSW 39.0
		SWSW 38.0	SESE 39.0
		NESE 35.0	NWSE 40.0
		SWSE 39.0	SESE 39.0

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

PLACE OF USE (continued)

S14	NENE	35.0	NWNE	40.0
	SWNE	30.0	SENE	28.0
	NENW	34.0	NWNW	35.0
	SWNW	40.0	SENW	37.0
	NESW	40.0	NWSW	37.0
	SWSW	2.7	SESW	29.0
	NESE	26.0	NWSE	39.0
S15	SWSE	40.0	SESE	40.0
	NENE	23.0	SWNE	19.0
	SENE	39.0	NESE	19.0
S23	NWSE	18.0		
	NENE	40.0	NWNE	26.0
	SWNE	1.1	SENE	25.0
S24	NENW	3.4		
	NENE	40.0	NWNE	40.0
	SWNE	39.0	SENE	40.0
	NENW	40.0	NWNW	39.0
	SWNW	36.0	SENW	37.0
	NESE	20.0	NWSE	8.2
R43E S18 LOT 4	(SWSW)	0.7	SESW	0.4
S19	NENE	40.0	NWNE	40.0
	SWNE	40.0	SENE	40.0
	NENW	40.0	(NWNW)	41.0
LOT 2	(SWNW)	41.0	SENW	35.0
	NESW	2.2	(NWSW)	21.0
	NESE	27.0	NWSE	27.0
	SWSE	3.3		
2740.2 Acres Total				

This right is limited to the irrigation of 2154 acres within the place of use described above in a single irrigation season. Place of use does not include federal public lands unless authorized in writing by the United States Bureau of Reclamation.

Right Nos. 22-7205, 22-7265A, 22-7265B, 22-7270, and 22-7314 are limited to the irrigation of a combined total of 2740.2 acres in a single irrigation season.

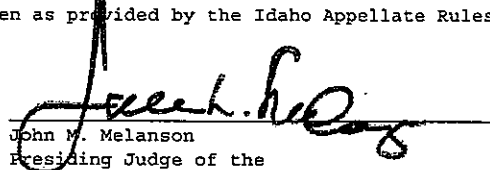
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is subject to regulation by the watermaster of Water District No 01. Totalizing measuring devices shall be maintained at all points of diversion.

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