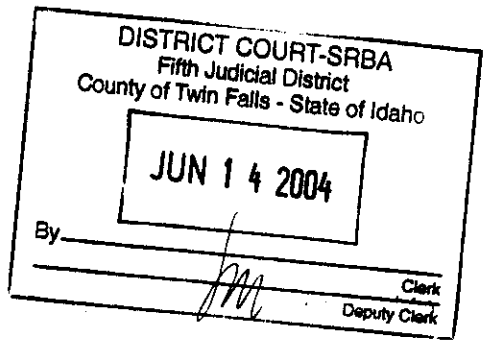

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	**ORDER OF PARTIAL DECREE**
	)	
Case No. 39576	)	**SUBCASES: See Attached Exhibit A (B75SPLIT)**
	)	
	)	
	)	
	)	

On April 9, 2004, 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 June 14, 2004.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

75-11630	75-11996	75-12198	75-12372	75-12552	75-12824
75-11632	75-11998	75-12200	75-12374	75-12556	75-12828
75-11634	75-12000	75-12204	75-12376	75-12566	75-12832
75-11654	75-12006	75-12206	75-12378	75-12570	75-12856
75-11656	75-12020	75-12210	75-12380	75-12574	75-12862
75-11658	75-12024	75-12212	75-12382	75-12576	75-12864
75-11662	75-12026	75-12214	75-12388	75-12578	75-12878
75-11676	75-12028	75-12226	75-12390	75-12580	75-12882
75-11684	75-12034	75-12230	75-12396	75-12582	75-12886
75-11696	75-12036	75-12242	75-12400	75-12584	75-12888
75-11698	75-12038	75-12248	75-12402	75-12598	75-12894
75-11702	75-12042	75-12250	75-12406	75-12600	75-12900
75-11716	75-12044	75-12252	75-12408	75-12620	75-12902
75-11726	75-12046	75-12254	75-12412	75-12622	75-12906
75-11782	75-12048	75-12256	75-12414	75-12630	75-12908
75-11808	75-12050	75-12258	75-12416	75-12634	75-12910
75-11810	75-12054	75-12260	75-12430	75-12638	75-12912
75-11812	75-12056	75-12264	75-12432	75-12646	75-12916
75-11814	75-12058	75-12268	75-12442	75-12650	75-12928
75-11818	75-12072	75-12270	75-12444	75-12658	75-12930
75-11820	75-12076	75-12272	75-12452	75-12660	75-12934
75-11830	75-12078	75-12274	75-12454	75-12668	75-12936
75-11864	75-12084	75-12276	75-12456	75-12670	75-12938
75-11866	75-12092	75-12282	75-12462	75-12674	75-12944
75-11892	75-12094	75-12284	75-12464	75-12692	75-12948
75-11894	75-12096	75-12286	75-12466	75-12700	75-12952
75-11902	75-12098	75-12288	75-12474	75-12710	75-12954
75-11906	75-12100	75-12292	75-12476	75-12714	75-12958
75-11910	75-12104	75-12294	75-12478	75-12720	75-12962
75-11914	75-12110	75-12296	75-12480	75-12726	75-12964
75-11916	75-12118	75-12302	75-12484	75-12730	75-12968
75-11918	75-12120	75-12306	75-12486	75-12732	75-12970
75-11926	75-12122	75-12312	75-12488	75-12734	75-12988
75-11930	75-12124	75-12318	75-12490	75-12736	75-12990
75-11932	75-12134	75-12322	75-12494	75-12762	75-12992
75-11938	75-12140	75-12324	75-12500	75-12768	75-12996
75-11942	75-12142	75-12326	75-12506	75-12770	75-13010
75-11956	75-12144	75-12328	75-12520	75-12772	75-13022
75-11962	75-12146	75-12330	75-12524	75-12776	75-13026
75-11964	75-12148	75-12336	75-12526	75-12778	75-13028
75-11966	75-12152	75-12338	75-12528	75-12780	75-13030
75-11970	75-12154	75-12340	75-12530	75-12784	75-13040
75-11972	75-12156	75-12344	75-12532	75-12790	75-13044
75-11974	75-12160	75-12346	75-12536	75-12792	75-13050
75-11978	75-12162	75-12358	75-12538	75-12796	75-13052
75-11984	75-12168	75-12362	75-12540	75-12798	75-13054
75-11988	75-12170	75-12364	75-12542	75-12800	75-13056
75-11990	75-12176	75-12366	75-12544	75-12810	75-13060
75-11992	75-12190	75-12368	75-12546	75-12812	75-13062
75-11994	75-12194	75-12370	75-12548	75-12820	75-13064

(Subcase list: B75SPLIT)
6/14/04

EXHIBIT A

Subcase Nos:

75-13066
75-13068
75-13070
75-13076
75-13086
75-13088
75-13094
75-13100
75-13104
75-13106
75-13134
75-13150
75-13152
75-13154
75-13160
75-13188
75-13190
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75-13777
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75-13779
75-13780
75-13782
75-13783

(Subcase list: B75SPLIT)
6/14/04

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE was mailed on June 14, 2004, with sufficient first-class postage to the following:

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

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

Julie Murphy
Deputy Clerk

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 75-13753

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
JUN 14 2004
By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: USDI BLM
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

SOURCE: SPRING TRIBUTARY: SALMON RIVER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 04/17/1926

****
* *
* THIS WATER RIGHT IS ISSUED BASED ON FEDERAL LAW WITH AN *
* APRIL 17, 1926, DATE OF PRIORITY PURSUANT TO AN EXECUTIVE *
* ORDER SIGNED THE SAME DATE AND KNOWN AS PUBLIC WATER RESERVE *
* 107. *
* *
****

POINT OF DIVERSION: T19N R21E S02 NWSW Within Lemhi County

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 Lemhi County
T19N R21E S02 NWSW

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