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JAN 21 2009

DEPARTMENT OF  
WATER RESOURCES

|                                                                                         |
|-----------------------------------------------------------------------------------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |
| JAN 16 2009                                                                             |
| By _____<br>Clerk<br>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  
(Aldous)

On October 29, 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 16, 2009.

  
JOHN M. MELANSON  
Presiding Judge  
Snake River Basin Adjudication

EXHIBIT A (ALDOUS)

Subcase Nos:

75-14283  
75-14285  
75-14287  
75-14289  
75-14365

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 75-14283

NAME AND ADDRESS: ARTHUR ALDOUS  
BOX 44  
CARMEN, ID 83462  
JOHN ALDOUS  
PO BOX 44  
CARMEN, ID 83462  
SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER  
QUANTITY: 1.44 CFS  
PRIORITY DATE: 05/01/1885  
POINT OF DIVERSION: T22N R22E S02 SENWNW Within Lemhi County  
SWSWNW  
LOT 3 (NENW )  
T23N R22E S36 NENWSW

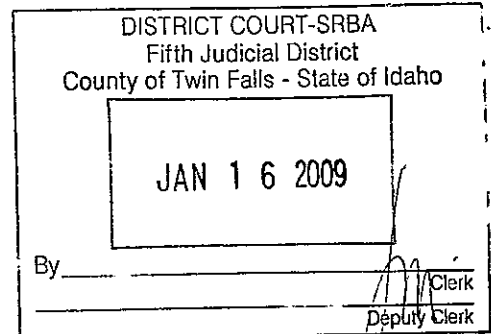
| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Irrigation     | 04-01 TO 10-31 | 1.44 CFS |

| PLACE OF USE: | Irrigation        | Within Lemhi County |
|---------------|-------------------|---------------------|
| T22N R22E S03 | NESW 1.0          | SWSW 4.7            |
|               | SESW 32.0         | NESE 0.8            |
|               | NWSE 13.0         | SWSE 28.0           |
|               | SESE 0.5          |                     |
| S10           | NWNE 34.0         | SWNE 6.2            |
|               | NENW 35.0         | NWNW 0.8            |
|               | SWNW 21.0         | SENW 37.0           |
|               | 214.0 Acres Total |                     |

This right is limited to the irrigation of 145 acres within the place of use described above in a single irrigation season. The rights listed below are limited to the irrigation of a combined total of 214 acres in a single irrigation season. Combined Right Nos.: 75-14283, 75-14285, 75-14287, 75-14289 and 75-14365.  
PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LANDS

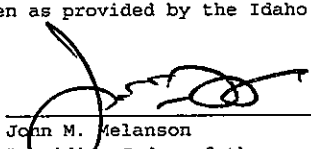
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 75-14285

NAME AND ADDRESS: ARTHUR ALDOUS  
BOX 44  
CARMEN, ID 83462  
JOHN ALDOUS  
PO BOX 44  
CARMEN, ID 83462  
SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER  
QUANTITY: 1.91 CFS  
PRIORITY DATE: 05/01/1888  
POINT OF DIVERSION: T22N R22E S02 SWSWNE Within Lemhi County  
SENWNW  
LOT 3 (NENW )  
T23N R22E S36 NENWSW

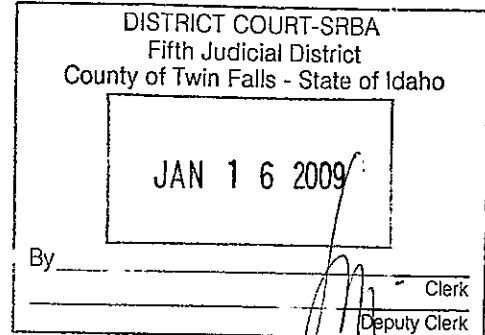
PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY  
Irrigation 04-01 TO 10-31 1.91 CFS

PLACE OF USE: Irrigation Within Lemhi County  
T22N R22E S03 NESW 1.0 SWSW 4.7  
SESW 32.0 NESE 0.8  
NWSE 13.0 SWSE 28.0  
SESE 0.5  
S10 NWNE 34.0 SWNE 6.2  
NENW 35.0 NWNW 0.8  
SWNW 21.0 SENW 37.0  
214.0 Acres Total

This right is limited to the irrigation of 145 acres within the place of use described above in a single irrigation season. The rights listed below are limited to the irrigation of a combined total of 214 acres in a single irrigation season. Combined Right Nos.: 75-14283, 75-14285, 75-14287, 75-14289 and 75-14365.  
PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LANDS.

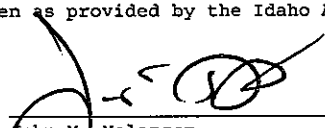
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

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John M. Melanson  
Residing 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 )  
Water Right 75-14287

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR

NAME AND ADDRESS: ARTHUR ALDOUS  
BOX 44  
CARMEN, ID 83462

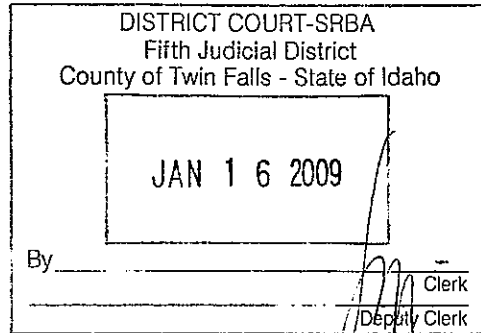
JOHN ALDOUS  
PO BOX 44  
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 1.11 CFS

