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DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
OCT 27 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

Case No. 39576

ORDER OF PARTIAL DECREE

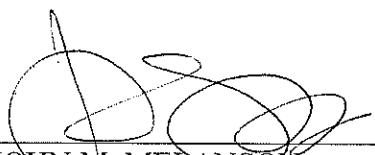
For Water Right: 69-11512

On August 16, 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 October 26, 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 69-11512

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
OCT 27 2006	
By _____	Clerk
_____	Deputy Clerk

NAME AND ADDRESS: MAGNESS RACING VENTURES INC
ATTN SHARON MAGNESS BLAKE
4343 S HOLLY ST
ENGLEWOOD, CO 80111

ROCKING M CATTLE CO
C/O ROY M MOORE
5360 N FRANKLIN ST
DENVER, CO 80216

SOURCE: RAFT CREEK TRIBUTARY: SNAKE RIVER
UNNAMED STREAM TRIBUTARY: RAFT CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 12/31/1900

POINT OF DIVERSION:	T14N R06W S05	SWNE	(Instream Beginning Point)	Within Washington County
	T15N R06W S27	SWNE	(Instream Beginning Point)	
		NWNW	(Instream Beginning Point)	
		SWSE	(Instream Beginning Point)	
		NESW	(Instream Ending Point)	
	S28	SESW	(Instream Beginning Point)	
		SWSW	(Instream Ending Point)	
		SESW	(Instream Ending Point)	
		SESE	(Instream Ending Point)	
	S29	SWSE	(Instream Ending Point)	
	S31	NESE	(Instream Ending Point)	
	S32	SWSW	(Instream Ending Point)	
		SENE	(Instream Ending Point)	
		SENE	(Instream Beginning Point)	
	S33	SWSW	(Instream Beginning Point)	
	S34	NENW	(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 Washington County
	T14N R06W S04 LOT 3 (NENW)	LOT 4 (NWNW)
	S05 LOT 1 (NENE)	LOT 2 (NWNW)
	SWNE	SENE
	LOT 3 (NENW)	LOT 4 (NWNW)
	SWNW	SENE
	T15N R06W S27	SWNE
	SENE	NENW
	NWNW	SWSW
	SENE	NESW
	NWSW	SWSW
	SESW	NESE
	NWSE	SWSE
	SESE	
	S28	NENE
		NWNE
		SENE
		SENE

PLACE OF USE (continued)

	NESW	NWSW
	SWSW	SESW
	NESE	NWSE
	SWSE	SESE
S29	NESE	NWSE
	SWSE	SESE
S31	NESE	
S32	NENE	NWNE
	SENE	NENW
	SWNW	SENW
	SWSW	SESW
	NESE	NWSE
	SWSE	SESE
S33	NENE	NWNE
	NWNW	NESW
	SWSW	SESW
	NESE	NWSE
S34	NENE	NWNE
	SWNE	SENE
	NENW	NWNW

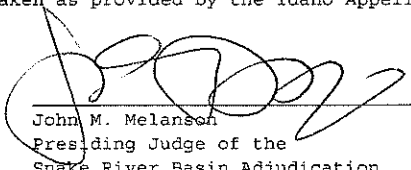
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

2006 OCT 27 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): 69-11512

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 69-11512 was mailed
on October 27, 2006, with sufficient first-class postage prepaid
to the following:

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

MAGNESS RACING VENTURES INC
ROCKING M CATTLE CO
Represented by:
LINDA B. JONES
PO BOX 2527
BOISE, ID 83701
Phone: 208-342-5000

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