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MAR 30 2012

DEPARTMENT OF
WATER RESOURCES

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

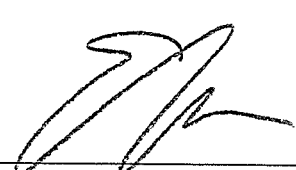
) ORDER OF PARTIAL DECREE
)
)
) Subcase No. 75-00022
) (Arrowhead Water District)
)

On February 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)*.

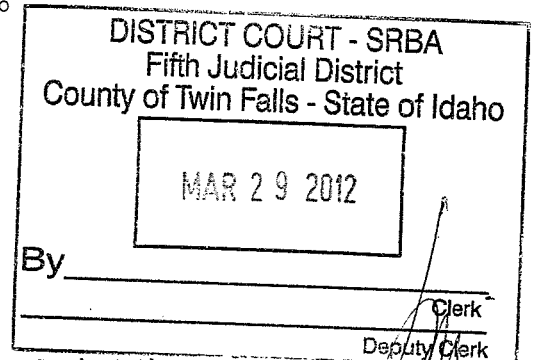
DATED March 29, 2012



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 75-00022



NAME AND ADDRESS: ARROWHEAD WATER DISTRICT
C/O GARY LEUZINGER
23 OLIVER DR
SALMON, ID 83467

SOURCE: CHIPPS CREEK TRIBUTARY: POLLARD CANYON CREEK
POLLARD CANYON CREEK TRIBUTARY: JESSE CREEK

Water shall only be diverted from Pollard Canyon Creek at the point of diversion within T21N, R21E, S02, SESW when water is available for diversion under this right in Chipps Creek at the point of diversion within T21N, R21E, S11, SWNW. This condition applies to all current and future splits of 75-22 when owned, controlled and delivered by Arrowhead Water District.

QUANTITY: 1.75 CFS

Right Nos. 75-5, 75-22 and 75-14465 are limited to a total combined diversion rate of 6.11 cfs. The total flow available for diversion in Water District 75A is the sum of all water being diverted above the Farmer's Ditch, water being diverted into the Farmer's Ditch, and the quantity of water spilling and seeping past the Farmer's Ditch diversion. The Farmer's Ditch diversion is located in T21N, R21E, S01, SWNW. Once the reservoir under Right No. 75-14465 is filled each year, no more than 0.75 cfs will be diverted from Chipps Creek under Right No. 75-22 whenever there is sufficient flow available to satisfy any part of Right No. 75-2, and the rightholder of 75-22 can satisfy its irrigation requirements with diversions from Pollard Canyon Creek under Right No. 75-5. Once the reservoir under Right No. 75-14465 is filled and Right No. 75-2 is no longer in priority, Right No. 75-22 may be exercised to the extent it is in priority.

PRIORITY DATE: 05/01/1889

POINT OF DIVERSION: T21N R21E S02 SESW Within Lemhi County
S11 SWNW

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-01 TO 10-31 1.75 CFS

PLACE OF USE: Irrigation Within Lemhi County
T21N R21E S01 NESW 20.6 NWSW 38.0
SWSW 41.0 SESW 12.0
NESE 37.0 NWSE 40.0
SWSE 19.7 SESE 18.0
S02 NESE 11.0 SWSE 9.8
SESE 40.0
287.1 Acres Total

Right Nos. 75-5, 75-22 and 75-14465 are limited to the irrigation of a combined total of 287.1 acres in a single irrigation season.

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

The right holder shall maintain a measuring device and lockable

OTHER PROVISIONS (continued)

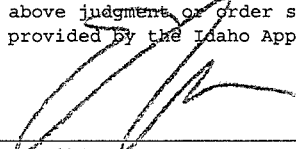
controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

This water right is subject to a private agreement among the City of Salmon, Myrtle, Dale and Laura Edwards and Arrowhead Water District, and recorded in the Lemhi County Recorder's office on December 1, 2011 as instrument no. 288296. Arrowhead Reservoir, recommended as Right No. 75-14465, may only be filled as authorized by Water Right No. 75-14465.

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 MAR 29 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): 75-00022

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 75-00022 was mailed
on March 29, 2012, with sufficient first-class postage prepaid
to the following:

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

ARROWHEAD WATER DISTRICT
Represented by:
JERRY R. RIGBY
25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

CITY OF SALMON
Represented by:
JOSEPHINE P BEEMAN
409 W JEFFERSON ST
BOISE, ID 83702
Phone: 208-331-0950

EDGAR & MYRTLE EDWARDS

Represented by:

RANDALL C BUDGE

201 E CENTER, STE A2

PO BOX 1391

POCATELLO, ID 83204-1391

Phone: 208-232-6101

JULIE MURPHY

Chief Deputy Clerk