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JUL 09 2013

DEPARTMENT OF
WATER RESOURCES

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

JUL - 2 2013

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

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Water Right: 47-04163B

ORDER OF PARTIAL DECREE
(Schilder)

On February 2, 2007, the Idaho Department of Water Resources filed its *Director's Report for Basin 47, Reporting Area 12, for Irrigation and Other Rights*, which included a recommendation for the above-named water right.

On May 13, 2013, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Report* notifying the Court of a change in certain language in the quantity, other provisions and explanatory elements for the above-captioned water right. No objections were filed to the *Amended Director's Report* and the time period for filing objections has expired.

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

July 2, 2013

ERIC J. WILDMAN

Presiding Judge

Snake River Basin Adjudication

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DEPARTMENT OF
WATER RESOURCES

In Re SRBA)
)
Case No. 39576)
_____)

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

Water Right 47-04163B

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

JUL - 2 2013

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: JOHN SCHILDER
1164 E 3700 N
BUHL, ID 83316

SOURCE: GROUND WATER

QUANTITY: 0.07 CFS
35.00 AFY

The total instantaneous diversion of water from all points of diversion under 47-4163B shall not exceed 0.07 cfs, nor a total combined annual volume of 35.0 af and when combined with Right Nos. 47-16784 and 47-16785 shall not exceed 1.57 cfs, nor a total combined annual volume of 93.0 af and annual consumptive use volume of 69.0 af.

PRIORITY DATE: 05/01/1954

POINT OF DIVERSION: T10S R14E S21 SESESW Within Twin Falls County
SESWSE
SESWSE

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Stockwater	01-01 TO 12-31	0.07 CFS
		33.30 AFY
Commercial	01-01 TO 12-31	0.07 CFS
		1.70 AFY

PLACE OF USE: Stockwater Within Twin Falls County
T10S R14E S21 SWSE
Commercial Within Twin Falls County
T10S R14E S21 SWSE

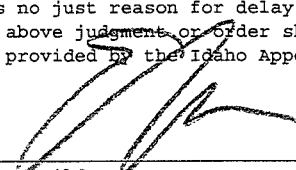
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased, or used on any other place of use than the remaining irrigated acres under Right Nos. 47-16784 and 47-16785.

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

2013 JUL 02 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)
)
Case No. 39576)

)

CERTIFICATE OF MAILING

Water Right(s): 47-04163B

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 47-04163B was mailed
on July 02, 2013, with sufficient first-class postage prepaid
to the following:

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

JOHN SCHILDER
1164 E 3700 N
BUHL, ID 83316
Phone: 208-543-6603

JULIE MURPHY
Chief Deputy Clerk