

RECEIVED

OCT 17 2001

2001 OCT 15 PM 4: 55

Department of Water Resources

DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO
TWIN FALLS, 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

For Water Right 34-10935

On March 25, 1998, a *Special Master's Report and Recommendation* was filed for the above water right. 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.

On June 24, 1999, in response to the Idaho Supreme Court decision in *A&B Irrigation District v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), IDWR filed a *Supplemental Director's Report, Reporting Area 1, IDWR Basin 34, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions* which included a recommendation for the irrigation season of use for this water right. No objections to this Supplemental Report were filed and the time period for filing objections has now expired.

Therefore, IT IS ORDERED that water right 34-10935 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED October 15, 2001.

[Signature: R. Burdick]

ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

2007 JUN 15 PM 4:55
DISTRICT COURT - SRBA
TWIN FALLS, IDAHO
FILED *[Signature]*

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 34-10935

NAME & ADDRESS: BIG LOST RIVER IRRIGATION DISTRICT
PO BOX 205
MACKAY ID 83251

SOURCE: BIG LOST RIVER TRIBUTARY: SINKS

QUANTITY: 6.4 CFS
1113.0 AFY

PRIORITY DATE: 06/01/1896

POINT OF DIVERSION: T03N R26E S01 NENESW (REDIVERSION) Within BUTTE County
S12 NENWSE (REDIVERSION)
T04N R26E S26 NWNWNW (REDIVERSION)
T05N R26E S04 NWSESE (REDIVERSION)

T07N R23E S12 SENW Within CUSTER County
T06N R24E S01 NENESW (REDIVERSION)
R25E S06 SWNESE (REDIVERSION)
S10 NENESW (REDIVERSION)
S11 SWSSEW (REDIVERSION)
S14 SENWSE (REDIVERSION)
S24 NWNWNE (REDIVERSION)
R26E S32 NWSSEW (REDIVERSION)
T07N R23E S12 NWNWSE (REDIVERSION)
R24E S18 SESWNE (REDIVERSION)
S20 SWNESW (REDIVERSION)
S33 NWSWNE (REDIVERSION)
S34 SENWNW (REDIVERSION)

POINT OF DIVERSION IN T07N, R23E, S12, SENW IS MACKAY DAM.
WATER IS DELIVERED THROUGH THE ANGELO, ARCO, B & J,
BECK/MC GOWAN, BURNETT, DARLINGTON, EASTSIDE, HARRIS-VAUGHT,
ISLAND, LOWER BURNETT, MC LOUGHLIN, MIDDLE, MILLER, MOORE,
MUNSEY, SHARP, STREETER, SUTTER, SWAUGER, VANCUS, WESTSIDE AND
3 IN 1 DITCHES OR CANALS; ALL ARE POINTS OF REDIVERSION FROM THE
BIG LOST RIVER.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE		05-01 10-15	1113.0 AFY
IRRIGATION FROM STORAGE		Irrigation Season	1113.0 AFY
DIVERSION TO STORAGE		05-01 10-15	6.4 CFS

The period of use for each purpose of use described above may be extended in seasons of unusual characteristics to a beginning date of 4-20 and an ending date of 10-31 at the discretion of the Director.

PLACE OF USE:	IRRIGATION FROM STORAGE	Within BUTTE and CUSTER Counties		
T03N R26E S01	Lot 1 (NENE)	Lot 2 (NWNW)	SWNE	SENE
	Lot 3 (NENW)	Lot 4 (NWNW)	SWNW	SENW
	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE
S02	Lot 1 (NENE)	Lot 2 (NWNW)	SWNE	SENE
	NESE	NWSE	SESE	
S12	NENE	NWNW	SWNE	SENE
	NENW	NWNW	SWNW	SENW
	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE
S13	NENE	NWNW	SWNE	SENE
	NENW	NWNW	SWNW	SENW
	NESW	NWSW	SWSW	SESW
R27E S05	Lot 4 (NWNW)	NWNW	NWSW	SWSW
S06	Lot 1 (NENE)	Lot 2 (NWNW)	SWNE	SENE

PLACE OF USE: (CONT)

