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MAR 05 2014

DEPARTMENT OF
WATER RESOURCES

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

MAR - 4 2014

By

Clerk

Deputy Clerk

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MAR 05 2014

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. 47-02269
(Magic Water Co. Inc.)

On December 30, 2013, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *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 *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

March 4, 2014

ERIC J. WILDMAN

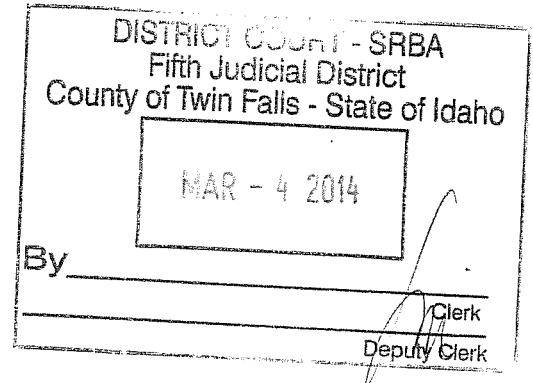
Presiding Judge

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 47-02269



NAME AND ADDRESS: MAGIC WATER CO INC
4900 N 716A EAST
BUHL, ID 83316
SOURCE: SALMON FALLS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 94.56 CFS
27568.00 AFY

PRIORITY DATE: 02/11/1953

POINT OF DIVERSION: T10S R13E S02 NESENE Within Twin Falls County
NESENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	94.56 CFS 27568.00 AFY

PLACE OF USE:	Irrigation	Within Twin Falls County
	T08S R13E S14	SWSW 39.0
	S15	SESE 41.0
	S22	NENE 37.0
		NESE 41.0
		SWSE 41.0
	S23	NENE 33.0
		SWNE 40.0
		NENW 40.0
		SWNW 40.0
		NESW 40.0
		SWSW 40.0
		NESE 40.0
		SWSE 40.0
	S24	NWNW 35.0
		NWSW 40.0
	S26	NENE 38.0
		SWNE 40.0
		NWNW 40.0
		SENW 40.0
		NWSW 40.0
		SESW 40.0
		SWSE 38.0
	S27	NENE 41.0
		SWNE 41.0
		NENW 41.0
		SWNW 40.0
		NESW 35.0
		SWSW 41.0
		NESE 41.0
		SWSE 34.0
	S28	NESE 38.0
	S29	NENE 37.0
		SWNE 40.0
		NENW 37.0
		SWNW 40.0
		NESW 40.0
		SWSW 41.0
		NESE 40.0
		SENE 33.0
		NWSE 34.0
		SESE 41.0
		NWNE 39.0
		SENE 40.0
		NWNW 40.0
		SENW 40.0
		NWSW 40.0
		SESW 40.0
		NWSE 40.0
		SESE 40.0
		SWNW 40.0
		SWSW 40.0
		NWNE 40.0
		NENW 40.0
		SENW 40.0
		NWSW 40.0
		SESW 40.0
		NWSE 40.0
		SESE 40.0
		SESE 35.0
		SESE 38.0
		NWNE 39.0
		SENE 40.0
		NWNW 40.0
		SENW 40.0
		NWSW 41.0
		SESW 40.0
		NWSE 40.0

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DEPARTMENT OF
WATER RESOURCES

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

PLACE OF USE (continued)

		SWSE 40.0		SESE 39.0
S30		NESE 41.0		NWSE 41.0
		SWSE 40.0		SESE 41.0
S31		NESE 40.0		NWSE 40.0
		SWSE 32.0		SESE 39.0
S32		NENE 30.0		NWNE 40.0
		SWNE 40.0		SENE 29.0
		NENW 40.0		NWNW 40.0
		SWNW 40.0		SENW 40.0
		NESW 40.0		NWSW 40.0
		SWSW 38.0		SESW 38.0
		NESE 33.0		NWSE 40.0
		SWSE 38.0		SESE 31.0
S33		NENE 39.0		SENE 40.0
		NESE 40.0		NWSE 36.0
		SWSE 36.0		SESE 31.0
S34		NENE 35.0		NWNE 36.0
		SWNE 34.0		SENE 39.0
		NENW 35.0		NWNW 41.0
		SWNW 41.0		SENW 33.0
		NESW 41.0		NWSW 40.0
		SWSW 34.0		SESW 40.0
		NESE 39.0		NWSE 38.0
		SWSE 40.0		SESE 39.0
S35		NWNE 0.3		NENW 33.0
		NWNW 32.0		SWNW 34.0
		SENW 26.0		NWSW 38.0
		SWSW 38.0		
T09S R13E S01		NWSW 38.0		SWSW 27.0
S02 LOT 1	(NENE) 35.0	LOT 2	(NWNE) 41.0	
	SWNE 40.0		SENE 39.0	
LOT 3	(NENW) 52.0	LOT 4	(NWNW) 52.0	
	SWNW 40.0		SENW 40.0	
	NESW 38.0		NWSW 39.0	
	SWSW 32.0		SESW 16.0	
	NESE 40.0		NWSE 27.0	
	SWSE 18.0		SESE 40.0	
S03 LOT 1	(NENE) 51.0	LOT 2	(NWNE) 53.0	
	SWNE 40.0		SENE 35.0	
LOT 3	(NENW) 53.0	LOT 4	(NWNW) 52.0	
	SWNW 39.0		SENW 40.0	
	NESW 40.0		NWSW 39.0	
	SWSW 39.0		SESW 40.0	
	NESE 39.0		NWSE 40.0	
	SWSE 40.0		SESE 39.0	
S04 LOT 1	(NENE) 53.0	LOT 2	(NWNE) 53.0	
	SWNE 41.0		SENE 40.0	
	SENW 24.0		NESW 9.3	
	SESW 26.0		NESE 40.0	
	NWSE 40.0		SWSE 40.0	
	SESE 40.0			
S09	NENE 36.0		NWNE 40.0	
	SWNE 39.0		SENE 38.0	
	NENW 28.0		NESE 31.0	
	SESE 14.0			
S10	NENE 38.0		NWNE 39.0	
	SWNE 40.0		SENE 39.0	
	NENW 40.0		NWNW 39.0	
	SWNW 40.0		SENW 40.0	
	NESW 40.0		NWSW 37.0	
	SWSW 31.0		SESW 28.0	
	NESE 38.0		NWSE 40.0	
S11	NENW 1.4		NWNW 39.0	
	SWNW 38.0			

PLACE OF USE (continued)

7448.0 Acres Total

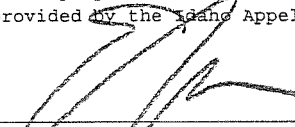
This right is limited to the irrigation of 6891.7 acres within the place of use described above in a single irrigation season. The rights listed below are limited to the irrigation of a combined total of 7448 acres in a single irrigation season. Combined Right Nos.: 47-2269, 47-2384, 47-2415, 47-10261, 47-17541.

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. Wildman
Presiding Judge of the
Snake River Basin Adjudication

2014 MAR 04 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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 47-02269

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 47-02269 was mailed
on March 04, 2014, with sufficient first-class postage prepaid
to the following:

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

MAGIC WATER CO INC
Represented by:
PAUL L ARRINGTON
195 RIVER VISTA PL STE 204
TWIN FALLS, ID 83301-3029
Phone: 208-733-0700

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

JULIE MURPHY
Chief Deputy Clerk