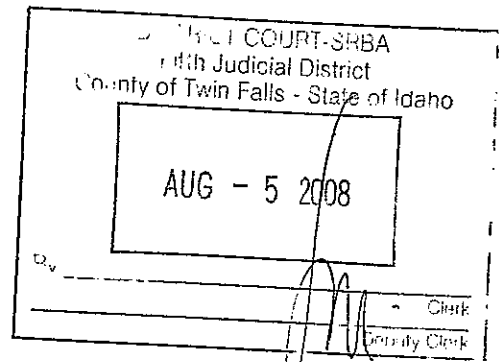




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREE

For Water Right: 02-02441

On May 28, 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

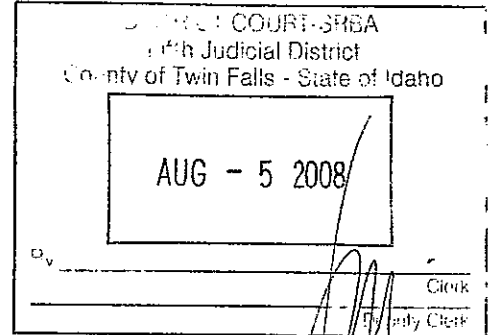
August 5, 2008

  
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 )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 ) Water Right 02-02441



NAME AND ADDRESS: EDITH NETTLETON TESTAMENTARY  
TRUST  
PO BOX 267  
BOISE, ID 83701

ROBERT C NETTLETON  
16476 STATE HWY 78  
MELBA, ID 83641

STEPHEN J NETTLETON  
23938 STATELINE RD  
PARMA, ID 83660

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.71 CFS

This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the lands above.  
Rights 2-2027A and 2-2441 when combined shall not exceed a total diversion rate of 1.71 cfs.

PRIORITY DATE: 09/16/1951

POINT OF DIVERSION: T01S R02W S28 LOT 4 (SWNENW) Within Owyhee County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Irrigation     | 03-01 TO 11-15 | 1.71 CFS |

PLACE OF USE: Irrigation Within Owyhee County

|                     |             |       |             |
|---------------------|-------------|-------|-------------|
| T01S R02W S21 LOT 5 | (NWSW) 5.0  | LOT 6 | (SWSW) 28.0 |
| S28 LOT 4           | (NENW) 43.0 |       | SWNW 15.0   |
| LOT 5               | (SENW) 17.0 |       |             |
| 108.0 Acres Total   |             |       |             |

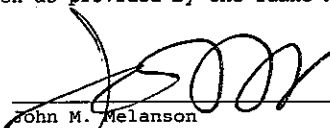
Use of this right with Right Nos. 2-02027A, 57-04042, and 57-10245 is limited to the irrigation of a combined total of 116 acres in a single irrigation season.

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

2008 AUG 05 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 )  
 )  
Case No. 39576 )  
\_\_\_\_\_ )

CERTIFICATE OF MAILING

Water Right(s): 02-02441

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 02-02441 was mailed  
on August 05, 2008, with sufficient first-class postage prepaid  
to the following:

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

EDITH NETTLETON TESTAMENTARY  
TRUST  
PO BOX 267  
BOISE, ID 83701

ROBERT C NETTLETON  
16476 STATE HWY 78  
MELBA, ID 83641

STEPHEN J NETTLETON  
23938 STATELINE RD  
PARMA, ID 83660

JULIE MURPHY  
Chief Deputy Clerk