T03N R27E	S06	Lot 3	(NENW)	Lot 4	(NWNW)		NESW	
		Lot 6	(NWSW)	Lot 7	(SWSW)		NESE	
			NWSE		SWSE			
	S07		NENE		NWNE		SENE	
			NENW	Lot 1	(NWNW)	Lot 2	(SWNW)	
			NESW		NWSW		SESW	
			SWSE		SESE			
	S08		NENW		NWNW		SENW	
			NESW		NWSW		SESW	
	S17		NENW		NWNW		SENW	
			NWSW		SWSW			
	S18		NENE		NWNE		SENE	
			NENW	Lot 1	(NWNW)	Lot 2	(SWNW)	
			NESW		NWSW		SESW	
			NESE		NWSE		SESE	
	S19		NENE		NWNE		SENE	
	T04N R26E	S02	Lot 2	(NWNW)				
		S03	Lot 1	(NENE)	Lot 2	(NWNE)	SWNE	SENE
			Lot 3	(NENW)	Lot 4	(NWNW)	SWNW	SENE
			NESW		NWSW	SWSW	SESW	
			NESE		NWSE	SWSE	SESE	
S04		Lot 1	(NENE)	Lot 2	(NWNE)	SWNE	SENE	
		Lot 3	(NENW)	Lot 4	(NWNW)	SWNW	SENE	
			NESW		NWSW	SWSW	SESW	
			NESE		NWSE	SWSE	SESE	
S05		Lot 1	(NENE)	Lot 2	(NWNE)	SWNE	SENE	
			SENE		NESW	NWSW	SWSW	
			SESE		NESE	NWSE	SWSE	
S07			NENE		SENE	NESE	SESE	
S08			NENE		NWNE	SWNE	SENE	
			NENW		NWNW	SWNW	SENE	
			NESW		NWSW	SWSW	SESW	
			NESE		NWSE	SWSE	SESE	
S09			NENE		NWNE	SWNE	SENE	
			NENW		NWNW	SWNW	SENE	
			NESW		NWSW	SWSW	SESW	
			NESE		NWSE	SWSE	SESE	
S10			NENE		NWNE	SWNE	SENE	
			NENW		NWNW	SWNW	SENE	
			NESW		NWSW	SWSW	SESW	
			NESE		NWSE	SWSE	SESE	
S11			NWNW		SWNW	NWSW	SWSW	
S14			NENW		NWNW	SWNW	SENE	
			NESW		NWSW	SWSW	SESW	
			NESE		NWSE	SWSE	SESE	
S15			NENE		NWNE	SWNE	SENE	
			NENW		NWNW	SWNW	SENE	
			NESW		NWSW	SWSW	SESW	
			NESE		NWSE	SWSE	SESE	
S16			NENE		NWNE	SWNE	SENE	
			NENW		NWNW	SWNW	SENE	
			NESW		NWSW	SWSW	SESW	
			NESE		NWSE	SWSE	SESE	
S17			NENE		SWNE	SENE	NWNW	
			SWNW		SENE	NESW	NWSW	
			SWSW		SESE	NESE	NWSE	
			SWSE		SESE			
S18			NENE		NWNE	SWNE	SENE	
			NESE		NWSE	SWSE	SESE	
S19			NENE		NWNE	SWNE	SENE	
			NESW		SESE	NESE	NWSE	
			SWSE		SESE			
S20			NENE		NWNE	SWNE	SENE	
			NENW		NWNW	SWNW	SENE	
			NESW		NWSW	SWSW	NWSE	
S21			NENE		NWNE	SWNE	SENE	
			NENW		NWNW	SWNW	SENE	
			NESE					
S22			NENE		NWNE	SWNE	SENE	
			NENW		NWNW	SWNW	SENE	

PLACE OF USE: (CONT)

