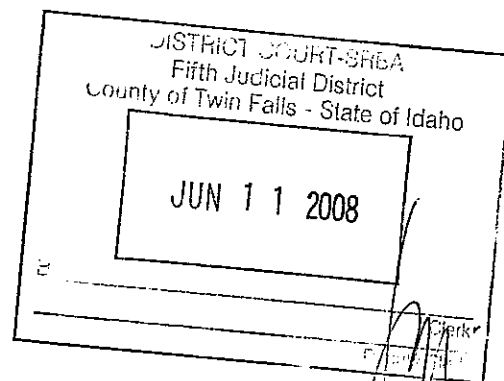




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREES

Subcases: 55-02181 & 55-02210  
(Jackson)

On December 27, 2007, 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 June 11, 2008

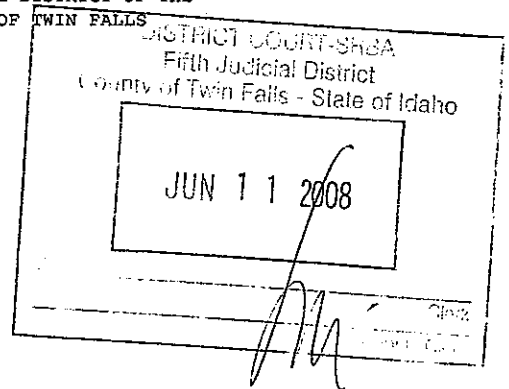
  
JOHN M. MELANSON  
Presiding Judge  
Snake River Basin Adjudication

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 55-02181



NAME AND ADDRESS: NANCY JACKSON  
PETER JACKSON  
24473 RIDDLE RANCH RD  
BRUNEAU, ID 83604-5512

SOURCE: SQUAW CREEK TRIBUTARY: PAYNE CREEK

POINT OF INJECTION INTO AND POINTS OF REDIVERSION FROM PAYNE  
CREEK.

QUANTITY: 895.00 AFY

FACILITY VOLUME 1140 AF.

PRIORITY DATE: 11/07/1959

|                     |               |                    |                      |
|---------------------|---------------|--------------------|----------------------|
| POINT OF DIVERSION: | T14S R03E S08 | NWSE (Injection)   | Within Owyhee County |
|                     |               | NWSE (Rediversion) |                      |
|                     | S17           | SESW (Rediversion) |                      |
|                     | S19           | NENE (Rediversion) |                      |
|                     |               | SENE (Rediversion) |                      |
|                     | S20           | NENW (Rediversion) |                      |
|                     |               | NWNW (Rediversion) |                      |
|                     | S21           | SENW (Rediversion) |                      |
|                     | S22           | SWNW (Rediversion) |                      |
|                     |               | SENW               |                      |
|                     | S30           | NENW (Rediversion) |                      |
|                     |               | NWNW (Rediversion) |                      |

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE          | PERIOD OF USE  | QUANTITY   |
|-------------------------------|-------------------------|----------------|------------|
|                               | Irrigation Storage      | 01-01 TO 12-31 | 895.00 AFY |
|                               | Irrigation from Storage | 05-01 TO 11-01 | 895.00 AFY |

PLACE OF USE: Irrigation Storage Within Owyhee County  
Same as Irrigation from Storage

| Irrigation from Storage |           | Within Owyhee County |  |
|-------------------------|-----------|----------------------|--|
| T14S R02E S25           | NENE 37.0 | NWNE 22.0            |  |
|                         | SWNE 33.0 | SENE 40.0            |  |
|                         | SENW 3.0  | NESW 33.0            |  |
|                         | SWSW 40.0 | SESW 40.0            |  |
|                         | NESE 40.0 | NWSE 40.0            |  |
|                         | SWSE 40.0 | SESE 34.0            |  |
| S36                     | NENE 3.0  | NWNE 36.0            |  |
|                         | SWNE 32.0 | SENE 1.0             |  |
|                         | NENW 40.0 | NWNW 4.0             |  |
|                         | SWNW 2.0  | SENW 31.0            |  |
|                         | NESW 29.0 | NWSW 3.0             |  |
|                         | SWSW 19.0 | SESW 40.0            |  |
|                         | NESE 1.0  | NWSE 28.0            |  |
|                         | SWSE 28.0 |                      |  |
| R03E S08                | SESW 9.0  | NESE 3.0             |  |
|                         | NWSE 25.0 | SWSE 40.0            |  |
|                         | SESE 17.0 |                      |  |
| S16                     | NESW 35.0 | NWSW 25.0            |  |
|                         | SWSW 38.0 | SESW 40.0            |  |
| S17                     | NENE 27.0 | NWNE 40.0            |  |

