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APR 19 2013

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
APR 18 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

) Subcase Nos. 74-42 and 74-2320

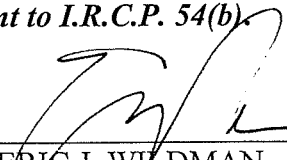
Case No. 39576

) ORDER OF PARTIAL DECREE
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On January 23, 2006, the Director of the Idaho Department of Water Resources ("Department") filed his *Director's Report, IDWR Basin 74, Reporting Area 23, Part 1*, which included recommendations for the above-captioned water right claims. No objections were filed to the *Director's Report*, and the time for filing such objections has expired. However, the above-captioned claims were temporarily withheld from *Partial Decree* because they related to certain overlapping and contested claims in Basin 74. The Court finds that those overlapping and contested claims have been resolved. On June 6, 2012, the Department filed a *Notice of Completed Administrative Proceeding* and an *Amended Director's Report* for water right claim 74-00042. On October 18, 2012, the Department filed an *Amended Director's Report* for water right claim 74-2320. No objections to the *Amended Director's Reports* were filed, and the time for filing objections has now expired.

THEREFORE, IT IS ORDERED that the above-captioned water rights be **decreed** as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

Dated April 18, 2013



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

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DEPARTMENT OF
WATER RESOURCESIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIn Re SRBA)
)
Case No. 39576)
_____)PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 74-00042DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

APR 18 2013

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: ELLSWORTH ANGUS RANCH
PO BOX 60
LEADORE, ID 83464

SOURCE: BIG TIMBER CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 4.80 CFS

Rights 74-42, 74-66, 74-67, 74-110, 74-111, 74-2329, 74-7006 and
74-7148 when combined shall not exceed a total diversion rate of
16.79 cfs.This right when combined with all other rights shall provide no
more than 3.5 afa per acre at the field headgate for irrigation
of the lands herein.Use of this right with Right No. 74-66 is limited to a total
combined diversion rate of 2.74 cfs.Use of this right with Right No. 74-67 is limited to a total
combined diversion rate of 3.89 cfs.Right Nos. 74-42, 74-66 and 74-67 are limited to a total
combined diversion rate of 6.63 cfs.

PRIORITY DATE: 11/01/1888

POINT OF DIVERSION: T15N R26E S08 NWSE Within Lemhi County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	4.80 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
T15N R26E S01 LOT 3	(NENW) 2.0	LOT 4 (NWNW) 36.0
	SWNW 37.0	SENE 2.3
	NESW 2.5	NWSW 36.0
	SWSW 36.0	SESW 2.5
S02 LOT 1	(NENE) 40.0	LOT 2 (NWNW) 40.0
	SWNE 41.0	SENE 41.0
LOT 3	(NENW) 9.3	SENE 10.0
	NESE 40.0	NWSE 22.0
	SWSE 1.8	SESE 31.0
T16N R26E S35	SWNE 39.0	SENE 27.0
	SWNW 23.0	SENE 28.0
	NESW 41.0	NWSW 41.0
	SWSW 17.0	SESW 39.0
	NESE 41.0	NWSE 41.0
	SWSE 41.0	SESE 35.0
843.4 Acres Total		

This right is limited to the irrigation of 209 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 843.4 acres in a single irrigation season.
Combined Right Nos.: 74-42, 74-66, 74-67, 74-110, 74-111,
74-2329, 74-7006, 74-7148.

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

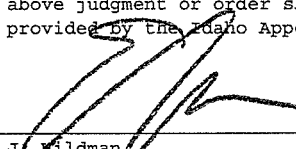
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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

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 74-02320

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho APR 18 2013 By _____ Clerk Deputy Clerk
--

NAME AND ADDRESS: ELLSWORTH ANGUS RANCH
PO BOX 60
LEADORE, ID 83464

SOURCE: EIGHTEENMILE CREEK TRIBUTARY: LEMHI RIVER
TEXAS CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 2.30 CFS

PRIORITY DATE: 11/08/1957

POINT OF DIVERSION: T15N R26E S01 NESW Within Lemhi County
S11 SWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.30 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T16N R26E S34	SENE 4.2
	S35	NESE 0.1
		SWNE 14.0
		SNNW 35.0
		SENE 34.0
		NENE 2.6
		NWSE 4.4
		NESE 7.7
		NWSE 13.0
	115.0 Acres Total	

Right Nos. 74-42, 74-66, 74-67, 74-110, 74-111, 74-2320, 74-2329,
74-7006 and 74-7148 are limited to the irrigation of a combined
total of 880 acres 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.

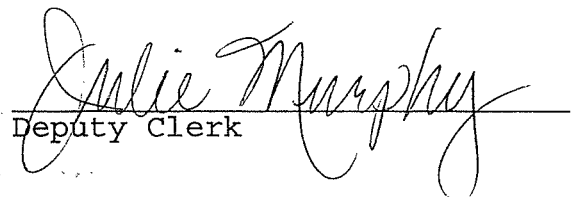
Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE was mailed on April 18, 2013, with sufficient first-class postage to the following:

ELLSWORTH ANGUS RANCH
PO BOX 60
LEADORE, ID 83464
Phone: 208-768-2664

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

Handwritten signature of Julie Murphy in cursive script, written over a horizontal line.