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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
DEC - 6 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. 02-10209
	)	(McDonough)
_____	)	

On July 2, 2009, 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 16, 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 02-10209

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

DEC - 6 2011

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: MARK A MC DONOUGH
PO BOX 74
MELBA, ID 83641

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.22 CFS
36.80 AFY

The total instantaneous diversion of water from all points of
diversion under Right 2-10209 shall not exceed 0.22 cfs, nor
total combined annual volume of 36.8 af.

PRIORITY DATE: 02/25/1963

POINT OF DIVERSION: T01N R02W S31 LOT 4 (SESWSW) Within Canyon County
T01S R02W S06 LOT 2 (NWSW)

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 10-31	0.22 CFS
		36.80 AFY

The period of use for the irrigation described in this approval
may be extended to a beginning date of 3/1 and an ending date of
11/15 provided that beneficial use of the water can be shown and
other elements of the right are not exceeded. The use of water
before 4/1 and after 10/31 is subordinate to all water rights
having no subordinated early or late irrigation use and a
priority date earlier than the date of the originating approval.

PLACE OF USE:

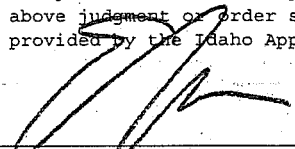
Place of Use	Quantity
Irrigation	Within Canyon County
T01N R02W S31 LOT 5 (SESW)	5.0
T01S R02W S05 LOT 4 (NWNW)	2.0
S06 LOT 4 (NENE)	4.0
11.0 Acres Total	

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 G. Wildman
Presiding Judge of the
Snake River Basin Adjudication

