

PORT-SEBA
TWIN FALLS CO., IDAHO
FILED

FOR WATER RIGHT: 37-2638

2008 OCT 30 PM 3: 50

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 37-02638

TERRY, PAT-SRBA
 TWIN FALLS CO., IDAHO
 FILED

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Oct-28-2008

PLACE OF USE (continued)

	NESE 3.8	NWSE 36.0
	SWSE 4.0	
S28	SWNE 14.0	SENE 4.0
	NENW 13.0	NWNW 29.0
	SWNW 6.4	SENE 37.0
	NESW 22.0	SESW 2.2
	NESE 39.0	NWSE 39.0
	SWSE 36.0	SESE 40.0
S33	NENE 40.0	NWNE 14.0
	SENE 30.0	
S34	NENW 0.2	NWNW 31.0
	SWNW 15.0	

1435.1 Acres Total

Right Nos. 37-2638 and 2700 are limited to the irrigation of a combined total of 842.1 acres in a single irrigation season.

Right Nos. 37-2625A, 37-2638, 37-2700 and 37-21463 are limited to the irrigation of a combined total of 1435.1 acres in a single irrigation season.

Right Nos. 37-481B, 37-482G, 37-483B, 37-665K, 37-666J, 37-667N, 37-2625A, 37-2638, 37-2700, 37-21463 and 37-22155 are limited to the irrigation of a combined total of 1435.1 acres in a single irrigation season.

This right is limited to the irrigation of 428 acres within the place of use described above in a single irrigation season.

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

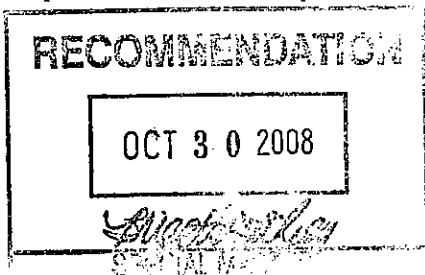
The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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

2008 OCT 30 PM 3: 50

FILED
TWIN FALLS CO., 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

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)
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)
)
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

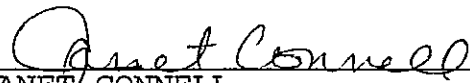
Water Right(s): 37-02638

On October 30, 2008, Special Master BRIGETTE BILYEU issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED October 30, 2008.



JANET CONNELL
Deputy Clerk

2008 OCT 30 PM 3: 50

DISTRICT COURT - SP3A
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): 37-02638

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on October 30, 2008, with sufficient first-class postage prepaid to the following:

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

BILL MOLYNEUX
GERALD BASHAW
GRACE EAKIN
JOHN F STEVENSON
PEPIN CORSO-HARRIS
PETE VAN DER MEULEN
ROCKY SHERBINE
TOM O GARA

Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

CERTIFICATE OF MAILING

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10/30/08

BIG WOOD CANAL COMPANY

Represented by:
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125 5TH AVE
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GOODING, ID 83330
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REDSTONE PARTNERS LP

Represented by:
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601 W BANNOCK ST
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JANET CONNELL
Deputy Clerk