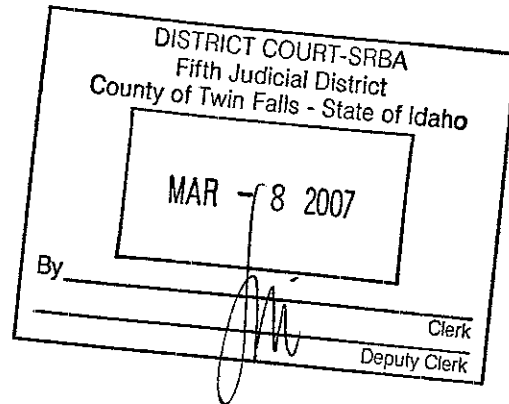


RECEIVED

MAR 09 2007

DEPARTMENT OF
WATER RESOURCES



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: 45-10803

On December 13, 2006, 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

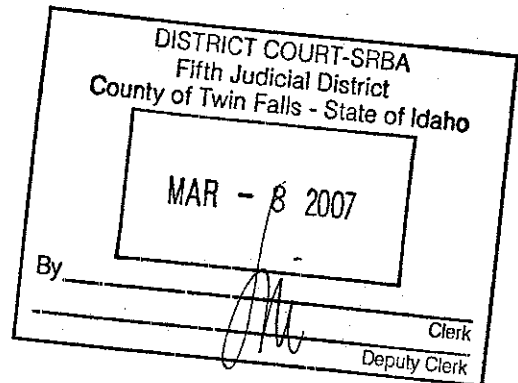
March 8, 2007


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 45-10803



NAME AND ADDRESS: CITY OF OAKLEY
200 W MAIN
PO BOX 266
OAKLEY, ID 83346

SOURCE: GROUND WATER
SPRING TRIBUTARY: SINKS

QUANTITY: 0.45 CFS

USE OF RIGHT NOS. 45-10802, 45-10803 & 45-10804 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE FROM ALL SOURCES OF 1.56 CFS.

PRIORITY DATE: 01/01/1930

POINT OF DIVERSION: 114S R22E S09 SENWSE Within Cassia County
SENWSE
S33 NESENE (Rediversion)
SWSESE (Rediversion)
SENE
SESE
115S R22E S03 SESWNW (Injection)
SENW
SWSE
SWSW
NWNE
SWNE
NESW
SESW
NWSE
S09 SENENE (Injection)
S10 NENE
SWNE
SENE
SENW
NESE
S14 NWNW
S15 NENE

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Municipal 01-01 TO 12-31 0.45 CFS

PLACE OF USE: Municipal Within Cassia County

T13S R22E S27	NWSW	SWSW
S28	SENW	NESW
	SWSW	SESW
	SWSE	SESE
S29	NESE	SESE
S31	SESE	
S32	NENE	NWNE
	SWNE	SENE
	NESW	SESW
	NESE	NWSE
	SWSE	SESE
S33	NENE	NWNE
	SWNE	SENE
	NENW	NWNW

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

PLACE OF USE (continued)

		SNNW		SENW
		NESW		NWSW
		SWSW		SESW
		NESE		NWSE
		SWSE		SESE
	S34	NENW		NWNW
		SNNW		SENW
		NESW		NWSW
		SWSW		SESW
		SWSE		
	S35	NESW		NWSW
		SWSW		SESW
		SWSE		
		SWSW		
I14S R22E	S02			
	S03 LOT 1	(NENE)	LOT 2	(NWNE)
		SWNE		SENE
	LOT 3	(NENW)	LOT 4	(NWNW)
		SNNW		SENW
		NESW		NWSW
		SWSW		SESW
	S04 LOT 1	(NENE)	LOT 2	(NWNE)
		SWNE		SENE
	LOT 3	(NENW)	LOT 4	(NWNW)
		SNNW		SENW
		NESW		NWSW
		SWSW		SESW
		NESE		NWSE
		SWSE		SESE
	S05 LOT 1	(NENE)	LOT 2	(NWNE)
		SWNE		SENE
		SENW		NESW
		SESW		NESE
		NWSE		SWSE
		SESE		
	S08	NENE		NWNE
		SENE		NENW
		NWNW		NESE
	S09	NWNE		SWNE
		NENW		NWNW
		SNNW		SENW
		NESW		NWSW
		NWSE		
	S10	NENW		
	S16	NESE		
	S17	SNNW		SENW
		NESW		NWSW
		SWSW		NWSE
	S18	NENE		SESE
	S20	SWNE		NWSE
	S21	SESE		
	S28	NWSW		
	S29	NESW		NESE
		NWSE		
	S32	SESE		
	S33	NENW		
I15S R22E	S03 LOT 4	(NWNW)		
	S04 LOT 1	(NENE)		SESE
	S05 LOT 1	(NENE)		
	S10	SENE		SENW
		NWSE		SESE
	S14	NWNW		
	S15	NENE		NWNE

Place of use is within the service area of the City of Oakley

PLACE OF USE (continued)

municipal water supply system as provided for under Idaho Law.

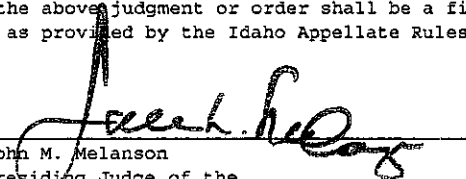
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. Section 42-1412(6), Idaho Code.

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 MAR 08 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): 45-10803

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 45-10803 was mailed
on March 08, 2007, with sufficient first-class postage prepaid
to the following:

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

CITY OF OAKLEY
200 W MAIN
PO BOX 266
OAKLEY, ID 83346
Phone: 208-862-3313

JULIE MURPHY
Chief Deputy Clerk