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FILED  
JUL 7 2004  
TWIN FALLS, IDAHO

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: 65-00064, 65-02067,  
) 65-02149, 65-02973, 65-03130,  
) 65-03131, 65-03132, 65-03133, 65-03134  
)  
)  
)

On April 14, 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 7, 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 June 07, 2004, with sufficient first-class postage to the following:

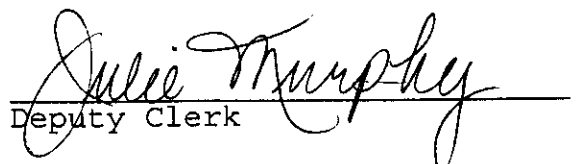
UNITED STATES OF AMERICA

Represented by:

DAVID W GEHLERT  
US DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATURAL RESOURCE  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724

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

LITTLE WILLOW IRRIGATION DISTR  
126 S MAIN ST  
PAYETTE, ID 83661

A handwritten signature in cursive script, reading "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 )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 65-02149

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NAME AND ADDRESS: LITTLE WILLOW IRRIGATION DISTR  
126 S MAIN ST  
PAYETTE, ID 83661

SOURCE: LITTLE WILLOW CREEK TRIBUTARY: BIG WILLOW CREEK

QUANTITY: 50.00 CFS  
36400.00 AFY

THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 65-00064, 65-02067,  
65-02973, 65-03130, 65-03131, 65-03132, 65-03133 & 65-03134,  
SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE WHEN MEASURED AT THE  
FIELD HEADGATE.

PRIORITY DATE: 12/29/1913

|                     |               |      |                          |                       |
|---------------------|---------------|------|--------------------------|-----------------------|
| POINT OF DIVERSION: | T08N R04W S02 | NWSW | (Rediversion)            | Within Payette County |
|                     | T09N R03W S12 | NWSE | (Rediversion)            |                       |
|                     | S13           | SWNW | (Rediversion)            |                       |
|                     |               | NENW | (Rediversion)            |                       |
|                     | S20           | NWSE | (Rediversion)            |                       |
|                     | S30           | NENE | (Rediversion)            |                       |
|                     | T10N R02W S17 | SWSE | Within Washington County |                       |

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE          | PERIOD OF USE  | QUANTITY     |
|----------------------------|-------------------------|----------------|--------------|
|                            | Irrigation from Storage | 03-15 TO 11-15 | 50.00 CFS    |
|                            |                         |                | 36400.00 AFY |
|                            | Irrigation              | 03-15 TO 11-15 | 50.00 CFS    |

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2826 ACRES WITHIN  
THE BOUNDARIES OF THE LITTLE WILLOW IRRIGATION DISTRICT IN A  
SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 65-00064,  
65-02067, 65-02973, 65-03130, 65-03131, 65-03132, 65-03133 &  
65-03134.

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

Basin 65 General Provisions No. 3, the Separate Streams  
General Provision, does not apply to appropriations of water  
after October 18, 1977.

This water right shall be administered as being from a  
SEPARATE SOURCE PURSUANT TO BASIN 65 GENERAL PROVISION NO. 3.  
If the holder of this right seeks to change the right pursuant  
to Idaho Code Section 42-222 or successor statute, nothing in  
this general provision shall preclude any other person or entity  
from demonstrating that such change in use would cause injury to  
its water right or from receiving any relief provided by law in  
the event of injury.  
The boundary encompassing the place of use for this water right  
is described with a digital boundary as defined by I.C. Section  
42-202B(2) (2003) and authorized pursuant to I.C. Section 42-1411  
(2) (h) (2003). The data comprising the digital boundary are  
incorporated herein by reference and are stored on a cd-rom disk  
issued in duplicate originals on file with the SRBA District  
Court and the Idaho Department of Water Resources. A map  
depicting the place of use is attached hereto to illustrate the

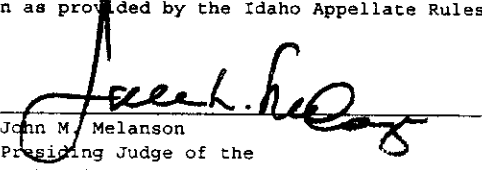
OTHER PROVISIONS (continued)

place of use described by the digital boundary.

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