

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 32-04060A

NAME AND ADDRESS: D & D ENTERPRISES INC  
C/O PETERSENMOSS & OLSEN  
485 E STREET  
IDAHO FALLS, ID 83402

SOURCE: SHEARS CREEK                      TRIBUTARY: COTTONWOOD CREEK  
CARLIN CREEK                              COTTONWOOD CREEK  
MIDDLE CREEK                              COTTONWOOD CREEK  
COTTONWOOD CREEK                          MUD CREEK

QUANTITY: 11.22 CFS

PRIORITY DATE: 05/01/1921

POINT OF DIVERSION: T12N R28E S03      SESENE      Within Lemhi County  
T13N R28E S03      SESWNE  
                  S35      SESWNE  
                            NESWNW  
                            NENESE  
                            NENWSE  
                  S36      SENWSW

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY  |
|----------------------------|----------------|----------------|-----------|
|                            | Irrigation     | 05-01 TO 10-31 | 11.22 CFS |
|                            | Stockwater     | 01-01 TO 12-31 | 0.07 CFS  |

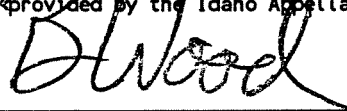
| PLACE OF USE: | Irrigation                      | Within Lemhi County |
|---------------|---------------------------------|---------------------|
|               | T12N R28E S02 LOT 03 (NENW) 7.0 | LOT 04 (NWNW)31.0   |
|               | SWNW 9.0                        |                     |
|               | S03 LOT 01 (NENE)37.0           | LOT 02 (NWNE)39.0   |
|               | SWNE 39.0                       | SENE 28.0           |
|               | SWSW 24.0                       | SESW 32.0           |
|               | NWSE 24.0                       | SWSE 6.0            |
|               | S04 SESE 13.0                   |                     |
|               | S10 NENW 10.0                   | NWNW 22.0           |
|               | SWNW 13.0                       |                     |
|               | T13N R28E S34 NESE 8.0          | SWSE 36.0           |
|               | SESE 36.0                       |                     |
|               | S35 NESW 29.0                   | NWSW 19.0           |
|               | SWSW 40.0                       | SESW 36.0           |
|               | NWSE 23.0                       |                     |
|               | 561.0 Acres Total               |                     |

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

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.

A handwritten signature in black ink, appearing to read "B. Wood", is written over a horizontal line.

Barry Wood  
Administrative District Judge  
Presiding Judge of the  
Snake River Basin Adjudication