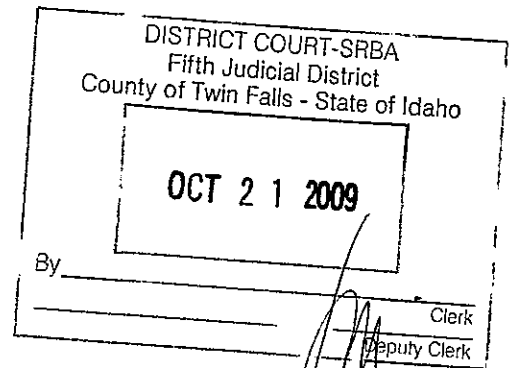


RECEIVED

OCT 22 2009

DEPARTMENT OF
WATER RESOURCES



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

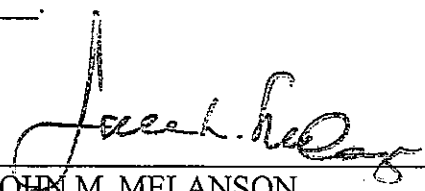
Subcase No. 75-14485
(Carlson)

On August 27, 2009, an *Amended Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Amended 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 *Amended Special Master's Report and Recommendation* and wholly adopts them as its own.

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

DATED October 21, 2009.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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)
_____)

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

Water Right 75-14485

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

OCT 21 2009

By _____

Clerk
Deputy Clerk

NAME AND ADDRESS: EVELYN R CARLSON
THOMAS H CARLSON
PO BOX 206
LEADORE, ID 83464

SOURCE: GROUND WATER TRIBUTARY: SALMON RIVER

QUANTITY: 0.24 CFS
41.40 AFY

Right Nos. 75-14483 and 75-14485 are limited to a total combined diversion rate of 2.89 cfs.
The rights listed below are limited to a total combined annual diversion volume of 547.8. Combined Right Nos.: 75-7420, 75-7530, 75-14483 & 75-14485.

PRIORITY DATE: 05/10/1979

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION: T16N R20E S24 LOT 4 (SESWNE) Within Lemhi County
LOT 9 (SESWSW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.24 CFS 41.40 AFY

PLACE OF USE:	Irrigation	Within Lemhi County
	T16N R20E S24 LOT 1 (NENE) 43.0	LOT 4 (SWNE) 19.0
	SENE 32.0	LOT 9 (SWSW) 19.0
	LOT 10 (SESW) 9.5	
	R21E S19 LOT 2 (NWNW) 22.0	LOT 3 (SWNW) 12.0
	156.5 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 156.5 acres in a single irrigation season.
Combined Right Nos.: 75-7420, 75-7530, 75-14483 & 75-14485

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

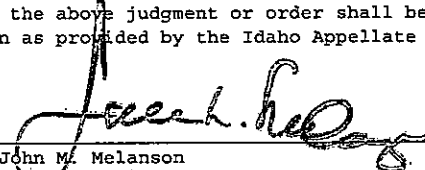
Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Salmon River at the original points of diversion located in NWNWE, S24 and NENWNW, S25, T16N, R20E.

This right is based upon an enlargement of Right No. 75-14483 pursuant to Section 42-1426, Idaho Code.

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

2009 OCT 21 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): 75-14485

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 75-14485 was mailed
on October 21, 2009, with sufficient first-class postage prepaid
to the following:

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

EVELYN R CARLSON
THOMAS H CARLSON
PO BOX 206
LEADORE, ID 83464

JULIE MURPHY
Chief Deputy Clerk