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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAY - 1 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. 35-02172
(KBCP LLC)

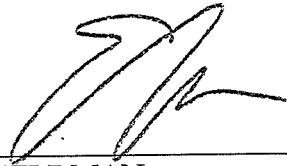
On March 2, 2012, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

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

May 1, 2012


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

In Re SRBA)
)
Case No. 39576)
)

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

MAY - 1 2012

By _____ Clerk

Deputy Clerk

QUANTITY: 2.16 CFS
580.00 AFY

POINT OF DIVERSION:	T08S R29E S13	SESESW	Within Power County
	S21	NWNESE	
	S22	SWSENW	
		SWSENW	
		NWNWSW	
	S23	NWNENW	
	S24	SWSWNE	
		NWSENW	
	S26	NENWSW	
	R30E S19	NWNENW	

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

POINT OF DIVERSION (continued)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.16 CFS 580.00 AFY
PLACE OF USE:	Irrigation		Within Power County
	T08S R29E S13	NWNW 40.0	SWNW 40.0
		NESW 40.0	NWSW 40.0
		SWSW 40.0	SESW 40.0
		NESE 40.0	NWSE 40.0
		SWSE 40.0	SESE 40.0
	S14	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 40.0
	S15	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 40.0
	S21	SENE 40.0	NESE 40.0
		NWSE 40.0	SWSE 38.0
		SESE 40.0	
	S22	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 40.0
	S23	NENE 40.0	NWNE 40.0
		SWNE 40.0	SENE 40.0
		NENW 40.0	NWNW 36.0
		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 40.0
	S24	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 40.0
	S25	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 40.0

PLACE OF USE (continued)

S26	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 40.0
S27	NENE 40.0	NWNE 40.0
	SWNE 40.0	SENE 40.0
	NENW 40.0	NWNW 40.0
	SWNW 40.0	SENW 40.0
R30E S18	NESE 40.0	
	NESW 40.0	NWSW 40.0
S19	SWSW 40.0	SESW 40.0
	NENW 40.0	NWNW 40.0
	SWNW 40.0	SENW 40.0
	NESW 40.0	NWSW 40.0
S30	SWSW 40.0	SESW 40.0
	NENW 40.0	NWNW 40.0
	SWNW 40.0	SENW 40.0
6154.0 Acres Total		NESW 40.0
		NWSW 40.0

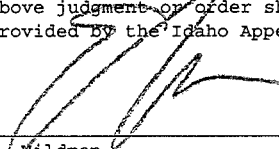
This right is limited to the irrigation of 145 acres within the place of use described herein in a single irrigation season. Rights 35-7275, 35-7399, 35-13397, 35-13382, 35-13384, 35-13385, 35-13386, 35-13388, 35-13390, 35-13915, 35-13916, 35-13387, 35-13899, 35-13900, 35-7402, 35-13409, 35-13381, 35-13412, 35-13389, 35-7401, 35-13410, 35-13411, 35-13413, 35-13415, 35-13414, 35-2274, 35-7390, 35-7630, 35-2432C, 35-7391C, 35-7863, 35-13905, 35-13906, 35-2172, 35-13703, 35-13897, 35-13898 and 29-14007 are limited to the irrigation of a specific 3,434.0 acres within the 6,154.0 acre place of use authorized by this right in a single irrigation season. The specific 3,434.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the Department. Before changing the 3,434.0 acres to be irrigated within the 6,154.0 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 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

2012 MAY 01 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): 35-02172

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 35-02172 was mailed
on May 01, 2012, with sufficient first-class postage prepaid
to the following:

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

KBCP LLC
3010 MCKINLEY
AMERICAN FALLS, ID 83211

JULIE MURPHY
Chief Deputy Clerk