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DEPARTMENT OF  
WATER RESOURCES

DISTRICT COURT-SRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho

MAR 14 2008

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

) ORDER OF PARTIAL DECREE

Case No. 39576

) For Water Right: 27-07452

On January 31, 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

March 14, 2008

JOHN M. MELANSON

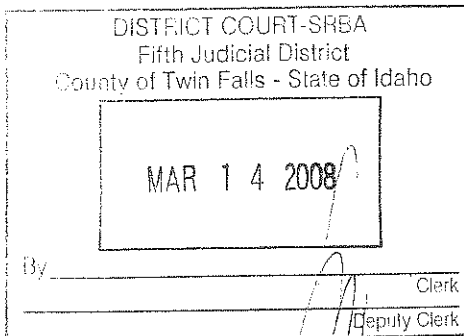
Presiding Judge

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 27-07452



NAME AND ADDRESS: STATE OF IDAHO  
DEPARTMENT OF LANDS  
700 W JEFFERSON, ROOM 210  
PO BOX 44449  
BOISE, ID 83711-4449

SOURCE: GROUND WATER

QUANTITY: 0.30 CFS  
16.80 AFY

PRIORITY DATE: 01/06/1989

POINT OF DIVERSION: T06S R43E S21 SWSE Within Caribou County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY              |
|----------------------------|----------------|----------------|-----------------------|
|                            | Mining         | 03-01 TO 10-01 | 0.30 CFS<br>16.80 AFY |

| PLACE OF USE: | Mining        |      | Within Caribou County |
|---------------|---------------|------|-----------------------|
|               | T06S R43E S16 | NENE | SWNE                  |
|               |               | NENW | NWNW                  |
|               |               | SWNW | SENW                  |
|               |               | NESW | NWSW                  |
|               |               | SWSW | SESW                  |
|               |               | NESE | NWSE                  |
|               |               | SWSE | SESE                  |
|               | S21           | NENE | NWNE                  |
|               |               | SWNE | SENE                  |
|               |               | NENW | SWSW                  |
|               |               | SESW | NESE                  |
|               |               | NWSE | SWSE                  |
|               | S22           | SWNW | NESW                  |
|               |               | NWSW | SWSW                  |
|               |               | SESW | SWSE                  |
|               | S25           | NWSW | SWSW                  |
|               |               | SESW |                       |
|               | S26           | NWNE | SWNE                  |
|               |               | SENE | NESE                  |
|               |               | NWSE | SESE                  |
|               | S27           | NENE | NWNE                  |
|               |               | SWNE | SENE                  |
|               |               | NENW | NESE                  |
|               | S32           | NENE | NWNE                  |
|               |               | SWNE | SENE                  |
|               |               | NENW | NWNW                  |
|               |               | SWNW | SENW                  |
|               |               | NESW | NWSW                  |
|               |               | SWSW | SESW                  |
|               |               | NESE | NWSE                  |
|               |               | SWSE | SESE                  |

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

The use of water for mining purposes is for dust abatement within the place of use described above, and for general mining purposes only within lease boundaries issued by the State of Idaho and

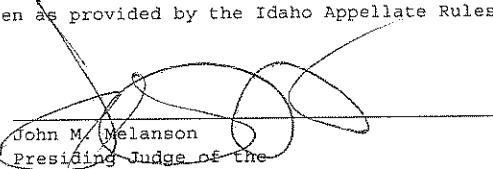
OTHER PROVISIONS (continued)

the United States.

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 MAR 14 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     | ) | CERTIFICATE OF MAILING   |
|                | ) |                          |
| Case No. 39576 | ) |                          |
| _____          | ) | Water Right(s): 27-07452 |

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 27-07452 was mailed  
on March 14, 2008, with sufficient first-class postage prepaid  
to the following:

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

STATE OF IDAHO DEPT OF LANDS  
Represented by:  
DAVID J. BARBER  
DEPUTY ATTORNEY GENERAL  
PO BOX 44449  
BOISE, ID 83711-4449  
Phone: 208-334-2400

P4 PRODUCTION LLC  
Represented by:  
RANDALL C BUDGE  
201 E CENTER, STE A2  
PO BOX 1391  
POCATELLO, ID 83204-1391  
Phone: 208-232-6101

UNITED STATES OF AMERICA  
Represented by:  
US DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724

STATE OF IDAHO  
DEPARTMENT OF LANDS  
700 W JEFFERSON, ROOM 210  
PO BOX 44449  
BOISE, ID 83711-4449

JULIE MURPHY  
Chief Deputy Clerk