T04N R26E S22		NESW	NWSW	NESE	NWSE
		SWSE	SESE		
S23		NWNE	SWNE	NENW	NWNW
		SNNW	SENW	NESW	NWSW
		SWSW	SESW	NWSE	SWSE
		SESE			
S25		SNNW	SENW	NESW	NWSW
		SWSW	SESW	NWSE	SWSE
		SESE			
S26		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SNNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S35		NENE	NWNE	SWNE	SENE
		NENW	SENW	NESE	NWSE
		SWSE	SESE		
S36		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SNNW	SENW
		NESW	NWSW	SESW	NESE
		NWSE	SWSE	SESE	
R27E S31	Lot 1	(NWNW)	Lot 2 (NWNW)	SESE	SENW
	Lot 3	(NWSW)	Lot 4 (SWSW)	SESW	SWSE
		SESE			
T05N R25E S01	Lot 1	(NENE)	Lot 2 (NWNE)	SWNE	SENE
	Lot 3	(NENW)	Lot 4 (NWNW)	SNNW	SENW
		NESW	NWSW	SWSW	SESW
S02	Lot 1	(NENE)	Lot 2 (NWNE)	SWNE	SENE
	Lot 3	(NENW)	Lot 4 (NWNW)	SNNW	SENW
		NESE	NWSE	SWSE	SESE
R26E S03		NWSW	SWSW		
S04	Lot 1	(NENE)	Lot 2 (NWNE)	SWNE	SENE
	Lot 3	(NENW)	Lot 4 (NWNW)	SNNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S05	Lot 1	(NENE)	Lot 2 (NWNE)	SWNE	SENE
		NESE	SWSE	SESE	
S06		NWNW			
S08		NENE	SENE	NESW	NWSW
		SWSW	SESW	NESE	NWSE
		SWSE	SESE		
S09		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SNNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S10		SWNE	NENW	NWNW	SNNW
		SENW	NESW	NWSW	SESW
		SESW	NWSE	SWSE	SESE
S14		NWNW	SNNW	NESW	NWSW
		SWSW	SESW		
S15		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SNNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S16		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SNNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S17		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SNNW	SENW
		NESE	NWSE	SWSE	SESE
S20		NENE	NWNE	SWNE	SENE
		NESE	NWSE	SWSE	SESE
S21		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SNNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S22		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SNNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S23		NENW	NWNW	SNNW	SENW

PLACE OF USE: (CONT)

T05N R26E	S23		NESW		NWSW		SWSW		SESW
	S26		NENW		NWNW		SWNW		SESW
			NESW		NWSW		SWSW		SESW
	S27		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SESW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S28		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SESW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S29		NENE		NWNE		SWNE		SENE
			NENW		SESW		NESE		NWSE
			SESE		SESE				
	S32		NENE		SENE		NESE		SESE*
	S33		NENE		NWNE		SWNE		SENE
S34			NENW		NWNW		SWNW		SESW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
			NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SESW
			NESW		NWSW	Lot 4 (SWSW)		Lot 5 (SESW)	
			NESE		NWSE	SWSE		SESE	
	S35		NWNW		SWNW	NWSW		SWSW	
T06N R24E	S01	Lot 1 (NENE)		Lot 2 (NWNE)		SWNE		SENE	
		Lot 3 (NENW)		Lot 4 (NWNW)		SWNW		SESW	
		NESW		NESE		NWSE		SESE	
		SESE							
	S02	Lot 1 (NENE)		Lot 2 (NWNE)		SWNE		SENE	
		Lot 3 (NENW)		Lot 4 (NWNW)		SWNW		SESW	
		NESW		NWSW		SESW		NWSE	
		SWSE		SESE					
	S03	Lot 1 (NENE)		Lot 2 (NWNE)		SWNE		SENE	
	S11	NENE		NWNE		SWNE		SENE	
	S12	NENE		NWNE		SWNE		SENE	
		NENW		NWNW		SWNW		SESW	
R25E	S01		NWSW		NESE				
			NESW		SWSW		SESW		NESE
			NWSE		SWSE		SESE		
	S02		SWNE		SWNW		SESW		NESE
			NWSW		SWSW		SESE		
			SWSE		SESE				
	S03	Lot 1 (NENE)		Lot 2 (NWNE)		SWNE		SENE	
		Lot 3 (NENW)		Lot 4 (NWNW)		SWNW		SESW	
		NESW		NWSW		SWSW		SESE	
		NESE		NWSE		SWSE		SESE	
	S04	Lot 1 (NENE)		Lot 2 (NWNE)		SWNE		SENE	
			SWSW		SESW		SESE		
	S05	Lot 1 (NENE)		Lot 2 (NWNE)		SWNE		SENE	
		Lot 3 (NENW)		Lot 4 (NWNW)		SWNW		SESW	
		NESW		NWSW		SWSW		SESE	
		NESE		NWSE		SWSE		SESE	
	S06	Lot 1 (NENE)		Lot 2 (NWNE)		SWNE		SENE	
		Lot 3 (NENW)		Lot 4 (NWNW)		SWNW		SESW	
		NESW		Lot 6 (NWSW)		SWSE		SESE	
		NESE		NWSE		SWSE		SESE	
	S07	NENE		NWNE		SWNE		SENE	
		NENW		Lot 1 (NWNW)		SWNE		SENE	
		NESW		Lot 3 (NWSW)		SWNE		SENE	
		NESE		NWSE		SWNE		SENE	
S08		NENE		NWNE		SWNE		SENE	
		NENW		NWNW		SWNW		SESW	
		NESW		NWSW		SWSW		SESE	
		NESE		NWSE		SWSE		SESE	
	S09	NENE		NWNE		SWNE		SENE	
		NENW		NWNW		SWNW		SESW	
		NESW		NWSW		SWSW		SESE	
		NESE		NWSE		SWSE		SESE	
	S10	NENE		NWNE		SWNE		SENE	
		NENW		NWNW		SWNW		SESW	
		NESW		NWSW		SWSW		SESE	

