

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

JUL 12 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 DECREES**

**WATER RIGHT NOS.: 74-01832,  
74-01833 and 74-02057**

On April 12, 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 July 12, 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 )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 74-01832

NAME AND ADDRESS: TERRY & JESSIC MC NELLIS  
FAMILY TRUST  
PO BOX 834  
RANCHO SANTE FE, CA 92029

SOURCE: REESE CREEK TRIBUTARY: LEMHI-RIVER

QUANTITY: 0.26 CFS

PRIORITY DATE: 08/22/1913

POINT OF DIVERSION: T17N R25E S08 NWSW Within Lemhi County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 03-15 TO 11-15 | 0.26 CFS |

| PLACE OF USE: | Irrigation       | Within Lemhi County |
|---------------|------------------|---------------------|
|               | T17N R24E S12    | SWSE 2.0 SESE 8.0   |
|               | S13              | NENE 10.0 NWNW 10.0 |
|               |                  | NENW 29.0 SENW 6.0  |
|               |                  | SWNW 2.0            |
|               | 95.0 Acres Total |                     |

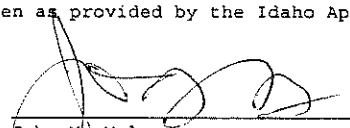
PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LAND.

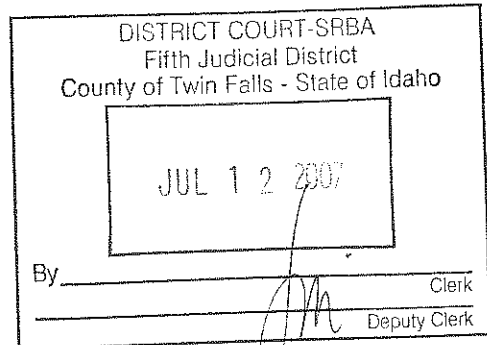
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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  
Residing 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 )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 74-01833

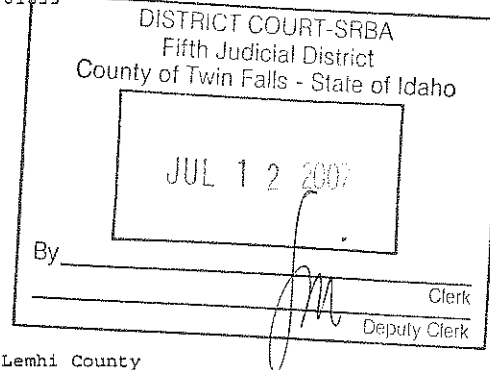
NAME AND ADDRESS: TERRY & JESSIC MC NELLIS  
FAMILY TRUST  
PO BOX 834  
RANCHO SANTE FE, CA 92029

SOURCE: REESE CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 0.10 CFS

PRIORITY DATE: 08/22/1913

POINT OF DIVERSION: T17N R24E S13 SENW Within Lemhi County



| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Irrigation     | 03-15 TO 11-15 | 0.10 CFS |

PLACE OF USE: Irrigation Within Lemhi County  
T17N R24E S13 SENW 3.0  
3.0 Acres Total

This right authorizes the irrigation of 2.8 total acres.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
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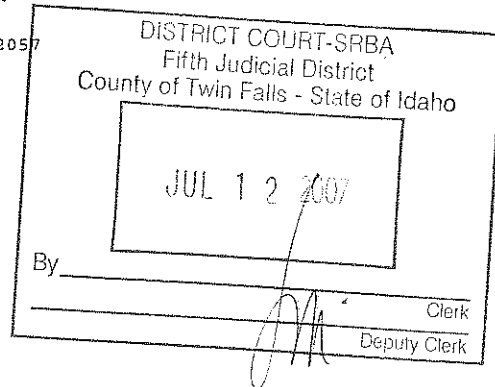
John M. Melanson  
Presiding Judge of the  
Snake River Basin Adjudication

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 74-02057



NAME AND ADDRESS: TERRY & JESSIC MC NELLIS  
FAMILY TRUST  
PO BOX 834  
RANCHO SANTE FE, CA 92029

SOURCE: REESE CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 1.64 CFS

PRIORITY DATE: 09/29/1909

POINT OF DIVERSION: T17N R25E S08 NWSW Within Lemhi County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 03-15 TO 11-15 | 1.64 CFS |

| PLACE OF USE: | Irrigation       | Within Lemhi County |
|---------------|------------------|---------------------|
|               | T17N R24E S12    | SWSE 2.0 SESE 8.0   |
|               | S13              | NENE 10.0 NWNW 10.0 |
|               |                  | NENW 29.0 SENW 6.0  |
|               |                  | SWNW 2.0            |
|               | 95.0 Acres Total |                     |

PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LAND.

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  
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\_\_\_\_\_  
John E. 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 July 12, 2007, with sufficient first-class postage to the following:

TERRY & JESSIC MC NELLIS  
FAMILY TRUST  
PO BOX 834  
RANCHO SANTE FE, CA 92029  
Phone: 619-591-4181

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

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

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".