

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 45-10434

NAME AND ADDRESS: SIX S RANCH LLC  
PO BOX 1760  
EAGLE, ID 83616

SOURCE: MARSH CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 05/30/1879

POINT OF DIVERSION: T10S R25E S30 SESE (Instream Ending Point) Within Cassia County  
T11S R25E S22 SENW (Instream Beginning Point)

| PURPOSE AND<br>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 |
|---------------|---------------------|--------|----------------------|
|               | T10S R25E S27       | SWNW   | NWSW                 |
|               |                     | SWSW   | SESW                 |
|               | S28                 | NWNE   | SWNE                 |
|               |                     | SENE   | NENW                 |
|               |                     | SWNW   | SESW                 |
|               | S29                 | SWNE   | SENE                 |
|               |                     | SESW   | NESW                 |
|               |                     | NWSW   |                      |
|               | S30                 | NESE   | SESE                 |
|               | S34                 | SWNE   | NENW                 |
|               |                     | SESW   | NESE                 |
|               |                     | NWSE   | SESE                 |
|               | T11S R25E S03 LOT 1 | (NENE) | LOT 2 (NWNE)         |
|               |                     | SWNE   | NWSE                 |
|               |                     | SWSE   | SESE                 |
|               | S10                 | NENE   | SENE                 |
|               |                     | SESE   |                      |
|               | S11                 | SWNW   | NWSW                 |
|               |                     | SWSW   |                      |
|               | S15                 | NENE   | SWNE                 |
|               |                     | SENE   | NESE                 |
|               |                     | NWSE   | SWSE                 |
|               | S22                 | NWNE   | NENW                 |
|               |                     | SESW   |                      |

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

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. Section 42-1412(6), Idaho  
Code.

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

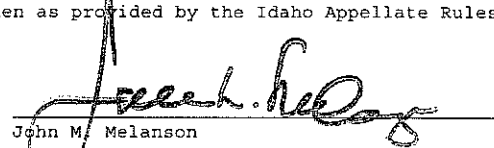
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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

RECEIVED

JUL 06 2005

Department of Water Resources

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

JUL - 5 2005

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

By

Clerk

Deputy Clerk

In Re SRBA

Case No. 39576

Water Rights: See Attached Exhibit A  
(Basin 45 Uncontested – Six S Ranch)

AMENDED ORDER OF  
PARTIAL DECREE

On June 9, 2005, an *Order of Partial Decree* was issued for the above-named water rights. Due to a clerical error, the title of the *Order of Partial Decree* incorrectly referred to Basin 82 instead of Basin 45. It has also come to this Court's attention that water rights 45-00251, 45-00259B, 45-00324B and 45-00328, were recommended as disallowed rights and were incorrectly included in the *Order of Partial Decree* issued on June 9, 2005.

This *Amended Order of Partial Decree* corrects the reference to Basin 45 and includes the deletion of water right numbers 45-00251, 45-00259B, 45-00324B and 45-00328, and makes no other changes to the *Order* or attached *Partial Decrees*.

Therefore, IT IS ORDERED pursuant to I.R.C.P. 60(a) that the above-captioned water rights be decreed with the attached *Amended Order of Partial Decree* noting the corrected basin as Basin 45 and the deletion of water right numbers 45-00251, 45-00259B, 45-00324B and 45-00328.

DATED July 5, 2005.

JOHN M. MELANSON

Presiding Judge

Snake River Basin Adjudication

EXHIBIT A - UNCONTESTED NCAPS

Subcase Nos:

45-00226  
45-00241  
45-00250B  
45-00258  
45-00261  
45-00262  
45-00263  
45-00264  
45-00265  
45-00267  
45-00268  
45-00269  
45-00270  
45-00281  
45-00282  
45-00298  
45-00302  
45-00307D  
45-00308A  
45-00318  
45-00527  
45-02442  
45-02454  
45-02625  
45-02738  
45-07021  
45-07024  
45-07031  
45-10431  
45-10432  
45-10433  
45-10434  
45-10437  
45-13503  
45-13507  
45-13508

**CERTIFICATE OF MAILING**

I certify that a true and correct copy of the AMENDED ORDER OF PARTIAL DECREE was mailed on July 05, 2005, with sufficient first-class postage to the following:

SIX S RANCH LLC  
PO BOX 1760  
EAGLE, ID 83616

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

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".