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MAR 07 2014

DEPARTMENT OF
WATER RESOURCES

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

MAR - 6 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.: 47-04238
Case No. 39576)
ORDER OF PARTIAL DECREE, *NUNC PRO*
TUNC TO JUNE 1, 2010
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)
)
)

On February 2, 2007, the Idaho Department of Water Resources filed its *Director's Report for Basin 47, Irrigation & Other Claims*, 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 June 1, 2010, 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 47-04238 be **decreed *nunc pro tunc*** as set forth in the attached ***Partial Decree Pursuant to I.R.C.P. 54(b), Nunc Pro Tunc, June 1, 2010.***

Dated

March 6, 2014

ERIC J. WILDMAN

Presiding Judge

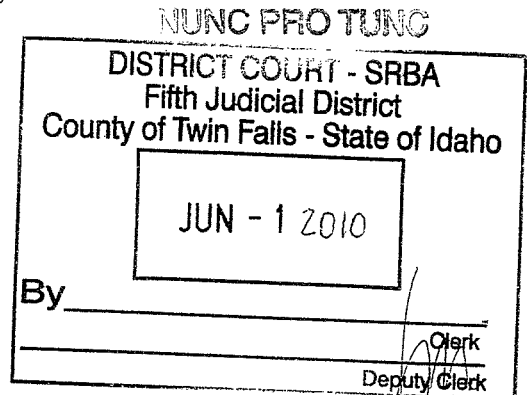
Snake River Basin Adjudication

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)
)
Case No. 39576)
_____)

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

Water Right 47-04238



NAME AND ADDRESS: DELORES BAGGETT
LARRY D BAGGETT
1552 E 4400 N
BUHL, ID 83316

SOURCE: UNNAMED STREAM TRIBUTARY: MUD CREEK
WASTE WATER TRIBUTARY: MUD CREEK

QUANTITY: 0.30 CFS

Right Nos. 47-4238 and 47-12296 are limited to a total combined
diversion rate of 0.3 cfs.
The quantity of water under this right for stockwater use shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 03/15/1960

POINT OF DIVERSION: T09S R15E S19 SWSENW Within Twin Falls County
NWSENW

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-15 TO 11-15	0.30 CFS
Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE: Irrigation Within Twin Falls County

T09S R15E S18	SESW 17.0	SWSE 2.3
S19	NENW 38.0	SENW 31.0
88.3 Acres Total		

Stockwater Within Twin Falls County
Same as Irrigation

This right is limited to the irrigation of 15 acres within the
place of use described above in a single irrigation season.
Right Nos. 47-4238 and 47-12296 are limited to the irrigation of
a combined total of 88.3 acres in a single irrigation season.

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

The quantity of water decreed for this water right for
stockwater use is not a determination of historical beneficial
use.

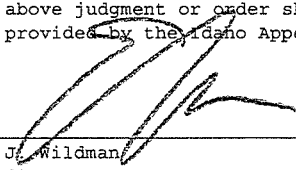
This right remains subject to the right of the original
appropriator, in good faith and in compliance with state laws
governing changes in use and/or expansion of water rights, to
cease wasting water, to change the place or manner of wasting
it, or to recapture it.

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).

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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. Wildman
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 JUNE 1, 2010 was mailed on March
06, 2014, with sufficient first-class postage to the following:

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

DELORES BAGGETT
LARRY D BAGGETT
1552 E 4400 N
BUHL, ID 83316
Phone: 208-543-5740

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".