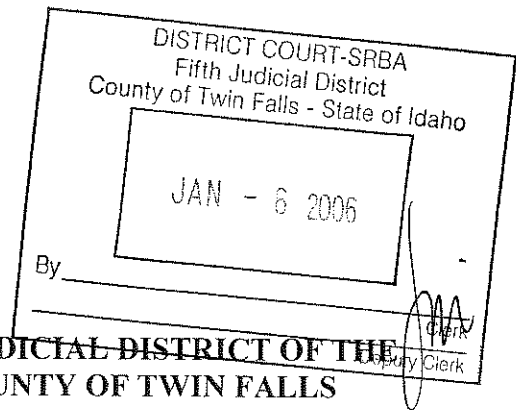




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

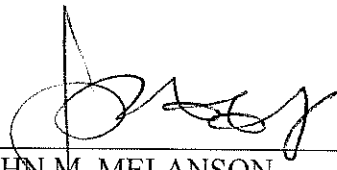
In Re SRBA	)	ORDER OF PARTIAL DECREES
	)	
Case No. 39576	)	SUBCASES: 29-13320 & 29-13321
	)	
	)	
	)	
	)	

On October 31, 2005, 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 January 5, 2006



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

In Re SRBA)
)
Case No. 39576)
)

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

JAN - 6 2006

By _____ Clerk
_____ Deputy Clerk

ED TO A TOTAL

QUANTITY: 3.84 CFS

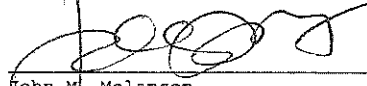
POINT OF DIVERSION: T07S R39E S18 NENESE Within Caribou County

PLACE OF USE:	Irrigation		Within Caribou County
	T07S R38E S24 LOT 1	(NENE) 1.6	LOT 2 (SENE) 2.8
	R39E S17	NWSW 38.0	SWSW 40.0
	S18	NESE 5.6	SESE 4.8
	S19	NENE 16.0	SWNE 28.0
		SENE 40.0	LOT 2 (SENW) 4.5
	LOT 3	(NESW) 13.0	LOT 4 (SESW) 3.3
		NESE 37.0	NWSE 21.0
		SWSE 7.2	SESE 1.4
	S20	NWNW 40.0	SWNW 40.0
		NWSW 38.0	
	382.2 Acres Total		

PAGE 1
Oct-25-2005

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 29-13321

NAME AND ADDRESS: CARL L PHILLIPS
NOLA RAE PHILLIPS
2884 W 1400 S
ABERDEEN, ID 83210

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 3.43 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-31 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.43 CFS.

PRIORITY DATE: 08/07/1932

POINT OF DIVERSION: T07S R39E S18 NENESE Within Caribou County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	3.43 CFS
	Stockwater	04-01 TO 10-31	0.09 CFS

PLACE OF USE: Irrigation Within Caribou County

T07S R38E S24 LOT 1	(NENE) 1.6	LOT 2	(SENE) 2.8
R39E S17	NWSW 38.0		SWSW 40.0
S18	NESE 5.6		SESE 4.8
S19	NENE 16.0		SWNE 28.0
	SENE 40.0	LOT 2	(SENW) 4.5
LOT 3	(NESW) 13.0	LOT 4	(SESW) 3.3
	NESE 37.0		NWSE 21.0
	SWSE 7.2		SESE 1.4
S20	NWNW 40.0		SWNW 40.0
	NWSW 38.0		
382.2 Acres Total			

Stockwater Within Caribou County
Same as Irrigation

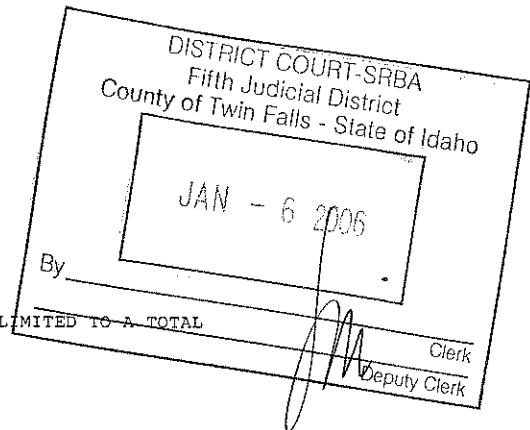
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS RIGHT AND RIGHT 29-31 IS LIMITED TO THE IRRIGATION OF 172
ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER
DISTRICT 29.

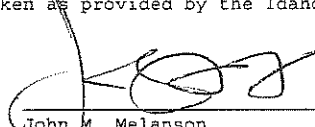
THE OPERATION AND ADMINISTRATION OF THIS WATER RIGHT IS SUBJECT
TO THE TERMS AND CONDITIONS OF THE PORTNEUF RIVER SETTLEMENT
AGREEMENT, BASIN 29: PORTNEUF RIVER FILED WITH THE SRBA DISTRICT
COURT APRIL 22, 2005.

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on January 06, 2006, with sufficient first-class postage to the following:

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

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

CARL L PHILLIPS
NOLA RAE PHILLIPS
2884 W 1400 S
ABERDEEN, ID 83210
Phone: 208-397-4690

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".