

2004 NOV 30 PM 1:14
DISTRICT COURT
TWIN FALLS CO., IDAHO
FILED
[Signature]

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: 74-11353 *et al.*, Exhibit A
) (Basin 74 PWR 107 Uncontested Federal)
)
)
)
)
)

On October 29, 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 November 30, 2004.

[Signature]
JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A (PWR 107 FEDERAL)

Subcase Nos:

74-11353
74-12374
74-12630
74-12904
74-13260
74-13362
74-13416
74-13646
74-13844
74-14082
74-14875

(Subcase list: FILE 67)
11/02/04

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE was mailed on November 30, 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

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line.

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DISTRICT COURT-SRBA
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QUANTITY: 0.02 CFS

PRIORITY DATE: 04/17/1926

POINT OF DIVERSION: T14N R28E S03 LOT 3 (NENENW) Within Lemhi County

PLACE OF USE: Stockwater Within Lemhi County
T14N R28E S03 LOT 3 (NENW)

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.

PAGE 1
Oct-15-2004