PRIORITY DATE: 05/01/1875

POINT OF DIVERSION: T22N R22E S02 SENWNW Within Lemhi County  
SWSWNW  
NENW  
T23N R22E S36 NENWSW



| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Irrigation     | 04-01 TO 10-31 | 1.11 CFS |

| PLACE OF USE: | Irrigation        | Within Lemhi County |
|---------------|-------------------|---------------------|
| T22N R22E S03 | NESW 1.0          | SWSW 4.7            |
|               | SESW 32.0         | NESE 0.8            |
|               | NWSE 13.0         | SWSE 28.0           |
|               | SESE 0.5          |                     |
| S10           | NWNE 34.0         | SWNE 6.2            |
|               | NENW 35.0         | NWNW 0.8            |
|               | SWNW 21.0         | SENW 37.0           |
|               | 214.0 Acres Total |                     |

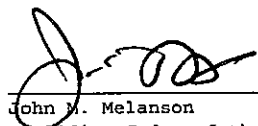
The rights listed below are limited to the irrigation of a combined total of 214 acres in a single irrigation season. Combined Right Nos.: 75-14283, 75-14285, 75-14287, 75-14289 and 75-14365.  
PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LANDS.

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 75-14289

NAME AND ADDRESS: ARTHUR ALDOUS  
BOX 44  
CARMEN, ID 83462  
JOHN ALDOUS  
PO BOX 44  
CARMEN, ID 83462  
SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER  
QUANTITY: 0.61 CFS  
PRIORITY DATE: 05/01/1882  
POINT OF DIVERSION: T22N R22E S02 SENWNW Within Lemhi County  
SWSWNW  
LOT 3 (NENW )  
T23N R22E S36 NENWSW

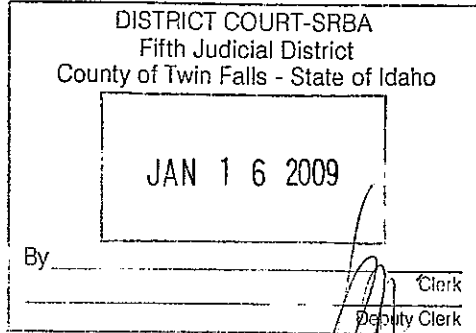
PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY  
Irrigation 04-01 TO 10-31 0.61 CFS

PLACE OF USE: Irrigation Within Lemhi County  
T22N R22E S03 NESW 1.0 SWSW 4.7  
SESW 32.0 NESE 0.8  
NWSE 13.0 SWSE 28.0  
SESE 0.5  
S10 NWNE 34.0 SWNE 6.2  
NENW 35.0 NWNW 0.8  
SWNW 21.0 SENW 37.0  
214.0 Acres Total

The rights listed below are limited to the irrigation of a combined total of 214 acres in a single irrigation season.  
Combined Right Nos.: 75-14283, 75-14285, 75-14287, 75-14289 and 75-14365.  
PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LANDS.

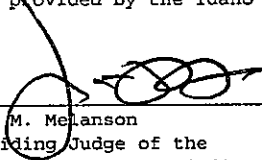
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

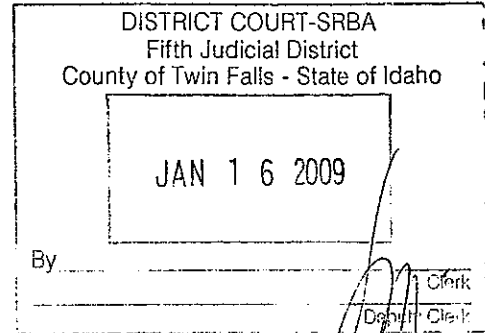
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\_\_\_\_\_  
John M. Mellanson  
Presiding Judge of the  
Snake River Basin Adjudication

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 75-14365

NAME AND ADDRESS: ARTHUR ALDOUS  
BOX 44  
CARMEN, ID 83462  
JOHN ALDOUS  
PO BOX 44  
CARMEN, ID 83462  
SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER  
QUANTITY: 3.49 CFS  
PRIORITY DATE: 04/01/1915  
POINT OF DIVERSION: T22N R22E S02 SENWNW Within Lemhi County  
SWSWNW  
LOT 3 (NENW )



| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Irrigation     | 04-01 TO 10-31 | 3.49 CFS |

| PLACE OF USE:     | Irrigation                                     | Within Lemhi County               |
|-------------------|------------------------------------------------|-----------------------------------|
| T22N R22E S03     | NESW 1.0<br>SESW 32.0<br>NWSE 13.0<br>SESE 0.5 | SWSW 4.7<br>NESE 0.8<br>SWSE 28.0 |
| S10               | NWNE 34.0<br>NENW 35.0<br>SWNW 21.0            | SWNE 6.2<br>NWNW 0.8<br>SENW 37.0 |
| 214.0 Acres Total |                                                |                                   |

The rights listed below are limited to the irrigation of a combined total of 214 acres in a single irrigation season. Combined Right Nos.: 75-14283, 75-14285, 75-14287, 75-14289 and 75-14365.  
PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LANDS.

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

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on January 16, 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

ARTHUR ALDOUS  
BOX 44  
CARMEN, ID 83462  
Phone: 208-940-0816

JOHN ALDOUS  
PO BOX 44  
CARMEN, ID 83462  
Phone: 208-940-0816

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

ORDER

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Deputy Clerk