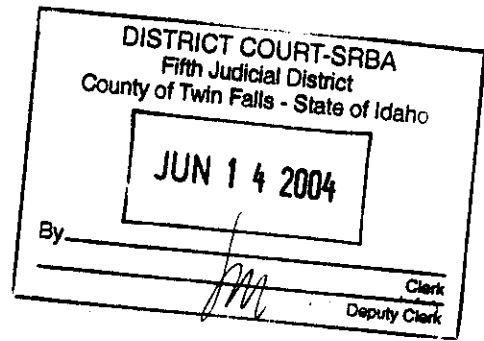




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREE

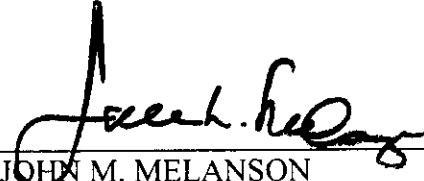
SUBCASES: See Attached Exhibit A  
(B75SPLIT)

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 | 75-13780 |
| 75-13068 | 75-13782 |
| 75-13070 | 75-13783 |
| 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 |          |
| 75-13194 |          |
| 75-13196 |          |
| 75-13202 |          |
| 75-13206 |          |
| 75-13208 |          |
| 75-13244 |          |
| 75-13309 |          |
| 75-13311 |          |
| 75-13727 |          |
| 75-13731 |          |
| 75-13732 |          |
| 75-13740 |          |
| 75-13747 |          |
| 75-13748 |          |
| 75-13750 |          |
| 75-13751 |          |
| 75-13753 |          |
| 75-13758 |          |
| 75-13760 |          |
| 75-13761 |          |
| 75-13762 |          |
| 75-13763 |          |
| 75-13768 |          |
| 75-13769 |          |
| 75-13770 |          |
| 75-13771 |          |
| 75-13772 |          |
| 75-13773 |          |
| 75-13774 |          |
| 75-13775 |          |
| 75-13777 |          |
| 75-13778 |          |
| 75-13779 |          |

(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

In Re SRBA ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 75-12948

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

SOURCE:                               SPRING       TRIBUTARY: HENRY CREEK

QUANTITY:                            0.02   CFS

PRIORITY DATE: 04/17/1926

POINT OF DIVERSION: T20N R21E S24 NWSWNW Within Lemhi County

PLACE OF USE: Stockwater Within Lemhi County  
T20N R21E S24 SWNW

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).

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.

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Mar-18-2004