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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
FEB 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. 75-14465
(Idaho Arrowhead Water District)

On January 6, 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 February 29, 2012.

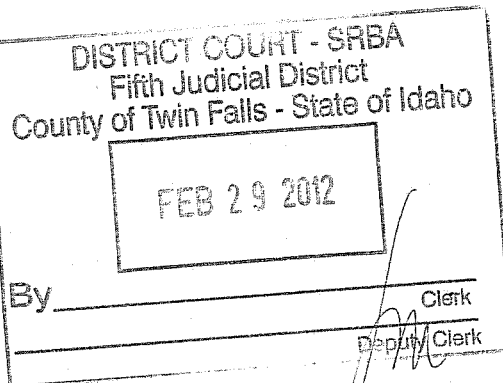

ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

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 75-14465



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

SOURCE: CHIPPS CREEK TRIBUTARY: POLLARD CANYON CREEK

QUANTITY: 6.11 CFS
40.00 AFY

Right Nos. 75-5, 75-22 and 75-14465 are limited to a total combined diversion rate of 6.11 cfs. This right when combined with 75-5, 75-22 and all current and future rights split from 75-5 and 75-22, is limited to a total combined diversion rate of 7.00 cfs. The capacity of the storage reservoir is 40 af. The reservoir may be filled up to the total diversion volume in a single year. No water diversions from the reservoir will occur during the period of time each year the reservoir is being filled. 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. 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, S1, SWNW.

PRIORITY DATE: 05/01/1985

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION: T21N R21E S11 SWNW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	40.00 AFY
	Irrigation from Storage	04-01 TO 10-31	40.00 AFY
	Diversion to Storage	04-01 TO 10-31	6.11 CFS

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

PLACE OF USE (continued)

Right Nos. 75-5, 75-22 and 75-14665 are limited to the irrigation of a combined total of 287.1 acres in a single irrigation season. The reservoir is located in Township 21 North, Range 21 East, Section 2, SWSE.

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

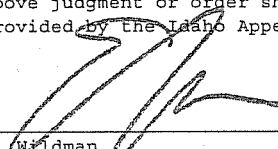
This water right is subject to a private agreement among the City of Salmon, Myrtle, Dale and Laura Edwards and Arrowhead Water District, and recorded in the Lemhi County Recorder's office on December 1, 2011 as instrument no. 288296. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

This right is based upon an enlargement of Right Nos. 75-5 and 75-22 pursuant to Section 42-1426, Idaho Code. Arrowhead Reservoir, recommended as Right No. 75-14465, may only be filled as authorized by Water Right 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 FEB 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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 75-14465

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 75-14465 was mailed
on February 29, 2012, with sufficient first-class postage prepaid
to the following:

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

ARROWHEAD WATER DISTRICT
IDAHO ARROWHEAD WATER DIST

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