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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
NOV 29 2012
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. 37-00577BY
) (Ratliffe)
)
)
)

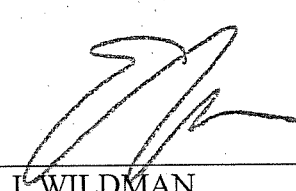
On October 5, 2012, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report and Recommendation* and wholly adopts them as its own.

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

November 29, 2012

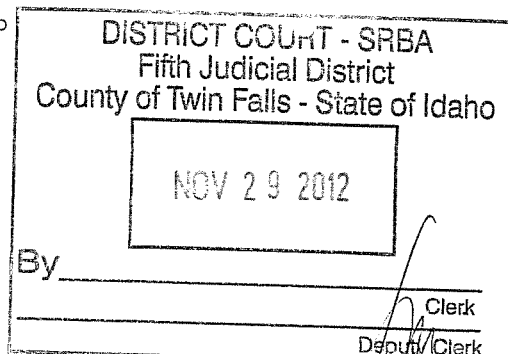


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

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

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

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-00577BY



NAME AND ADDRESS: KATHLEEN L RATLIFFE
WILLIAM R RATLIFFE
21165 SW KILLARNEY CT
TUALATIN, OR 97062

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.10 CFS

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION: T02N R18E S16 NESE Within Blaine County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Mitigation	04-15 TO 10-31	0.10 CFS

PLACE OF USE: Mitigation Within Blaine County
T02N R19E S31 LOT 4 (SWSW) 5.0
5.0 Acres Total

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

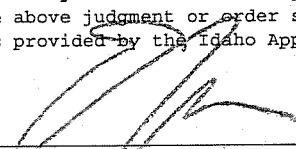
If the mitigation portion of this right is used for any purpose other than mitigation and conveyance loss, then water shall not be diverted under Right 37-22672. If the mitigation portion of this right is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under the use of Right 37-22672 that is being mitigated shall be reduced by the same proportion as the reduction to this right. The watermaster shall deliver 0.08 cfs of this right to the Bypass Canal where it shall remain undiverted but provide for losses in the river reach between the Cove Canal and the Bypass Canal which result because of use of water under Right 37-22672. This right mitigates for the injury to other water users caused by the diversion and use of water under Right 37-22672. To prevent injury to other water right holders, the watermaster shall deliver 0.02 cfs of this right into the Cove Canal where it shall remain undiverted but provide for conveyance loss in the canal.

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).

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

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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Figure 1

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BIG WOOD CANAL COMPANY
Represented by:
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WILLIAM R RATLIFFE
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JULIE MURPHY
Chief Deputy Clerk