

RECEIVED
DEC 30 2011
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
DEC 29 2011
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	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	Subcase No. 22-13479
	)	(DKJ Farms LLC)
_____	)	

On November 4, 2011, 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 December 29, 2011.

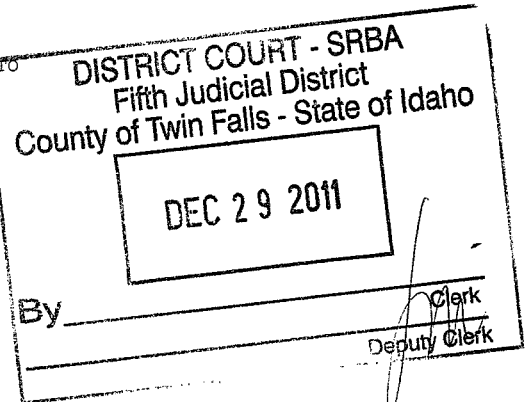


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

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 22-13479



NAME AND ADDRESS: DKJ FARMS LLC
665 CENTENNIAL LOOP
REXBURG, ID 83440

SOURCE: MOODY CREEK TRIBUTARY: TETON RIVER

QUANTITY: 3.10 CFS

The rights listed below are limited to a total combined diversion rate of 8.00 cfs from 04/01 to 06/20 which is reduced to 7.85 cfs from 06/21 to 10/31. Combined Right Nos.: 22-4195, 22-13479, 22-13987 and 22-13988.

PRIORITY DATE: 05/01/1980

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 Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION: T05N R41E S21 SENW Within Madison County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	3.10 CFS

PLACE OF USE:	Irrigation	Within Madison County	
	T05N R41E S16	SESW 31.0	
	S20	NENE 40.0 SWNE 40.0 SWNW 40.0 NESW 40.0 NESE 40.0	NWNE 40.0 SENE 40.0 SENW 40.0 NWSW 36.0 NWSE 40.0
	S21	NENW 23.0 SWNW 36.0 NWSW 20.0	NWNW 39.0 SENW 2.7
	547.7 Acres Total		

The rights listed below are limited to the irrigation of a combined total of 547.7 acres in a single irrigation season. Combined Right Nos.: 22-4195, 22-13479, 22-13987 and 22-13988.

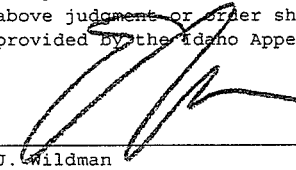
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is based upon an enlargement of Right Nos. 22-4195, 22-13987 and 22-13988 pursuant to Section 42-1426, Idaho Code.

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

2011 DEC 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): 22-13479

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 22-13479 was mailed
on December 29, 2011, with sufficient first-class postage prepaid
to the following:

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

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

GEORGE BROWN
GEORGE R BROWN
JAMES WOOD
Represented by:
JOSEPH F BROWN
4094 S FEDERAL WAY STE K102
BOISE, ID 83716
Phone: 208-965-2224

CERTIFICATE OF MAILING

JULIE MURPHY
Chief Deputy Clerk

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12/29/11