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APR 16 2013

DEPARTMENT OF
WATER RESOURCES

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

APR 15 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

) Water Right Nos.: 45-7019 and 45-7497

Case No. 39576

) ORDER OF PARTIAL DECREE, *NUNC PRO*

) *TUNC* TO MAY 13, 2005

)

)

)

)

On September 7, 2004, the Idaho Department of Water Resources filed its *Director's Report for Irrigation and Other, IDWR Basin 45, Reporting Area 10, Part 1*, which included the Director's recommendations for the above-captioned water right claims. No objections were filed to the recommendations and the time period for filing such objections has expired. On May 13, 2005, *Partial Decrees* were entered for the uncontested water rights in Basin 45. It was intended for the above-captioned water right claims to be decreed along with these uncontested water rights on May 13, 2005. However, while the ROA records indicate that *Partial Decrees* for the above-captioned water rights were entered on that date, copies of those *Partial Decrees* cannot be located.

Therefore, IT IS ORDERED that water right claims 45-7019 and 45-7497 be **decreed** *nunc pro tunc* as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b), Nunc Pro Tunc, May 13, 2005*.

Dated April 15, 2013


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

NUNC PRO TUNC

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

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

Water Right 45-07019

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho MAY 13 2005 By _____ _____ Clerk Deputy Clerk

NAME AND ADDRESS: FARMLAND RESERVE INC
C/O OLS 2WW
50 E N TEMPLE ST
SALT LAKE CITY, UT 84150

SOURCE: GROUND WATER

QUANTITY: 1.50 CFS
376.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 12.9 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 5,326 AF. COMBINED RIGHT NOS.: 45-2503,
45-2518, 45-2530, 45-2541, 45-7019, 45-7497, 45-13403.

PRIORITY DATE: 09/25/1967

POINT OF DIVERSION:	T10S R19E S36	SWNWSE Within Twin Falls County
	T11S R19E S01	SESENW
	S12	SWNWNE
		NESENW
		NESENW

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.50 CFS
			376.00 AFY

PLACE OF USE:	Irrigation		Within Twin Falls County
	T10S R19E S26	NESW 12.0	NWSW 9.2
		SWSW 37.0	SESW 40.0
		SWSE 25.0	
	S34	SWNE 39.0	SENE 40.0
		NESE 40.0	NWSE 40.0
		SWSE 40.0	SESE 40.0
	S35	NENE 35.0	NWNE 40.0
		SWNE 40.0	SENE 40.0
		NENW 40.0	NWNW 37.0
		SWNW 39.0	SENW 38.0
		NESW 37.0	NWSW 40.0
		SWSW 40.0	SESW 38.0
		NESE 40.0	NWSE 40.0
		SWSE 28.0	SESE 28.0
	S36	NWNW 10.0	SWNW 39.0
		SENW 5.8	NESW 27.0
		NWSW 36.0	SWSW 25.0
		SESW 3.0	NWSE 1.2
		SWSE 9.1	
	T11S R19E S01 LOT 2	(NWNE) 28.0	SWNE 9.9
	LOT 3	(NENW) 38.0	LOT 4 (NWNW) 37.0
		SWNW 40.0	SENW 38.0
		NESW 39.0	NWSW 40.0
		SWSW 39.0	SESW 40.0
	S02 LOT 1	(NENE) 39.0	LOT 2 (NWNE) 27.0
		SWNE 38.0	SENE 38.0
	LOT 3	(NENW) 33.0	LOT 4 (NWNW) 39.0
		SWNW 40.0	SENW 40.0
		NESW 40.0	NWSW 40.0

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

PLACE OF USE (continued)

	SWSW 40.0	SESW 40.0
	NESE 36.0	NWSE 40.0
	SWSE 40.0	SESE 37.0
S03 LOT 1	(NENE)39.0	LOT 2 (NWNE)39.0
	SWNE 40.0	SENE 40.0
	SENW 40.0	NESW 40.0
	NWSW 40.0	SESW 40.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 40.0
S10	NENE 40.0	NWNE 40.0
	SWNE 40.0	SENE 40.0
	NENW 40.0	NWNW 40.0
	SWNW 40.0	SENW 40.0
	NESW 40.0	NWSW 40.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 40.0
S11	NENE 40.0	NWNE 40.0
	SWNE 40.0	SENE 40.0
	NENW 40.0	NWNW 40.0
	SWNW 40.0	SENW 40.0
	NESW 40.0	NWSW 40.0
	SWSW 40.0	SESW 40.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 39.0
S12	NWNE 14.0	SWNE 7.2
	NENW 40.0	NWNW 37.0
	SWNW 18.0	SENW 20.0
3887.4 Acres Total		

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2207 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2503, 45-2518, 45-2530, 45-2541, 45-7019, 45-7497, 45-13403. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 94 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

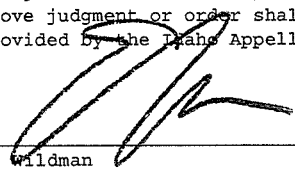
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. Section 42-1412(6), Idaho Code.

