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JAN 09 2013

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN - 8 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

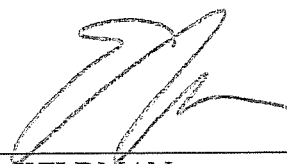
Case No. 39576

)
)
) **ORDER OF PARTIAL DECREE**
)
) **Subcase No. 37-00113F**
)
)
)

_____)
The Director of the Idaho Department of Water Resources previously issued a *Director's Report* for the above-captioned water right claim. No objections were filed to the *Director's Report*, and the time for filing such objections has expired. However, the above-captioned claim was temporarily withheld from *Partial Decree* because it related to certain overlapping and contested claims in Basin 37 which were the subject of *Objections*.¹ The contested overlapping claims have now been resolved. On November 15, 2012, an *Amended Director's Report* and *Notice of Completed Administrative Proceeding* were filed for the above-captioned water right claim. No objections to the *Amended Director's Report* were filed, and the time for filing objections has now 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 January 8, 2013

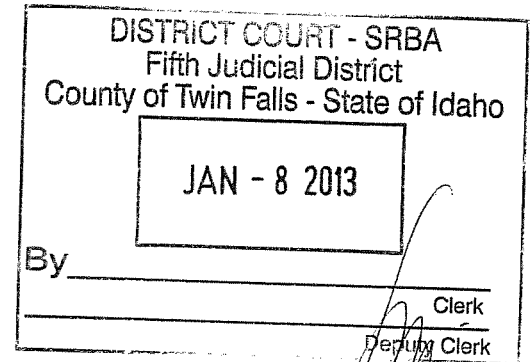


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

¹ Specifically water right claims 37-113G, 37-113O, 37-113P, 37-11281 and 37-22064.

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-00113F



NAME AND ADDRESS: MACON-MORGL TRUST
LISA FERGUSON TRUSTEE
15260 VENTURA BLVD STE 1700
SHERMAN OAKS, CA 91403

SOURCE: GROUND WATER

Diversion of groundwater is limited to those times water is available for diversion under these rights and priority from the original source, Big Wood River.

QUANTITY: 0.16 CFS
28.40 AFY

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 above.
Rights 37-113F and 37-21299 when combined shall not exceed a total annual maximum diversion volume of 41.3 af at the field headgate, and the irrigation of 11.8 acres.

PRIORITY DATE: 07/10/1884

POINT OF DIVERSION: T02N R18E S36 NENESE Within Blaine County

This right does not grant any right-of-way or easement across the land of another.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.16 CFS 28.40 AFY

PLACE OF USE: Irrigation Within Blaine County
T01N R18E S02 NWSE 21.0
21.0 Acres Total

This right is limited to the irrigation of 8.1 acres within the place of use described above in a single irrigation season. Rights 37-113F and 37-21299 are limited to the irrigation of a specific 11.8 acres within the 21 acre place of use authorized by these rights in a single irrigation season. The specific 11.8 acres to be irrigation by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the Department. Before changing the 11.8 acres to be irrigated within the 21 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

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

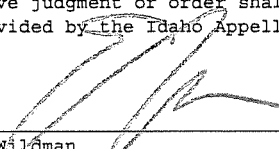
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

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

2013 JAN 08 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) : 37-00113F

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 37-00113F was mailed on January 08, 2013, with sufficient first-class postage prepaid to the following:

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

MACON-MORGL TRUST
LISA FERGUSON TRUSTEE
15260 VENTURA BLVD STE 1700
SHERMAN OAKS, CA 91403

JULIE MURPHY
Chief Deputy Clerk