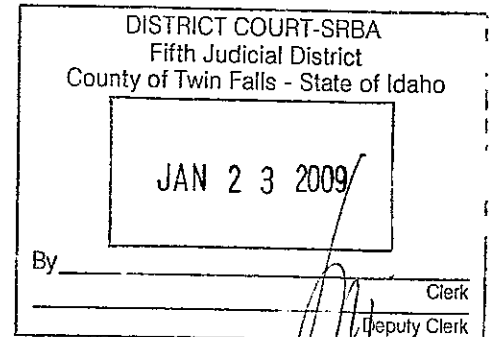


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 ) Water Right 75-14469



NAME AND ADDRESS: SHERRI S AUEN  
22 AVENIDA ANDRA  
PALM DESERT, CA 92260  
SOURCE: NORTH FORK SALMON RIVER TRIBUTARY: SALMON RIVER  
QUANTITY: 0.28 CFS  
PRIORITY DATE: 04/01/1908  
POINT OF DIVERSION: T25N R21E S28 SWNW Within Lemhi County  
S33 SWNW

PURPOSE AND  
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY  
Irrigation 04-01 TO 11-01 0.28 CFS

PLACE OF USE: Irrigation Within Lemhi County  
T25N R21E S33 SWSW 10.0 SESW 4.5  
14.5 Acres Total

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

RECEIVED

JAN 26 2009

DEPARTMENT OF  
WATER RESOURCES

|                                                                                         |              |
|-----------------------------------------------------------------------------------------|--------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |              |
| JAN 23 2009                                                                             |              |
| By _____                                                                                | Clerk        |
| _____                                                                                   | Deputy Clerk |

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  
(Cummings/Auen/Walker/Meyers/Holden/  
Kirschenmann)

On November 5, 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 23, 2009.

  
JOHN M. MELANSON  
Presiding Judge  
Snake River Basin Adjudication

EXHIBIT A (CUMMINGS, ET AL.)

Subcase Nos:

75-14468  
75-14469  
75-14470  
75-14471  
75-14474  
75-14524  
75-14525

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on January 23, 2009, with sufficient first-class postage to the following:

GORDEN R KIRSCHENMANN  
MOUNTAIN K CUTLERY  
2322 US HWY 93 N  
NORTH FORK, ID 83466

MICHAEL CUMMINGS  
PO BOX 132  
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CHARLES M MEYERS  
DARCI A MEYERS  
MELVIN J MEYERS  
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JON CUMMINGS  
NANCY CUMMINGS  
PO BOX 202  
NORTH FORK, ID 83466

GORDEN R KIRSCHENMANN  
PO BOX 551  
RIRIE, ID 83467-5147

DIRECTOR OF IDWR  
PO BOX 83720  
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SHIRLEY A WALKER  
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