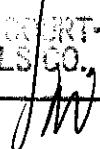


2004 OCT 29 PM 4:14

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

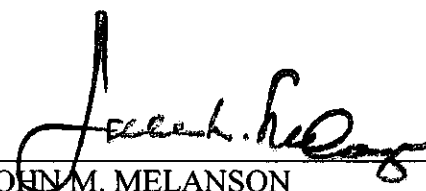
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	SUBCASES: 74-14364, 74-14421,
	)	74-14427, 74-14433, 74-14437,
	)	74-14441, 74-14449 & 74-14455
	)	
	)	

On September 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 October 29, 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 October 29, 2004, with sufficient first-class postage to the following:

STATE OF IDAHO

Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

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, appearing to read "Julie Murphy", is written over a horizontal line.

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

2004 OCT 29 PM 4:14
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED *mm*

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 74-14421

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

SOURCE: EIGHTEENMILE CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/28/1934

POINT OF DIVERSION:				
T13N R28E S01	SWNWSW	(Instream Ending Point)	Within Lemhi County	
S02	NENESW	(Instream Beginning Point)		
	NWNESW	(Instream Ending Point)		
R29E S20	NENWNE	(Instream Beginning Point)		
T14N R27E S05	NESENW	(Instream Ending Point)		
	NENESW	(Instream Beginning Point)		
S08	NWNENE	(Instream Ending Point)		
S09	SWSWSW	(Instream Beginning Point)		
S21	SESWNE	(Instream Beginning Point)		
	NESWNE	(Instream Ending Point)		
S27	SENWSW	(Instream Beginning Point)		
	NENWSW	(Instream Ending Point)		
S28	NESENE	(Instream Beginning Point)		
	NESENE	(Instream Ending Point)		
S35	NENENE	(Instream Beginning Point)		
	NWNENE	(Instream Ending Point)		
	NESENE	(Instream Beginning Point)		
	NWSENE	(Instream Ending Point)		
R28E S32	SESENE	(Instream Beginning Point)		
	SWSENE	(Instream Ending Point)		
T15N R26E S12	NWNWNE	(Instream Ending Point)		
	SWSENE	(Instream Beginning Point)		
R27E S18	SENENW	(Instream Beginning Point)		
LOT 1	(NENWNW)	(Instream Ending Point)		
	NESWSE	(Instream Ending Point)		
	SWSESE	(Instream Beginning Point)		
S29	SENWNW	(Instream Beginning Point)		
	NENWNW	(Instream Ending Point)		
S32	NESWSW	(Instream Beginning Point)		
	NESWSW	(Instream Ending Point)		

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
T13N R28E S01	NWSW	SWSW
	SESW	
S02	NESW	
S12	NENE	NWNE
	SENE	NENW
R29E S07	SWNW	NESW
	NWSW	NWSE
	SWSE	SESE

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

PLACE OF USE (continued)

S17	NWNW	SWNW
	NESW	NWSW
	SESW	SWSE
S18	NENE	
S20	NWNE	
T14N R27E S05	SENW	NESW
S08	NENE	NWNE
	SWNE	SENE
	NESE	SESE
S09	SWSW	
S21	SWNE	
S27	NWSW	
S28	SENE	
S35	NENE	SWNE
	SENE	SENW
R28E S32	SENE	
T15N R26E S12	NWNE	SWNE
	SENE	
R27E S18	NENW	LOT 1 (NWNW)
	SWSE	SESE
S29	NWNW	
S32	SWSW	

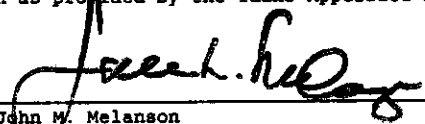
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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