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AUG 31 2011

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
AUG 30 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. 22-00335

(Darby Canyon Estates LLC)

On July 28, 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 August 30, 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 22-00335

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

AUG 30 2011

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS:

DARBY CANYON ESTATES LLC
C/O JAMES R JENKINS
PO BOX 522
DRIGGS, ID 83422

SOURCE:

NELSON SPRING TRIBUTARY: DARBY CREEK

QUANTITY:

1.37 CFS

PRIORITY DATE:

06/01/1898

POINT OF DIVERSION:

T04N R46E S17 LOT 2 (SWNE) Within Teton County

The point of diversion for this water right is in Wyoming,
T43N R118W S20 NESW, 6th Principal Meridian. The point of
diversion shown above is where the conveyance system enters
Idaho.

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Irrigation

PERIOD OF USE
04-15 TO 10-31

QUANTITY
1.37 CFS

PLACE OF USE:

Irrigation

Within Teton County

T04N R46E S17 LOT 2 (SWNE) 10.0
SENW 26.0
NWSW 39.0

SWNW 10.0
NESW 6.6

91.6 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 J. Waldman
Presiding Judge of the
Snake River Basin Adjudication

2011 AUG 30 PM 02:00
DISTRICT COURT - SRB/
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): 22-00335

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 22-00335 was mailed
on August 30, 2011, with sufficient first-class postage prepaid
to the following:

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

DARBY CANYON ESTATES LLC
Represented by:
ROBERT H WOOD
RIGBY ANDRUS RIGBY CHARTERED
25 NORTH 2ND EAST
PO BOX 250
REXBURG, ID 83340
Phone: 208-356-3633

JULIE MURPHY
Chief Deputy Clerk