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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
MAR 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. 75-04341
	)	(McFarland)
_____	)	

On February 18, 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

March 30, 2011



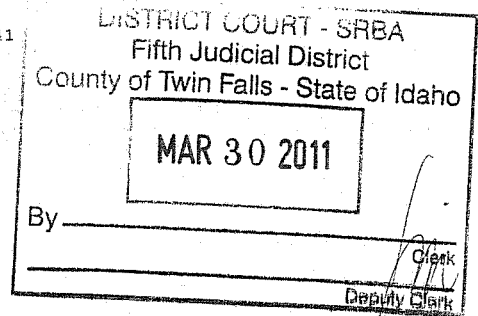
ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

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 75-04341



NAME AND ADDRESS:

BRUCE A MC FARLAND
DAVID M MC FARLAND
THOMAS L MC FARLAND
PO BOX 125
CARMEN, ID 83462

SOURCE:

CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY:

7.41 CFS

PRIORITY DATE:

04/01/1915

POINT OF DIVERSION:

T23N R22E S13 SWSWSE Within Lemhi County
S24 NENW
S25 NENW

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Irrigation

PERIOD OF USE
04-01 TO 11-15

QUANTITY
7.41 CFS

PLACE OF USE:

Irrigation

T23N R22E S23
S24

NESE 9.7
NENW 12.0
SWNW 34.0
NESW 14.0
SWSW 40.0
NENW 11.0
SWNW 28.0
NENE 28.0

Within Lemhi County

SESE 19.0
NWNW 11.0
SESW 11.0
NWSW 40.0
SESW 19.0
NWNW 39.0
NWSW 0.3
SENE 10.0

326.0 Acres Total

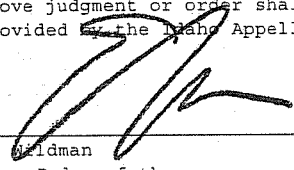
The rights listed below are limited to the irrigation of a
combined total of 326 acres in a single irrigation season.
Combined Right Nos.: 75-63A, 75-77B, 75-2002, 75-2128, 75-4341,
75-10061AN & 75-10923.
Place of use does not include federal public lands.

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 Utah Appellate Rules.



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

2011 MAR 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): 75-04341

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 75-04341 was mailed
on March 30, 2011, with sufficient first-class postage prepaid
to the following:

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

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

THOMAS L MC FARLAND
BOX 127
CARMEN, ID 83462
Phone: 208-756-4805

BRUCE A MC FARLAND
DAVID M MC FARLAND
THOMAS L MC FARLAND
PO BOX 125
CARMEN, ID 83462
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CERTIFICATE OF MAILING

JULIE MURPHY
Chief Deputy Clerk

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03/30/11