

RECEIVED

MAR 12 2014

DEPARTMENT OF  
WATER RESOURCES

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

MAR 11 2014

By \_\_\_\_\_ Clerk  
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

Case No. 39576

) Water Right No.: 63-31821  
)  
) ORDER OF PARTIAL DECREE, *NUNC PRO*  
) *TUNC* TO APRIL 29, 2009  
)  
)  
)  
)

On December 19, 2006, the Idaho Department of Water Resources filed its *Director's Report for Basin 63, Part 3, Irrigation & Other*, which included the Director's recommendation for the above-captioned water right claim. No objections were filed to the recommendation and the time period for filing such objections has expired. On April 29, 2009, a *Partial Decree* was entered for the above-captioned uncontested water right claim. However, while the ROA record indicates that a *Partial Decree* for the above-captioned water right was entered on that date, a copy of that *Partial Decree* cannot be located.

Therefore, IT IS ORDERED that water right claim 63-31821 be **decreed nunc pro tunc** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b), Nunc Pro Tunc, April 29, 2009*.

Dated March 11, 2014

  
ERIC J. WILDMAN  
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 )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 63-31821

NUNC PRO TUNC

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

APR 29 2009

By \_\_\_\_\_ Clerk  
Deputy Clerk

NAME AND ADDRESS: VINE CREST PROPERTY OWNERS  
ASSN  
13355 BURGUNDY PL  
CALDWELL, ID 83607

SOURCE: GROUND WATER

QUANTITY: 0.75 CFS  
180.00 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 06/13/1977

POINT OF DIVERSION: T03N R04W S25 NESE Within Canyon County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|----------------------------|----------------|----------------|------------------------|
|                            | Irrigation     | 03-15 TO 11-15 | 0.75 CFS<br>180.00 AFY |

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 and after November 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: Irrigation Within Canyon County  
T03N R04W S25 NWSE 40.0  
40.0 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.

Eric J. Waldman  
Presiding Judge of the  
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE NUNC PRO TUNC TO APRIL 29, 2009 was mailed on March 11, 2014, with sufficient first-class postage to the following

VINE CREST PROPERTY OWNERS  
ASSN  
13355 BURGUNDY PL  
CALDWELL, ID 83607  
Phone: 208-453-9397

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

ORDER

Page 1 3/11/14

FILE COPY FOR 02427

Deputy Clerk

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".