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FEB 20 2009

DEPARTMENT OF  
WATER RESOURCES

|                                                                                         |
|-----------------------------------------------------------------------------------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |
| FEB 19 2009                                                                             |

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 DECREE

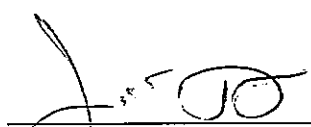
Subcase No. 75-10705  
(Jackson)

On December 24, 2008, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. 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 Recommendation* and wholly adopts them as its own.

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

DATED February 19, 2009

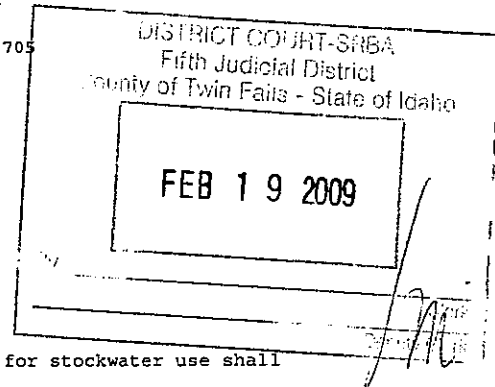
  
JOHN M. MELANSON  
Presiding Judge  
Snake River Basin Adjudication

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 75-10705



NAME AND ADDRESS: DONNA K JACKSON  
THOMAS M JACKSON  
PO BOX 47  
CARMEN, ID 83462

SOURCE: SPRING TRIBUTARY: CARMEN CREEK

QUANTITY: 0.168 CFS

The quantity of water under this right for stockwater use shall  
not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1915

POINT OF DIVERSION: T22N R22E S02 NWSWN Within Lemhi County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY  |
|-------------------------------|----------------|----------------|-----------|
|                               | Irrigation     | 04-01 TO 10-31 | 0.168 CFS |
|                               | Stockwater     | 01-01 TO 12-31 | 0.02 CFS  |

PLACE OF USE: Irrigation Within Lemhi County  
T22N R22E S03 SENE 8.4  
8.4 Acres Total

Stockwater Within Lemhi County  
T22N R22E S03 SENE

The rights listed below are limited to the irrigation of a  
combined total of 8.4 acres in a single irrigation season.  
Combined Right Nos.: 75-70S, 75-10062AB and 75-10705

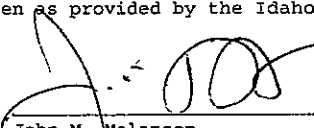
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for  
stockwater use is not a determination of historical beneficial  
use.

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

2009 FEB 19 PM 02:00  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

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     | ) | CERTIFICATE OF MAILING   |
|                | ) |                          |
| Case No. 39576 | ) |                          |
| _____          | ) | Water Right(s): 75-10705 |

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE  
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 75-10705 was mailed  
on February 19, 2009, with sufficient first-class postage prepaid  
to the following:

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

JIM HUDSON  
PO BOX 173  
CARMEN, ID 83462  
Phone: 208-756-3193

DONNA K JACKSON  
THOMAS M JACKSON  
PO BOX 47  
CARMEN, ID 83462  
Phone: 208-756-8047

JULIE MURPHY  
Chief Deputy Clerk