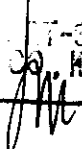


2004 SEP 29 PM 3:09  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED 

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 | ) | For Water Right: 63-05408 |
|                | ) |                           |
| _____          | ) |                           |

On August 24, 2004, a *Special Master's Report and Recommendation* was filed for water right 63-05408. 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 Recommendation* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 63-05408 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED September 29, 2004.

  
JOHN M. MELANSON  
Presiding Judge  
Snake River Basin Adjudication

2008 SEP 29 PM 3:09  
TWIN FALLS CO IDAHO  
FILED *[Signature]*

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
  
Water Right 63-05408

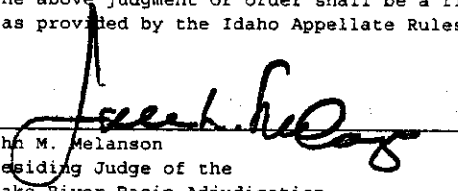
PAGE 1  
Sep-09-2004

OTHER PROVISIONS (continued)

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

2004 SEP 29 PM 02:00  
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 )  
Case No. 39576 )  
\_\_\_\_\_ )

CERTIFICATE OF MAILING

Water Right(s): 63-05408

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE  
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 63-05408 was mailed  
on September 29, 2004, with sufficient first-class postage prepaid  
to the following:

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

BOISE PROJECT BOARD OF CONTROL

Represented by:  
ALBERT P. BARKER  
205 N 10TH ST, STE 520  
PO BOX 2139  
BOISE, ID 83701-2139  
Phone: 208-336-0700

BOISE PROJECT BOARD OF CONTROL

Represented by:  
CHESTNUT, AMY D  
205 N 10TH ST, STE 520  
PO BOX 2139  
BOISE, ID 83701-2139  
Phone: 208-336-0700

CERTIFICATE OF MAILING

PAGE 1  
09/29/04

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

C & T RANCHES INC  
CHRISTINE NICHOLSON  
JENNIFER J NICHOLSON  
KELLI A NICHOLSON  
SCOTT R NICHOLSON  
THOMAS EMIL NICHOLSON  
WILLIAM E MORRIS  
WILLIAM PATRICK HUGHES  
PO BOX 690  
MERIDIAN, ID 83680-0690  
Phone: 208-888-1593

JULIE MURPHY  
Chief Deputy Clerk