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

|       |             |       |             |
|-------|-------------|-------|-------------|
|       | SWNE 40.0   |       | SENE 19.0   |
|       | NENW 39.0   |       | NWNW 8.0    |
|       | SWNW 25.0   |       | SENW 40.0   |
|       | NESW 40.0   |       | NWSW 6.0    |
|       | SWSW 35.0   |       | SESW 40.0   |
|       | NESE 5.0    |       | NWSE 40.0   |
|       | SWSE 21.0   |       | SESE 7.0    |
| S18   | SESE 11.0   |       |             |
| S19   | NENE 40.0   |       | NWNE 13.0   |
|       | SWNE 34.0   |       | SENE 40.0   |
|       | NESW 21.0   | LOT 4 | (SWSW) 10.0 |
|       | SESW 38.0   |       | NESE 40.0   |
|       | NWSE 40.0   |       | SWSE 40.0   |
|       | SESE 33.0   |       |             |
| S20   | NENE 6.0    |       | NWNE 40.0   |
|       | SWNE 40.0   |       | SENE 33.0   |
|       | NENW 34.66  |       | NWNW 40.0   |
|       | SWNW 33.14  |       | SENW 35.35  |
|       | NESW 40.0   |       | NWSW 39.16  |
|       | SWSW 40.0   |       | SESW 40.0   |
|       | NESE 40.0   |       | NWSE 40.0   |
|       | SWSE 40.0   |       | SESE 40.0   |
| S21   | SWNE 35.0   |       | SENE 17.0   |
|       | NENW 38.0   |       | NWNW 34.0   |
|       | SWNW 40.0   |       | SENW 36.0   |
|       | NESW 40.0   |       | NWSW 40.0   |
|       | SWSW 40.0   |       | SESW 37.0   |
|       | NWSE 10.0   |       | SWSE 1.0    |
| S29   | NENE 28.0   |       | NWNE 39.0   |
|       | SWNE 1.0    |       | NENW 35.0   |
|       | NWNW 19.0   |       | SENW 7.0    |
| S30   | NENE 5.0    |       | NWNE 31.0   |
|       | SWNE 2.0    |       | NENW 40.0   |
| LOT 1 | (NWNW) 40.0 | LOT 2 | (SWNW) 22.0 |
|       | SENW 7.0    |       |             |

2948.31 Acres Total

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3080.31 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 55-02032, 55-02063, 55-02129, 55-02169, 55-02175, 55-02210 & 55-13479 - THESE ARE PAYNE CREEK & SQUAW CREEK RIGHTS.

USE OF THIS RIGHT WITH RIGHT NO. 55-02210 IS LIMITED TO THE IRRIGATION OF 406 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE 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

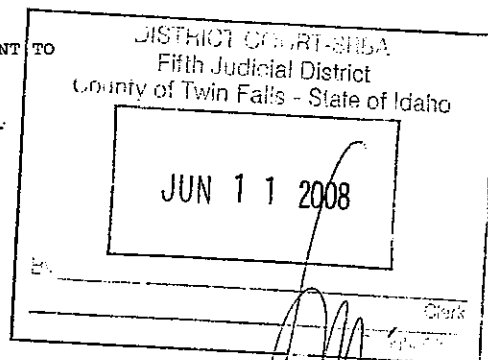
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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

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 55-02210.



NAME AND ADDRESS: NANCY JACKSON  
PETER JACKSON  
24473 RIDDLE RANCH RD  
BRUNEAU, ID 83604-5122

SOURCE: SQUAW CREEK TRIBUTARY: PAYNE CREEK

POINT OF INJECTION INTO AND POINTS OF REDIVERSION FROM PAYNE  
CREEK.

QUANTITY: 245.00 AFY

FACILITY VOLUME 1140 AF.

PRIORITY DATE: 08/22/1966

|                     |               |                    |                      |
|---------------------|---------------|--------------------|----------------------|
| POINT OF DIVERSION: | T14S R03E S08 | NWSE (Injection)   | Within Owyhee County |
|                     |               | NWSE (Rediversion) |                      |
|                     | S17           | SESW (Rediversion) |                      |
|                     | S19           | NENE (Rediversion) |                      |
|                     |               | SENE (Rediversion) |                      |
|                     | S20           | NENW (Rediversion) |                      |
|                     |               | NWNW (Rediversion) |                      |
|                     | S21           | SENW (Rediversion) |                      |
|                     | S22           | SWNW (Rediversion) |                      |
|                     |               | SENW               |                      |
|                     | S30           | NENW (Rediversion) |                      |
|                     |               | NWNW (Rediversion) |                      |

|                               |                         |                |            |
|-------------------------------|-------------------------|----------------|------------|
| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE          | PERIOD OF USE  | QUANTITY   |
|                               | Irrigation Storage      | 01-01 TO 12-31 | 245.00 AFY |
|                               | Irrigation from Storage | 04-15 TO 10-15 | 245.00 AFY |

