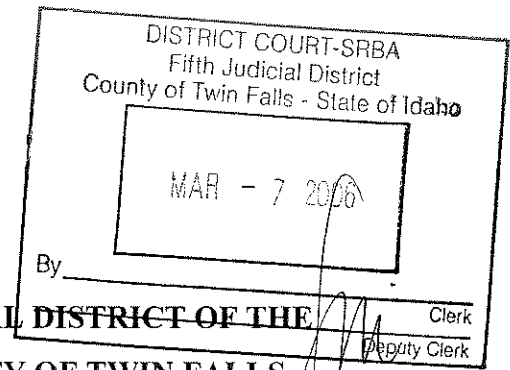




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA) Subcase No.: 29-11681
Case No. 39576) ORDER OF PARTIAL DECREE
_____))
_____)

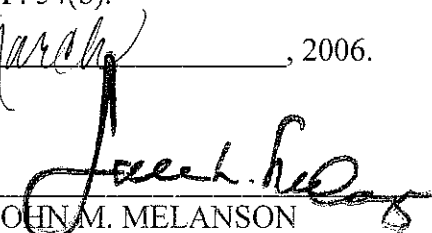
A Special Master's Report and Recommendation: Findings of Fact and Conclusions of Law was issued on November 22, 2005. On December 19, 2005, a *Notice of Completed Administrative Proceeding (NCAP)/Amended Director's Report* was filed following a transfer. No objections or challenges were filed to either the *Special Master's Report and Recommendation* or the *NCAP/Amended Director's Report*.

On January 9, 2006, an *Amended NCAP* was filed by did not make substantive changes to the elements. On February 1, 2006, the United States Department of Interior, Bureau of Land Management, filed a *Notice of Voluntary Dismissal of Objection*.

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.

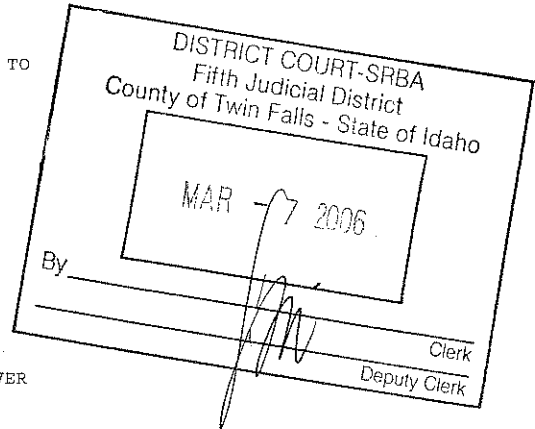
Therefore, IT IS ORDERED that water right 29-11681 be decreed as set forth in the attached *Partial Decree* pursuant to I.R.C.P. 54(b).

DATED this 7th day of March, 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 29-11681



NAME AND ADDRESS: COLLEEN L ANDRUS
JIM ANDRUS
KENNETH D ANDRUS
6948 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS, ID 83246

SOURCE: EAST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER
SPRINGS TRIBUTARY: EAST BOB SMITH CREEK

QUANTITY: 6.55 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 6.55 CFS. COMBINED RIGHT NOS.: 29-187, 29-188,
29-191 (PART), 29-193, 29-11678, 29-11681 (PART), 29-13399 AND
29-13401.

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 29-187, 29-188, 29-191,
29-193, 29-11678, 29-11681, 29-13399 AND 29-13401 SHALL PROVIDE
NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 08/07/1932

POINT OF DIVERSION: T09S R37E S12 NESESW Within Bannock County
S13 NWSWNW
SESWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	6.55 CFS

PLACE OF USE:	Irrigation	Within Bannock County
	T09S R37E S12	SWSW 3.2
	S13	SESW 5.5
		NWNW 11.0
		SWNW 28.0
	S14	NWSW 17.0
		SWSW 17.0
		SENE 23.0
	S23	SESE 34.0
		SESE 34.0
		NWNE 20.0
	LOT 1	(SENE) 22.0
		NENW 32.0
		NWNW 12.0
	S24	NWNW 31.0
	327.4 Acres Total	

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 327.4 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-187, 29-188, 29-191
(PART), 29-193, 29-11678, 29-11681 (PART), 29-13399 AND 29-13401.

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

PRIOR TO DIVERSION OF WATER UNDER TRANSFER 71892, THE RIGHT
HOLDER SHALL PLACE THE PORTION OF WATER RIGHTS 29-191 AND
29-11681 EQUIVALENT TO 44.0 ACRES AND APPURTENANT TO THE PLACE
OF USE AUTHORIZED FOR RIGHTS 29-13399 AND 29-13401 UNDER THIS
TRANSFER IN THE WATER BANK OPERATED BY THE IDAHO WATER RESOURCE
BOARD.

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

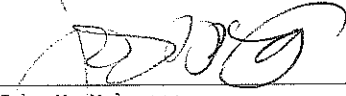
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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 MAR 07 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)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 29-11681

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 29-11681 was mailed
on March 07, 2006, with sufficient first-class postage prepaid
to the following:

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

MARSH VALLEY DEVELOPMENT INC
Represented by:
RANDALL C BUDGE
201 E CENTER, STE A2
PO BOX 1391
POCATELLO, ID 83204-1391
Phone: 208-232-6101

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

COLLEEN L ANDRUS
JIM ANDRUS
KENNETH D ANDRUS
6948 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS, ID 83246
Phone: 208-776-5380

JULIE MURPHY
Chief Deputy Clerk