

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

AUG 13 2007

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

Case No. 39576

## ORDER OF PARTIAL DECREE

**For Water Right: 27-12113**

On June 11, 2007, 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 13, 2007

JOHN M. MELANSON

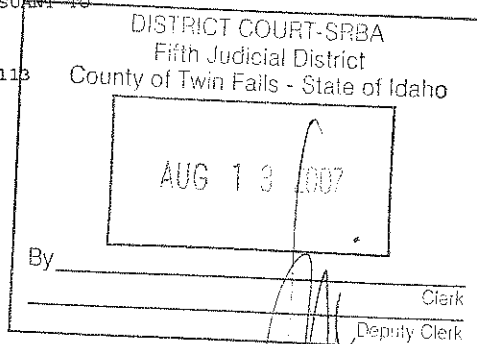
Presiding Judge

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 27-12113



NAME AND ADDRESS: LLOYD STOLWORTHY LTD FAMILY  
PARTNERSHIP A  
1525 E WOLVERINE RD  
FIRTH, ID 83236

SOURCE: UNNAMED STREAM TRIBUTARY: CEDAR CREEK

QUANTITY: 0.04 CFS  
10.50 AFY

The quantity of water under this right shall not exceed  
13,000 gallons per day.  
Right nos. 27-12110, 27-12111, 27-12112, 27-12113, and  
27-55A are limited to a total combined annual diversion volume of  
10.5 AF for stockwater.

PRIORITY DATE: 06/20/1965

POINT OF DIVERSION: T02S R39E S17 SESWSW Within Bingham County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY              |
|-------------------------------|----------------|----------------|-----------------------|
|                               | Stockwater     | 04-01 TO 12-01 | 0.04 CFS<br>10.50 AFY |

| PLACE OF USE: | Stockwater    | Within Bingham County |
|---------------|---------------|-----------------------|
|               | T02S R38E S21 | SESE                  |
|               | S22           | NENW                  |
|               | S23           | NENW                  |
|               | S24           | NWNE                  |
|               | S28           | NENW                  |
|               | R39E S17      | SWSW                  |
|               | S19           | NENW                  |
|               |               | SENW                  |

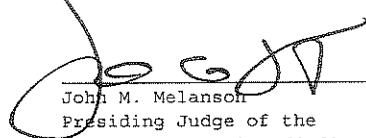
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a  
determination of historical beneficial use.

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

2007 AUG 13 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): 27-12113 |

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 27-12113 was mailed  
on August 13, 2007, with sufficient first-class postage prepaid  
to the following:

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

LLOYD STOLWORTHY LTD FAMILY  
PARTNERSHIP A  
1525 E WOLVERINE RD  
FIRTH, ID 83236  
Phone: 208-346-6503

SHOSHONE-BANNOCK TRIBES  
Represented by:  
JEANETTE WOLFLEY  
SPECIAL COUNSEL  
SHOSHONE-BANNOCK TRIBE  
202 N ARTHUR  
POCATELLO, ID 83202  
Phone: 208-232-1922

STATE OF IDAHO  
Represented by:  
NATURAL RESOURCES DIV CHIEF  
STATE OF IDAHO  
ATTORNEY GENERAL'S OFFICE  
PO BOX 44449  
BOISE, ID 83711-4449

JULIE MURPHY  
Chief Deputy Clerk