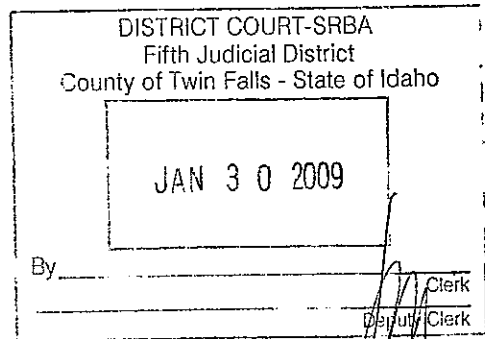


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )  
Case No. 39576 )  
\_\_\_\_\_ )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 75-10061AN



NAME AND ADDRESS: BRUCE A MC FARLAND  
PO BOX 124  
CARMEN, ID 83462  
  
DAVID M MC FARLAND  
THOMAS L MC FARLAND  
PO BOX 125  
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.29 CFS

PRIORITY DATE: 05/01/1875

POINT OF DIVERSION: T23N R22E S13 SWSWSE Within Lemhi County  
S24 SENENW  
S25 NENENW

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Irrigation     | 04-01 TO 10-31 | 0.29 CFS |

| PLACE OF USE: | Irrigation        | Within Lemhi County |
|---------------|-------------------|---------------------|
| T23N R22E S23 | NESE 7.4          | SESE 16.0           |
| S24           | NENW 9.5          | NWNW 0.3            |
|               | SWNW 24.0         | SENW 9.6            |
|               | NESW 12.0         | NWSW 32.0           |
|               | SWSW 36.0         | SESW 18.0           |
| S25           | NENW 11.0         | NWNW 37.0           |
|               | SWNW 28.0         | NWSW 1.8            |
| S26           | NENE 28.0         | SENE 10.0           |
|               | NESE 0.1          |                     |
|               | 280.7 Acres Total |                     |

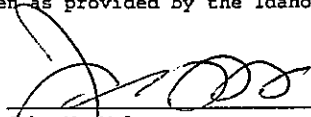
The rights listed below are limited to the irrigation of a combined total of 280.7 acres in a single irrigation season. Combined Right Nos.: 75-63A, 75-77B, 75-2002, 75-2128, 75-4341, 75-10061AN & 75-10923.

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

DEPARTMENT OF  
WATER RESOURCES

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

JAN 30 2009

By \_\_\_\_\_ Clerk  
\_\_\_\_\_  
Deputy Clerk

JUDICIAL DISTRICT OF THE  
COUNTY OF TWIN FALLS

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 (McFarland)**

On October 22, 2008, 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 January 30, 2009

JOHN M. MELANSON  
Presiding Judge  
Snake River Basin Adjudication

EXHIBIT A (MC FARLAND)

Subcase Nos:

75-00063A  
75-00077B  
75-02002  
75-02128  
75-10061AN  
75-10923

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on January 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

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