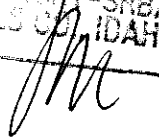


7001 NOV -2 AM 10:18
DISTRICT COURT-SRBA
TWIN FALLS CO, IDAHO
FILED 

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: 43-13355 & 43-13356

On September 8, 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 2, 2004.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE was mailed on November 02, 2004, with sufficient first-class postage to the following:

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

GARY B HARPER
SUSAN C HARPER
2040 E 850 S
DECLO, ID 83323

DIANE D JONES
J MAX JONES
2060 E 1000 S
DECLO, ID 83323

BARBARA JEAN COOPER
LARRY COOPER
227 W 20 S KNOX DR
BURLEY, ID 83318

A handwritten signature in cursive script, appearing to read "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".

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 43-13356

2004 NOV -2 AM 10:18
DISTRICT COURT - SRBA
TWIN FALLS CO, IDAHO
FILED *[Signature]*

NAME AND ADDRESS: GARY B HARPER
SUSAN C HARPER
2040 E 850 S
DECLO, ID 83323

DIANE D JONES
J MAX JONES
2060 E 1000 S
DECLO, ID 83323

SOURCE: GROUND WATER

QUANTITY: 1.12 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.8 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1128 AF. COMBINED RIGHT NOS.: 43-13108,
43-13110, 43-13112, 43-13114, & 43-13356.

PRIORITY DATE: 06/30/1985

POINT OF DIVERSION: T12S R26E S11 SESENW Within Cassia County
SWSWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.12 CFS

PLACE OF USE:	Irrigation	Within Cassia County
	T12S R26E S10	SWNE 38.0
	S11	SNNW 40.0
		SENE 28.0
		NNSW 40.0
		SESW 38.0
		NWSE 9.0
		SWSE 29.0
	291.0 Acres Total	

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 291 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-423A, 43-13108, 43-13110, 43-13112,
43-13114, & 43-13356.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 68 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

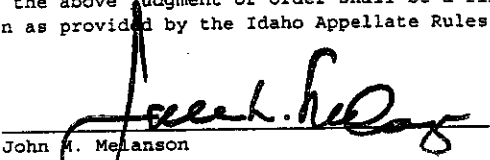
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS RIGHT IS AN EXPANSION OF RIGHT NOS. 43-13108, 43-13110,
43-13112, & 43-13114 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

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