

NOV 30 2011

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. 21-13019    |
|                | ) | (Orme)                  |
| _____          | ) |                         |

On October 24, 2011, an *Amended Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Amended 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 *Amended 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

November 30, 2011

  
\_\_\_\_\_  
ERIC J. WILDMAN  
Presiding Judge  
Snake River Basin Adjudication

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

NOV 30 2011

~~Clerk~~  
~~Deputy Clerk~~

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 143.5 af at the field headgate for the place of use.

T08N R42E S02 LOT 2 ( NWNE) Within Fremont County

The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

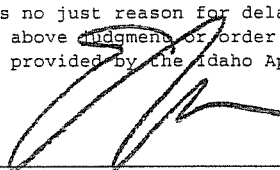
Irrigation Within Fremont County

|                                |                  |
|--------------------------------|------------------|
| T08N R42E S02 LOT 1 (NENE)31.0 | LOT 2 (NWNE)10.0 |
| 41.0 Acres Total               |                  |

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.

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Eric J. Wildman  
Presiding Judge of the  
Snake River Basin Adjudication

2011 NOV 30 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): 21-13019

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 21-13019 was mailed  
on November 30, 2011, with sufficient first-class postage prepaid  
to the following:

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

AMERICAN FALLS RESERVOIR

Represented by:  
CRAIG D. HOBDEY  
125 5TH AVE  
PO BOX 176  
GOODING, ID 83330  
Phone: 208-934-4429

FREMONT MADISON IRRIGATION

JAY LENZ  
RYAN ORME  
Represented by:  
JERRY R. RIGBY  
25 N 2ND E  
PO BOX 250  
REXBURG, ID 83440-0250  
Phone: 208-356-3633

CERTIFICATE OF MAILING

MILNER IRRIGATION DISTRICT

Represented by:

JOHN K SIMPSON  
1010 W JEFFERSON, STE 102  
PO BOX 2139  
BOISE, ID 83701-2139  
Phone: 208-336-0700

STATE OF IDAHO

Represented by:

NATURAL RESOURCES DIV CHIEF  
STATE OF IDAHO  
ATTORNEY GENERAL'S OFFICE  
PO BOX 44449  
BOISE, ID 83711-4449

A & B IRRIGATION DISTRICT  
BURLEY IRRIGATION DISTRICT

Represented by:

ROGER D LING  
615 H ST  
PO BOX 396  
RUPERT, ID 83350-0396  
Phone: 208-436-4717

MILNER IRRIGATION DISTRICT  
NORTH SIDE CANAL CO LTD  
TWIN FALLS CANAL COMPANY

Represented by:

TRAVIS L THOMPSON  
113 MAIN AVE W, STE 303  
PO BOX 485  
TWIN FALLS, ID 83303-0485  
Phone: 208-733-0700

USDI BUREAU OF RECLAMATION

Represented by:

US DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724

MINIDOKA IRRIGATION DISTRICT

Represented by:

W KENT FLETCHER  
1200 OVERLAND AVE  
PO BOX 248  
BURLEY, ID 83318  
Phone: 208-678-3250

NORTH FREMONT CANAL SYSTEMS  
C/O LON ATCHLEY  
PO BOX 241  
ASHTON, ID 83420  
Phone: 208-652-3332

JULIE MURPHY  
Chief Deputy Clerk