PLACE OF USE: (CONT)

T06N R25E	S10		NESE		NWSE		SWSE		SESE
	S11		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S12		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S13		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S14		NENE		NWNE		SENE		NESE
			SWSE		SESE				
	S16		NWNE		NENW		NWNW		SWNW
	S17		SWNE		SENE		NWNW		SWNW
			SENW		NESW		NWSW		NESE
			NWSE		SWSE		SESE		
	S18		NENE		NWNE		SWNE		SENE
			SWSW						
	S21	Lot 1	(NENE)	Lot 2	(NWNE)		SWNE		SENE
		Lot 3	(NENW)	Lot 4	(NWNW)		NESE		NWSE
			SESE						
	S22		NWSW		SWSW				
	S23		NENE		SENE		NESE		SESE
	S24		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S25		NENE		NWNE		SWNE		SENE
			NENW		SWNW		SENW		NESW
			NWSW		SWSW		SESW		NESE
			NWSE		SWSE		SESE		
	S26		SESW		SWSE		SESE		
	S27		NWNW		SWNW		SWSW		SESW
			SWSE	Lot 4	(SESE)				
	S28		NENE		SENE		NESE		SESE
	S33		NENE						
	S34	Lot 1	(NENE)		NWNE		SWNE	Lot 2	(SENE)
			NENW		NWNW		SENW		NESW
		Lot 3	(NESE)		NWSE	Lot 4	(SESE)		
	S35		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S36		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
R26E	S05	Lot 4	(SWSW)	Lot 5	(SESW)				
	S06		SWSW		SESE				
	S07		NENE		SWNE		SENE	Lot 1	(NENW)
			NWNW		SWNW		SENW		NESW
		Lot 3	(NWSW)	Lot 4	(SWSW)		SESW		NESE
			NWSE		SWSE		SESE		
	S08		NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW
	S17		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S18		NENE		NWNE		SWNE		SENE
			NENW	Lot 1	(NWNW)	Lot 2	(SWNW)		SENW
			NESW	Lot 3	(NWSW)	Lot 4	(SWSW)		SESW
			NESE		NWSE		SWSE		SESE
	S19		NENE		NWNE		SWNE		SENE
			NENW	Lot 1	(NWNW)	Lot 2	(SWNW)		SENW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S20		NENE		NWNE		SWNE		SENE

PLACE OF USE: (CONT)