PLACE OF USE: Irrigation Storage Within Owyhee County  
Same as Irrigation from Storage

|                         |           |                      |
|-------------------------|-----------|----------------------|
| Irrigation from Storage |           | Within Owyhee County |
| T14S R02E S25           | NENE 37.0 | NWNE 22.0            |
|                         | SWNE 33.0 | SENE 40.0            |
|                         | SENW 3.0  | NESW 33.0            |
|                         | SWSW 40.0 | SESW 40.0            |
|                         | NESE 40.0 | NWSE 40.0            |
|                         | SWSE 40.0 | SESE 34.0            |
| S36                     | NENE 3.0  | NWNE 36.0            |
|                         | SWNE 32.0 | SENE 1.0             |
|                         | NENW 40.0 | NWNW 4.0             |
|                         | SWNW 2.0  | SENW 31.0            |
|                         | NESW 29.0 | NWSW 3.0             |
|                         | SWSW 19.0 | SESW 40.0            |
|                         | NESE 1.0  | NWSE 28.0            |
|                         | SWSE 28.0 |                      |
| R03E S08                | SESW 9.0  | NESE 3.0             |
|                         | NWSE 25.0 | SWSE 40.0            |
|                         | SESE 17.0 |                      |
| S16                     | NESW 35.0 | NWSW 25.0            |
|                         | SWSW 38.0 | SESW 40.0            |
| S17                     | NENE 27.0 | NWNE 40.0            |

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

|                     |            |       |            |
|---------------------|------------|-------|------------|
|                     | SWNE 40.0  |       | SENE 19.0  |
|                     | NENW 39.0  |       | NWNW 8.0   |
|                     | SWNW 25.0  |       | SENW 40.0  |
|                     | NESW 40.0  |       | NWSW 6.0   |
|                     | SWSW 35.0  |       | SESW 40.0  |
|                     | NESE 5.0   |       | NWSE 40.0  |
|                     | SWSE 21.0  |       | SESE 7.0   |
| S18                 | SESE 11.0  |       |            |
| S19                 | NENE 40.0  |       | NWNE 13.0  |
|                     | SWNE 34.0  |       | SENE 40.0  |
|                     | NESW 21.0  | LOT 4 | (SWSW)10.0 |
|                     | SESW 38.0  |       | NESE 40.0  |
|                     | NWSE 40.0  |       | SWSE 40.0  |
|                     | SESE 33.0  |       |            |
| S20                 | NENE 6.0   |       | NWNE 40.0  |
|                     | SWNE 40.0  |       | SENE 33.0  |
|                     | NENW 34.66 |       | NWNW 40.0  |
|                     | SWNW 33.14 |       | SENW 35.35 |
|                     | NESW 40.0  |       | NWSW 39.16 |
|                     | SWSW 40.0  |       | SESW 40.0  |
|                     | NESE 40.0  |       | NWSE 40.0  |
|                     | SWSE 40.0  |       | SESE 40.0  |
| S21                 | SWNE 35.0  |       | SENE 17.0  |
|                     | NENW 38.0  |       | NWNW 34.0  |
|                     | SWNW 40.0  |       | SENW 36.0  |
|                     | NESW 40.0  |       | NWSW 40.0  |
|                     | SWSW 40.0  |       | SESW 37.0  |
|                     | NWSE 10.0  |       | SWSE 1.0   |
| S29                 | NENE 28.0  |       | NWNE 39.0  |
|                     | SWNE 1.0   |       | NENW 35.0  |
|                     | NWNW 19.0  |       | SENW 7.0   |
| S30                 | NENE 5.0   |       | NWNE 31.0  |
|                     | SWNE 2.0   |       | NENW 40.0  |
| LOT 1               | (NWNW)40.0 | LOT 2 | (SWNW)22.0 |
|                     | SENW 7.0   |       |            |
| 2948.31 Acres Total |            |       |            |

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3080.31 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 55-02032, 55-02063, 55-02129, 55-02169, 55-02175, 55-02181 & 55-13479 - THESE ARE PAYNE CREEK & SQUAW CREEK RIGHTS.

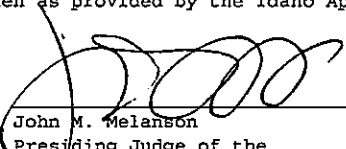
USE OF THIS RIGHT WITH RIGHT NO. 55-02181 IS LIMITED TO THE IRRIGATION OF 406 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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  
Shake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on June 11, 2008, with sufficient first-class postage to the following:

NANCY JACKSON

PETER JACKSON

Represented by:

DANIEL V. STEENSON

455 S THIRD ST

PO BOX 2773

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Phone: 208-342-4591

SHOSHONE-PAIUTE TRIBES OF THE

Represented by:

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SPECIAL COUNSEL

SHOSHONE-BANNOCK TRIBE

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SHOSHONE-PAIUTE TRIBES OF THE

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USA FOR SHOSHONE-PAIUTE TRIBES

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DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

ORDER

Page 1 6/11/08

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Deputy Clerk

