

|                                                                                         |              |
|-----------------------------------------------------------------------------------------|--------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |              |
| DEC 13 2006                                                                             |              |
| 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 DECREES      |
|                | ) |                               |
| Case No. 39576 | ) | SUBCASES: 45-12529, 45-12670, |
|                | ) | 45-12681 and 45-12793         |
|                | ) | (USDI / BLM)                  |
|                | ) |                               |
|                | ) |                               |

On October 30, 2006, 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 Dec. 7, 2006, 2006.

  
\_\_\_\_\_  
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 45-12529

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

DEC 13 2006

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

NAME AND ADDRESS: UNITED STATES OF AMERICA  
USDI BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE, ID 83709-1657

SOURCE: SUMMIT STATION CREEK TRIBUTARY: CARSON CREEK,  
UNNAMED STREAM TRIBUTARY: SUMMIT STATION CREEK

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 06/28/1934

POINT OF DIVERSION: T15S R23E S04 NESENE (Instream Beginning Point) Within Cassia County  
SWSENE (Instream Ending Point)  
NESWNW (Instream Beginning Point)  
NWSWNW (Instream Ending Point)  
SESWNW (Instream Beginning Point)  
NENESW (Instream Ending Point)  
NWNWSE (Instream Beginning Point)

THERE ARE TWO ENDING POINTS OF DIVERSION IN T15S R23E S04 NWSWNW.

PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------|----------------|----------------|----------|
|                | Stockwater     | 01-01 TO 12-31 | 0.02 CFS |

| PLACE OF USE: | Stockwater    | Within Cassia County |
|---------------|---------------|----------------------|
|               | T15S R23E S04 | SENE SWNW            |
|               |               | NESW NWSE            |

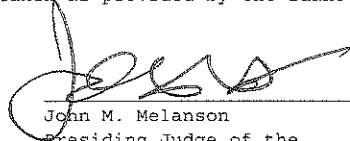
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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 45-12670

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

DEC 13/2006

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

NAME AND ADDRESS: UNITED STATES OF AMERICA  
USDI BLM  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE, ID 83709-1657

SOURCE: SUMMIT CREEK TRIBUTARY: HOWELL CREEK

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 06/28/1934

POINT OF DIVERSION: T12S R25E S15 NWSWE (Instream Ending Point) Within Cassia County  
S22 SENWNE (Instream Beginning Point)  
S23 SWNESW (Instream Ending Point)  
SWSESW (Instream Beginning Point)  
S25 SESWSE (Instream Ending Point)  
S35 SWNESE (Instream Ending Point)  
NESESE (Instream Beginning Point)  
R26E S30 LOT 4 (NWSWSW) (Instream Beginning Point)

PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------|----------------|----------------|----------|
|                | Stockwater     | 01-01 TO 12-31 | 0.02 CFS |

| PLACE OF USE: | Stockwater     | Within Cassia County |
|---------------|----------------|----------------------|
|               | T12S R25E S15  | SWSE                 |
|               | S22            | NWNE                 |
|               | S23            | NESW                 |
|               | S25            | SWSE                 |
|               | S35            | NESE                 |
|               | R26E S30 LOT 4 | (SWSW)               |

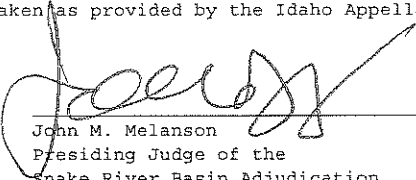
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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  
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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).

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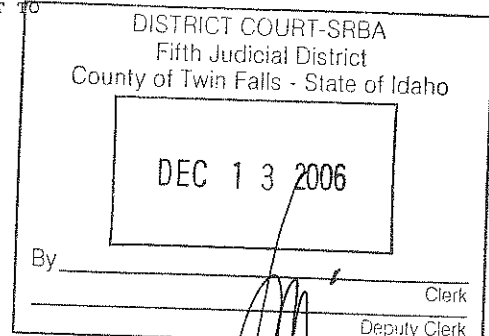


\_\_\_\_\_  
John M. Melanson  
Presiding Judge of the  
Snake River Basin Adjudication

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 45-12681



NAME AND ADDRESS: UNITED STATES OF AMERICA  
USDI BLM  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE, ID 83709-1657

SOURCE: LUNCH CREEK TRIBUTARY: SINKS  
UNNAMED STREAM TRIBUTARY: LUNCH CREEK

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 06/28/1934

POINT OF DIVERSION: T12S R24E S09 SWNNW (Instream Ending Point) Within Cassia County  
SENWSW (Instream Beginning Point)  
NENWSW (Instream Ending Point)  
SWSWSE (Instream Beginning Point)

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Stockwater     | 01-01 TO 12-31 | 0.02 CFS |

| PLACE OF USE: | Stockwater    | Within Cassia County |
|---------------|---------------|----------------------|
|               | T12S R24E S09 |                      |
|               | NWNW          | SWNW                 |
|               | NESW          | NWSW                 |
|               | SESW          | SWSE                 |

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

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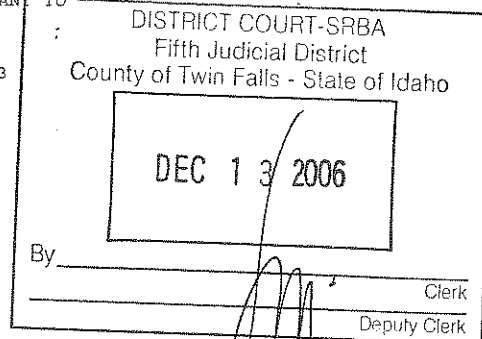
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Presiding Judge of the  
Snake River Basin Adjudication

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 45-12793



NAME AND ADDRESS: UNITED STATES OF AMERICA  
USDI BLM  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE, ID 83709-1657

SOURCE: LAKE CREEK TRIBUTARY: BIRCH CREEK  
UNNAMED STREAM TRIBUTARY: LAKE CREEK

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 06/28/1934

POINT OF DIVERSION: T15S R23E S04 SESENE (Instream Beginning Point) Within Cassia County  
SWNESW (Instream Ending Point)  
SENESE (Instream Beginning Point)  
SENWSE (Instream Ending Point)  
S05 NENWSE (Instream Beginning Point)  
NWNWSE (Instream Ending Point)

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Stockwater     | 01-01 TO 12-31 | 0.02 CFS |

| PLACE OF USE: | Stockwater    | Within Cassia County |
|---------------|---------------|----------------------|
|               | T15S R23E S04 | NESW                 |
|               |               | NWSE                 |
|               |               | SESE                 |
|               | S05           | NWSE                 |

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John M. 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 December 13, 2006, with sufficient first-class postage to the following:

GARY RUSSELL POULTON  
MICHAEL A. POULTON  
Represented by:  
NORMAN M. SEMANKO  
IDAHO WATER USERS ASSOCIATION  
1010 W JEFFERSON ST, STE 101  
BOISE, ID 83702  
Phone: 208-344-6690

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

JARED BEDKE  
C/O 42 EAST BASIN RD  
OAKLEY, ID 83346  
Phone: 208-862-9288

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

BRUCE BEDKE  
JARED BEDKE  
42 EAST BASIN RD  
OAKLEY, ID 83346  
Phone: 208-862-3697

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and stylized, with the first name "Julie" being more prominent than the last name "Murphy".