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FEB 19 2014

DEPARTMENT OF  
WATER RESOURCES

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

FEB 18 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.: 67-00407  
Case No. 39576 )  
ORDER OF PARTIAL DECREE, *NUNC PRO*  
TUNC TO OCTOBER 20, 2008  
)  
)  
)  
)  
)  
)

On December 22, 2006, the Idaho Department of Water Resources filed its *Director's Report for Basin 67, Irrigation & Other Uses*, 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 October 20, 2008, 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 67-00407 be **decreed nunc pro tunc** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b), Nunc Pro Tunc, October 20, 2008*.

Dated February 18, 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 SREA )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 67-00407

NUNC PRO TUNC

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

OCT 20 2008

By

Clerk

Deputy Clerk

NAME AND ADDRESS: LARRY D WALLING  
PO BOX 356  
COUNCIL, ID 83612

SOURCE: LAKEY CREEK TRIBUTARY: HORNET CREEK

QUANTITY: 0.20 CFS

PRIORITY DATE: 05/01/1901

POINT OF DIVERSION: T17N R02W S21 NWSENW Within Adams County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 03-15 TO 11-15 | 0.20 CFS |

| PLACE OF USE: | Irrigation       | Within Adams County         |
|---------------|------------------|-----------------------------|
|               | T17N R02W S16    | SESW 17.0 SWSE 1.6          |
|               | S21 LOT 2        | (NWNE)15.0 LOT 3 (NENW)31.0 |
|               |                  | SESW 1.8                    |
|               | 66.4 Acres Total |                             |

The rights listed below are limited to the irrigation of a combined total of 66.4 acres in a single irrigation season. Combined Right Nos.: 67-406 and 67-407  
This right is limited to the irrigation of 16.0 acres within the place of use described above in a single irrigation season.

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

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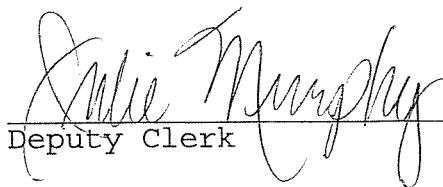
DEPARTMENT OF  
WATER RESOURCES

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE NUNC PRO TUNC TO OCTOBER 20, 2008 was mailed on February 18, 2014, with sufficient first-class postage to the following:

LARRY D WALLING  
PO BOX 356  
COUNCIL, ID 83612  
Phone: 208-253-4726

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

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and stylized, with the first name "Julie" and last name "Murphy" clearly distinguishable.