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MAY 15 2007

DEPARTMENT OF  
WATER RESOURCES

|                                                                                         |              |
|-----------------------------------------------------------------------------------------|--------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |              |
| MAY 14 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: 77-04056

On March 27, 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 May 11, 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 77-04056

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

MAY 14 2007

By \_\_\_\_\_ Clerk  
\_\_\_\_\_ Deputy Clerk

NAME AND ADDRESS: YELLOW PINE WATER USERS  
ASSN INC  
C/O DAVID A MC CLINTOCK CH  
PO BOX 6  
YELLOW PINE, ID 83677

SOURCE: BOULDER CREEK TRIBUTARY: EAST FORK SOUTH FORK SALMON RIVER

QUANTITY: 2.68 CFS

PRIORITY DATE: 01/01/1962

POINT OF DIVERSION: T19N R08E S21 SENW Within Valley County

| PURPOSE AND    | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------|----------------|----------------|----------|
| PERIOD OF USE: | Domestic       | 01-01 TO 12-31 | 2.68 CFS |

| PLACE OF USE: | Domestic      | Within Valley County |
|---------------|---------------|----------------------|
|               | T19N R08E S21 | SENW                 |
|               |               | NWSW                 |
|               |               | SESW                 |
|               | S28           | NWNW                 |

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

This water right includes National Forest System land in  
Section 28 pursuant to a Special Use Permit.

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 MAY 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): 77-04056 |

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 77-04056 was mailed  
on May 14, 2007, with sufficient first-class postage prepaid  
to the following:

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

YELLOW PINE WATER USERS  
ASSN INC  
C/O DAVID A MC CLINTOCK CH  
PO BOX 6  
YELLOW PINE, ID 83677

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

JULIE MURPHY  
Chief Deputy Clerk