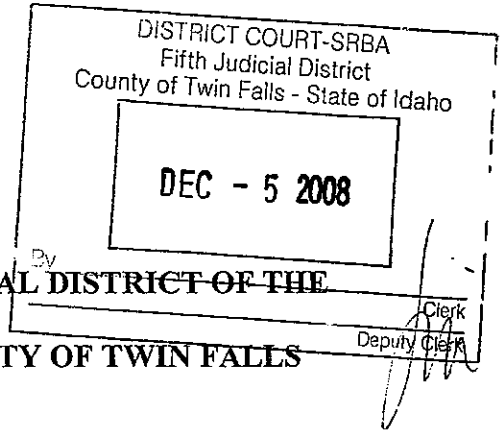


RECEIVED

DEC 08 2008

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

Case No. 39576

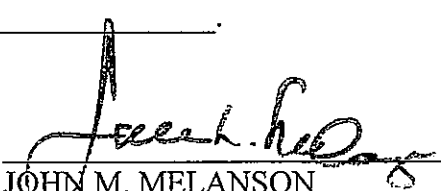
)
) **Water Rights: 75-14570 & 75-14571**
)
) **ORDER OF PARTIAL DECREES**
) **(Tolman / Schwartz)**
)
)

On January 11, 2007, the Idaho Department of Water Resources filed its *Director's Report for Basin 75, Part 1, Reporting Area 23, for Irrigation and Other Water Rights*, which included a recommendation for water right 75-04209.

On November 10, 2008, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Reports* notifying the Court that water right 75-04209 had been split into water rights **75-14570 and 75-14571**. No objections were filed to the *Amended Director's Reports* and the time period for filing objections has expired.

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

DATED December 8, 2008


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 75-14570

NAME AND ADDRESS:

KATHY TOLMAN
125 WILLIAMS CREEK RD
SALMON, ID 83467

EDWARD REX TOLMAN
41 CORBETT LN
SALMON, ID 83467

SOURCE: PERREAU CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 2.08 CFS

PRIORITY DATE: 05/20/1898

POINT OF DIVERSION: T20N R21E S01 LOT 4 (SWNNW) Within Lemhi County
S02 LOT 2 (NWNWNE)

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Irrigation

PERIOD OF USE
04-01 TO 10-31

QUANTITY
2.08 CFS

PLACE OF USE:

Irrigation

Within Lemhi County

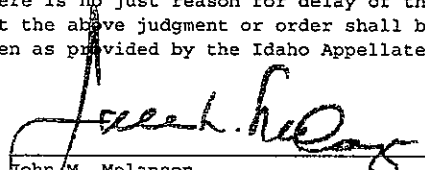
T20N R21E S01	SENE 0.6	NESE 14.0
R22E S06 LOT 4	(NENW) 26.0	LOT 5 (NWNW) 13.0
	SWNW 31.3	SENE 7.6
LOT 7	(NWSW) 11.0	
103.5 Acres Total		

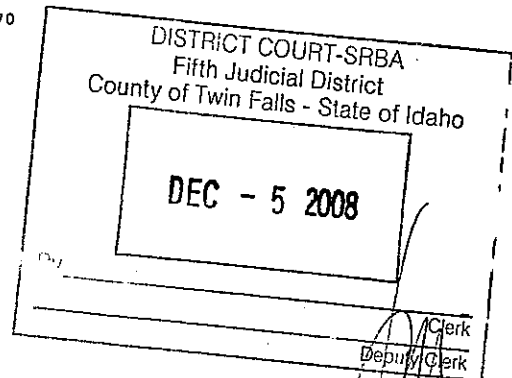
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

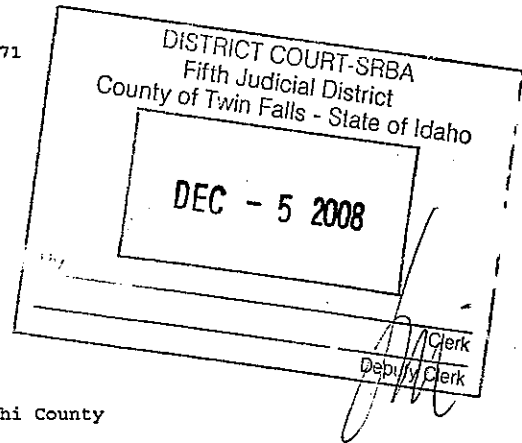

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



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 75-14571



NAME AND ADDRESS: CARY SCHWARTZ
ROSE SCHWARTZ
10 SUMMER CREEK DR
SALMON, ID 83467

SOURCE: PERREAU CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.10 CFS

PRIORITY DATE: 05/20/1898

POINT OF DIVERSION: T20N R21E S01 LOT 4 (SWNNWN) Within Lemhi County
S02 LOT 2 (NWNWNE)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.10 CFS

PLACE OF USE: Irrigation Within Lemhi County

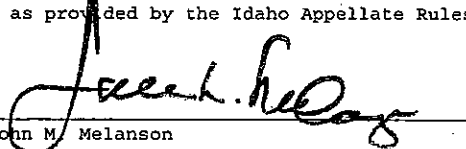
T20N R21E S01	SENE 0.5	NESE 1.0
R22E S06 LOT 6	(SWNW) 1.7	LOT 7 (NWSW) 2.0
5.2 Acres Total		

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on December 05, 2008, with sufficient first-class postage to the following:

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

CARY SCHWARTZ
ROSE SCHWARTZ
10 SUMMER CREEK DR
SALMON, ID 83467

KATHY TOLMAN
125 WILLIAMS CREEK RD
SALMON, ID 83467

EDWARD REX TOLMAN
41 CORBETT LN
SALMON, ID 83467