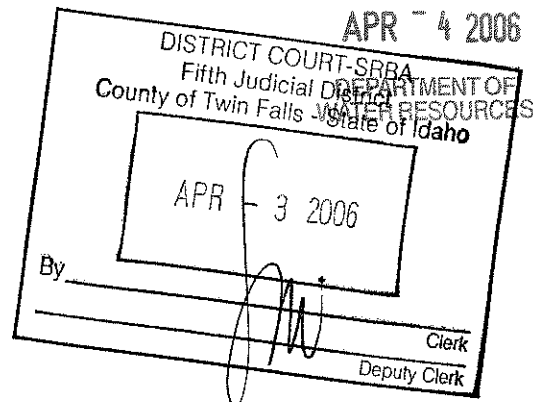


RECEIVED



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: 45-04128

On February 3, 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)*.

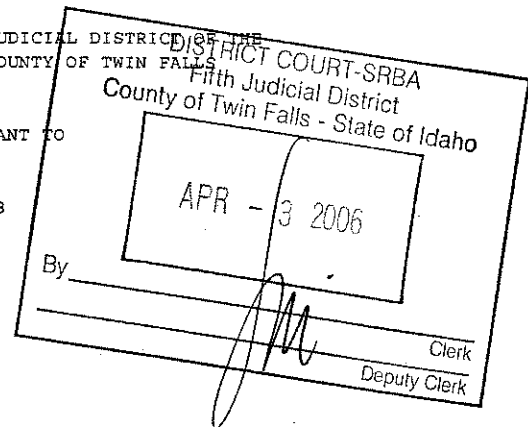
DATED March 31, 2006.


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 45-04128



NAME AND ADDRESS: JAMES MULLEN
KAREN MULLEN
920 W 2000 S
OAKLEY, ID 83346

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.30 CFS
6.60 AFY

The quantity of water under this right for stockwater use shall
not exceed 13,000 gallons per day.
RIGHT NOS. 45-4127 AND 45-4128 ARE LIMITED TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 6.6 AF.

PRIORITY DATE: 04/29/1901

POINT OF DIVERSION: T14S R21E S03 LOT 1 (SWNE) Within Cassia County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-15 TO 11-15	0.30 CFS
Diversion to Storage	01-01 TO 12-31	0.30 CFS
Irrigation from Storage	03-15 TO 11-15	6.60 AFY
Irrigation Storage	01-01 TO 12-31	6.60 AFY
Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE:

Irrigation	Within Cassia County
T14S R21E S02 LOT 3 (NENW) 0.6	LOT 4 (NWNW) 4.2
SWNW 35.5	SENE 6.2
S03 LOT 1 (NENE) 3.5	SENE 21.0
71.0 Acres Total	
Irrigation Storage	Within Cassia County
T14S R21E S03 SENE	
Irrigation from Storage	Within Cassia County
T14S R21E S02 LOT 3 (NENW) 0.6	LOT 4 (NWNW) 4.2
SWNW 35.5	SENE 6.2
S03 LOT 1 (NENE) 3.5	SENE 21.0
71.0 Acres Total	
Stockwater	Within Cassia County
T14S R21E S02 LOT 3 (NENW)	LOT 4 (NWNW)
SWNW	SENE
S03 LOT 1 (NENE)	SENE

RIGHT NOS. 45-4127 AND 45-4128 ARE LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 71 ACRES IN A SINGLE IRRIGATION SEASON.

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

The quantity of water decreed for this water right for
stockwater use 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

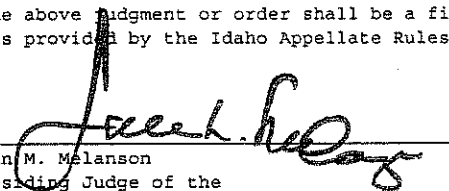
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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 APR 03 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): 45-04128

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 45-04128 was mailed
on April 03, 2006, with sufficient first-class postage prepaid
to the following:

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

JAMES MULLEN
KAREN MULLEN
920 W 2000 S
OAKLEY, ID 83346

JULIE MURPHY
Chief Deputy Clerk