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

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

NUNG PRO TUNC

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

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

Water Right 45-07497

NAME AND ADDRESS: FARMLAND RESERVE INC
C/O OLS 2WW
50 E N TEMPLE ST
SALT LAKE CITY, UT 84150

SOURCE: GROUND WATER

QUANTITY: 3.88 CFS
1893.00 AFY

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

MAY 13 2005

By _____

Clerk
Deputy Clerk

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 12.9 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 5,326 AF. COMBINED RIGHT NOS.: 45-2503,
45-2518, 45-2530, 45-2541, 45-7019, 45-7497, 45-13403.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 7.52 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 3,670 AF. COMBINED RIGHT NOS.: 45-2530,
45-2541, 45-7497, 45-13403.

PRIORITY DATE: 04/03/1982

POINT OF DIVERSION: T10S R19E S36 SWNWSE Within Twin Falls County
T11S R19E S01 SESENW
S12 SWNWNE
NESENW
NESENW

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	3.88 CFS 1893.00 AFY

PLACE OF USE:	Irrigation	Within Twin Falls County
T10S R19E S26	NESW 12.0	NWSW 9.2
	SWSW 37.0	SESW 40.0
	SWSE 25.0	
S34	SWNE 39.0	SENE 40.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 40.0
S35	NENE 35.0	NWNE 40.0
	SWNE 40.0	SENE 40.0
	NENW 40.0	NWNW 37.0
	SWNW 39.0	SENW 38.0
	NESW 37.0	NWSW 40.0
	SWSW 40.0	SESW 38.0
	NESE 40.0	NWSE 40.0
	SWSE 28.0	SESE 28.0
S36	NWNW 10.0	SWNW 39.0
	SENW 5.8	NESW 27.0
	NWSW 36.0	SWSW 25.0
	SESW 3.0	NWSE 1.2
	SWSE 9.1	
T11S R19E S01 LOT 2	(NWNE) 28.0	SWNE 9.9
LOT 3	(NENW) 38.0	LOT 4 (NWNW) 37.0
	SWNW 40.0	SENW 38.0
	NESW 39.0	NWSW 40.0
	SWSW 39.0	SESW 40.0
S02 LOT 1	(NENE) 39.0	LOT 2 (NWNE) 27.0

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

PLACE OF USE (continued)

	SWNE 38.0		SENE 38.0
LOT 3	(NENW) 33.0	LOT 4	(NWNW) 39.0
	SWNW 40.0		SENE 40.0
	NESW 40.0		NWSW 40.0
	SWSW 40.0		SESW 40.0
	NESE 36.0		NWSE 40.0
	SWSE 40.0		SESE 37.0
S03 LOT 1	(NENE) 39.0	LOT 2	(NWNE) 39.0
	SWNE 40.0		SENE 40.0
	SENE 40.0		NESW 40.0
	NWSW 40.0		SESW 40.0
	NESE 40.0		NWSE 40.0
	SWSE 40.0		SESE 40.0
S10	NENE 40.0		NWNE 40.0
	SWNE 40.0		SENE 40.0
	NENW 40.0		NWNW 40.0
	SWNW 40.0		SENE 40.0
	NESW 40.0		NWSW 40.0
	NESE 40.0		NWSE 40.0
	SWSE 40.0		SESE 40.0
S11	NENE 40.0		NWNE 40.0
	SWNE 40.0		SENE 40.0
	NENW 40.0		NWNW 40.0
	SWNW 40.0		SENE 40.0
	NESW 40.0		NWSW 40.0
	SWSW 40.0		SESW 40.0
	NESE 40.0		NWSE 40.0
	SWSE 40.0		SESE 39.0
S12	NWNE 14.0		SWNE 7.2
	NENW 40.0		NWNW 37.0
	SWNW 18.0		SENE 20.0
3887.4 Acres Total			

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2207 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2503, 45-2518, 45-2530, 45-2541, 45-7019, 45-7497, 45-13403. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1177 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

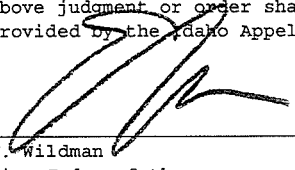
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. Section 42-1412(6), Idaho Code.

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 NUNC PRO TUNC TO MAY 13, 2005 was mailed on April 15, 2013, with sufficient first-class postage to the following:

FARMLAND RESERVE INC
C/O OLS 2WW
50 E N TEMPLE ST
SALT LAKE CITY, UT 84150
Phone: 801-715-9100

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