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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

) Water Right No.: 63-00124H

)

Case No. 39576

) ORDER OF PARTIAL DECREE, *NUNC PRO*

) *TUNC* TO FEBRUARY 16, 2007

)

)

)

)

On December 16, 2005, the Idaho Department of Water Resources filed its *Director's Report for Basin 63, Part 2, 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 February 16, 2007, 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 63-000124H be **decreed** *nunc pro tunc* as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b), Nunc Pro Tunc, February 16, 2007*.

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 63-00124H

NAME AND ADDRESS: FARM CREDIT CORP
C/O RON MOFFITT
PO BOX TAF-CS
SPOKANE, WA 99220-4005

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.14 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

This right when combined with all other rights provide no more than .02 cfs per acre.

PRIORITY DATE: 06/01/1864

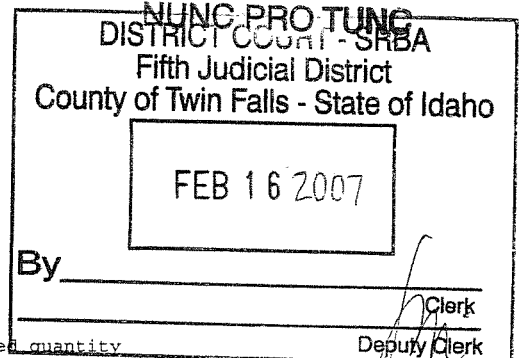
POINT OF DIVERSION: T03N R02E S09 LOT 7 (SWNE) Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.14 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE: Irrigation Within Ada County
T04N R01E S31 NESE 40.0
40.0 Acres Total

The rights listed below are limited to the irrigation of a



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SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

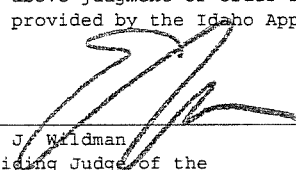
combined total of 265 acres in a single irrigation season.
Combined Right Nos.: 63-124H, 63-161N and 63-230E.

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.

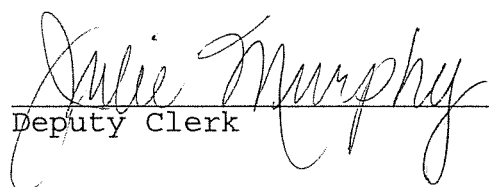

Eric J. Waldman
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE NUNC PRO TUNC TO FEBRUARY 16, 2007 was mailed on March 11, 2014, with sufficient first-class postage to the following:

FARM CREDIT CORP
C/O RON MOFFITT
PO BOX TAF-C5
SPOKANE, WA 99220-4005

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

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".