T06N R26E S20		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S21		SWNW	NESW	NWSW	SWSW
		SESW	SWSE		
S27		NESW	NWSW		
S28		NWNE	SWNE	NENW	NWNW
		SWNW	SENW	NESW	NWSW
		SWSW	SESW	NESE	NWSE
		SWSE	SESE		
S29		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S30		NENE	NWNE	SWNE	SENE
	Lot 1 (NWNW)	NENW	Lot 2 (SWNW)		SENW
	Lot 3 (NWSW)	NESW	Lot 4 (SWSW)		SESW
		NESE	SWSE		SESE
S31		NENE	SWNE		SENE
	Lot 1 (NWNW)	NENW	Lot 2 (SWNW)		SENW
	Lot 3 (NWSW)	NESW	Lot 4 (SWSW)		SESW
		NESE	SWSE		SESE
S32		NENE	SWNE		SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S33		NWNE	SWNE	NENW	NWNW
		SWNW	SENW	NESW	NWSW
		SWSW	SESW	NWSE	SWSE
T07N R24E S07	Lot 3 (NWSW)		Lot 4 (SWSW)	SESW	
S17		SWNW	NWSW	SWSW	SESW
S18		NENE	NWNE	SWNE	SENE
		NENW	SENW	NESE	NWSE
		SESE			
S20		NENE	NWNE	SWNE	NENW
		NWNW	NESE	NWSE	SWSE
		SESE			
S21		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S26		SWSW	SESW	SWSE	SESE
S27		NENW	NESW	NWSW	SWSW
		SESW	NESE	NWSE	SWSE
		SESE			
S28		NENE	NWNE	NENW	NWNW
		SWNW	SENW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S29		NENE	NWNE	SENE	NWSE
		SESE			
S33		NWNE	SWNE	SENE	NENW
		NESE	NWSE	SESE	
S34		NENE	NWNE	SWNE	SENE
		SWNW	SENW	NESW	NWSW
		SWSW	SESW	NESE	NWSE
		SWSE			
S35		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	SWSW	SESW	NESE
		NWSE	SWSE	SESE	
S36		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
R25E S28		SWSW	SESW	NWSE	SWSE
S31		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S32		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE

PLACE OF USE: (CONT)

T07N R25E S33

NWNE
NWNW
NWSW
NWSE
NENE
NESW
NESE

SWNE
SWNW
SWSW
SWSE
NWNE
NWSW
NWSE

SENE
SENE
SESW
SESE
SWNE
SWSW
SWSE

NENW
NESW
NESE

SENE
SESW
SESE

S35

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF 32,000 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00012, 34-00013, 34-00810, 34-00811, 34-00817B, 34-00818, 34-02507 AND 34-10873.

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

IN ADDITION TO THE PLACE OF USE DESCRIBED FOR THIS RIGHT, HISTORICAL PRACTICE HAS BEEN TO DELIVER STORAGE WATER TO THE FOLLOWING LANDS:

T03N R27E S03	SWSW 37	SESW 24	
S04	NWSW 37	SWSW 36	SESW 37.5
	SWSE 37.5	SESE 37.5	
S08	NENE 21	NWNE 38	SENE 35
	NESE 39	NWSE 27	
S09	NENE 32	SENE 39	NWNW 33
	SWNW 31	NESW 30	NWSW 38
	SWSW 25		

634.5 ACRES TOTAL

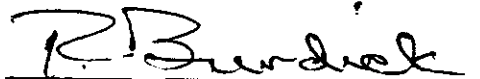
ALSO, HISTORICAL PRACTICE HAS BEEN TO DELIVER STORAGE WATER TO 120 ACRES WITHIN THE LANDS DESCRIBED BELOW IN A SINGLE IRRIGATION SEASON.

T03N R26E S13	NWSW 39	SWSW 33	SESW 39
	SWSE 40		
S24	NENW 39	NWNW 38	SWNW 39

267 ACRES TOTAL

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.



ROGER BURDICK
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE was mailed on October 15, 2001, with sufficient first-class postage to the following:

STATE OF IDAHO

Represented by:
CLIVE STRONG
NATURAL RESOURCES
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720-0010
Phone: 208-334-2400

BIG LOST RIVER IRRGTN DIST

Represented by:
KENT W FOSTER
PO BOX 50130
IDAHO FALLS, ID 83405
Phone: 208-523-0620

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098