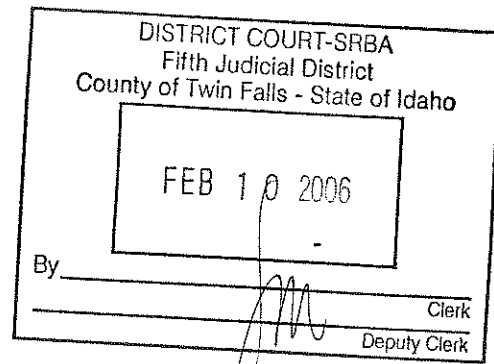




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

) ORDER OF PARTIAL DECREE

) For Water Right: 45-11020

On December 14, 2005, 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)*.

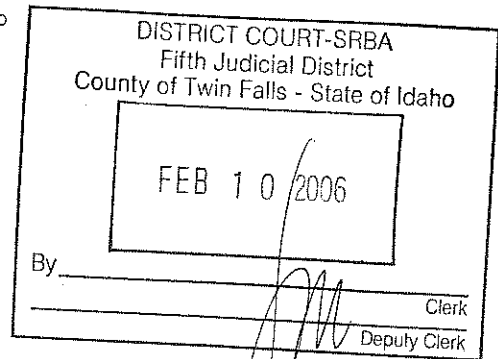
DATED February 10, 2006.

  
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 45-11020



NAME AND ADDRESS: R O JONES & SONS INC  
PO BOX 137  
ALMO, ID 83312  
  
CRAIG S HAWKER  
2014 S 50 E  
OAKLEY, ID 83346-8705

SOURCE: BLUE HILL CREEK TRIBUTARY: GOOSE CREEK  
UNNAMED STREAM TRIBUTARY: BIRCH CREEK  
UNNAMED STREAM TRIBUTARY: BLUE HILL CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 04/01/1879

|                     |               |                                                        |
|---------------------|---------------|--------------------------------------------------------|
| POINT OF DIVERSION: | T16S R22E S15 | SENENW (Instream Beginning Point) Within Cassia County |
|                     | S16           | NWNWNE (Instream Ending Point)                         |
|                     |               | SESENE (Instream Beginning Point)                      |
|                     |               | NWNWNW (Instream Ending Point)                         |
|                     |               | NWNWNW (Instream Beginning Point)                      |
|                     |               | SESESE (Instream Beginning Point)                      |
|                     | S17           | NWSENE (Instream Ending Point)                         |
|                     |               | SWNESE (Instream Ending Point)                         |
|                     | S20           | NESWNE (Instream Ending Point)                         |
|                     |               | NWSWNE (Instream Ending Point)                         |
|                     |               | SWSWNE (Instream Beginning Point)                      |
|                     |               | SESWNE (Instream Ending Point)                         |
|                     |               | NESENE (Instream Beginning Point)                      |
|                     |               | SWSENE (Instream Beginning Point)                      |
|                     | S27           | NENENE (Instream Ending Point)                         |
|                     |               | NENENE (Instream Beginning Point)                      |
|                     |               | NENWNE (Instream Beginning Point)                      |
|                     |               | NWNWNE (Instream Ending Point)                         |
|                     |               | NWSENE (Instream Ending Point)                         |
|                     |               | SESENE (Instream Beginning Point)                      |
|                     |               | NWSWNE (Instream Ending Point)                         |
|                     |               | SESENE (Instream Beginning Point)                      |
|                     | S28           | NESWNE (Instream Beginning Point)                      |
|                     |               | SWSWNE (Instream Ending Point)                         |
|                     |               | SWSWNE (Instream Ending Point)                         |
|                     |               | NESENE (Instream Beginning Point)                      |
|                     |               | NWSENE (Instream Ending Point)                         |
|                     |               | NENESE (Instream Beginning Point)                      |
|                     | S29           | NWNESE (Instream Ending Point)                         |
|                     |               | SENESE (Instream Beginning Point)                      |
|                     | S33           | NENENW (Instream Beginning Point)                      |
|                     |               | NENENW (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 |
|               | T16S R22E S15 | NENW SNNW            |

PLACE OF USE (continued)

|     |      |      |
|-----|------|------|
|     | SENW |      |
| S16 | NENE | NWNE |
|     | SWNE | SENE |
|     | NENW | NWNW |
|     | SWNW | SENW |
|     | NESW | NWSW |
|     | SESW | SWSE |
|     | SESE |      |
| S17 | SENE | NESE |
| S20 | SWNE | SENE |
| S27 | NENE | NWNE |
|     | SENE | SWNW |
|     | SENW |      |
| S28 | SWNE | SENE |
|     | NESE |      |
| S29 | NESE |      |
| S33 | NENW |      |

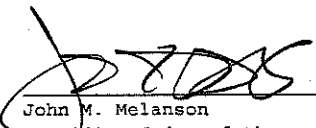
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 FEB 10 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): 45-11020 |

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 45-11020 was mailed  
on February 10, 2006, with sufficient first-class postage prepaid  
to the following:

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

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

R O JONES & SONS INC  
PO BOX 137  
ALMO, ID 83312  
Phone: 208-824-5588

CRAIG S HAWKER  
2014 S 50 E  
OAKLEY, ID 83346-8705  
Phone: 208-432-6602

CERTIFICATE OF MAILING

JULIE MURPHY  
Chief Deputy Clerk

PAGE 1  
02/10/06