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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN 31 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

Case No. 39576

ORDER OF PARTIAL DECREES

Subcases:

75-00069A Burns

75-00069H Matejko

75-00069N Ernest

75-00069S Clementz

75-00070A Burns

75-00070H Matejko

75-00070N Ernest

75-00070T Clementz

On December 14, 2010, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights. 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 wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water rights are hereby **decreed** as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED January 31, 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 75-00069A

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

JAN 31 2011

By

Clerk

Deputy Clerk

NAME AND ADDRESS: JOHN E BURNS
RUTH C BURNS
PO BOX 264
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.054 CFS

PRIORITY DATE: 05/01/1888

POINT OF DIVERSION: T22N R22E S02 SWNW Within Lemhi County
LOT 4 (NWNW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.054 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T22N R22E S02 SWNW 0.4	NWSW 1.3
	S03 SENE 1.5	NESE 7.7
	10.9 Acres Total	

The rights listed below are limited to the irrigation of a
combined total of 10.9 acres in a single irrigation season.
Combined Right Nos.: 75-69A, 75-70A, 75-10061A, 75-10062A and
75-14248.

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. Wildman
Presiding Judge of the
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 75-00069H

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

JAN 31 2011

By

Clerk
Deputy Clerk

NAME AND ADDRESS: GEORGE MATEJKO
PO BOX 129
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.046 CFS

PRIORITY DATE: 05/01/1888

POINT OF DIVERSION: T22N R22E S02 LOT 4 (NWNW) Within Lemhi County
SNNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.046 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S03 NESE 9.4
9.4 Acres Total

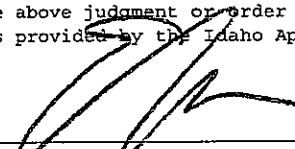
The rights listed below are limited to the irrigation of a
combined total of 9.4 acres in a single irrigation season.
Combined Right Nos.: 75-69H, 75-70H, 75-10061R, 75-10062P &
75-14431.

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

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)
)
Water Right 75-00069N

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

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

JAN 31 2011

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: JACQUELINE D ERNEST
ROBERT M ERNEST
PO BOX 132
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.008 CFS

PRIORITY DATE: 05/01/1888

POINT OF DIVERSION: T22N R22E S02 LOT 3 (NENW) Within Lemhi County
LOT 4 (NWNW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.008 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S02 SWNW 1.7
1.7 Acres Total

The rights listed below are limited to the irrigation of a combined total of 1.7 acres in a single irrigation season.
Combined Right Nos.: 75-69N, 75-70N, 75-10061Y and 75-10062W.

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. Wildman
Presiding Judge of the
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 75-00069S

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

JAN 31 2011

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: WILLIAM W CLEMENTZ
PO BOX 225
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.01 CFS

PRIORITY DATE: 05/01/1888

POINT OF DIVERSION: T22N R22E S02 LOT 3 (NENW) Within Lemhi County
LOT 4 (NWNW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.01 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T22N R22E S02 LOT 4 (NWNW) 0.1	SWNW 2.0
	2.1 Acres Total	

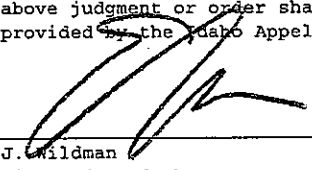
The rights listed below are limited to the irrigation of a
combined total of 2.1 acres in a single irrigation season.
Combined Right Nos.: 75-69S, 75-70T, 75-10061AE and 75-10062AC.

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
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Eric J. Wildman
Presiding Judge of the
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 75-00070A

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

JAN 31 2011

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: JOHN E BURNS
RUTH C BURNS
PO BOX 264
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.073 CFS

PRIORITY DATE: 05/01/1892

POINT OF DIVERSION: T22N R22E S02 SWNW Within Lemhi County
LOT 4 (NWNW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.073 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T22N R22E S02 SWNW 0.4	NWSW 1.3
	S03 SENE 1.5	NESE 7.7
	10.9 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 10.9 acres in a single irrigation season. Combined Right Nos.: 75-69A, 75-70A, 75-10061A, 75-10062A & 75-14248.

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).

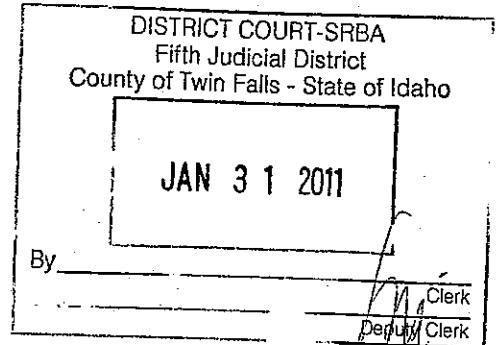
RULE 54(b) CERTIFICATE

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Eric J. Wildman
Presiding Judge of the
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 75-00070H



NAME AND ADDRESS: GEORGE MATEJKO
PO BOX 129
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.063 CFS

PRIORITY DATE: 05/01/1892

POINT OF DIVERSION: T22N R22E S02 LOT 4 (NWNW) Within Lemhi County
SWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.063 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S03 NESE 9.4
9.4 Acres Total

The rights listed below are limited to the irrigation of a combined total of 9.4 acres in a single irrigation season. Combined Right Nos.: 75-69H, 75-70H, 75-10061R, 75-10062P & 75-14431.

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).

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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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 75-00070N

NAME AND ADDRESS: JACQUELINE D ERNEST
ROBERT M ERNEST
PO BOX 132
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.011 CFS

PRIORITY DATE: 05/01/1892

POINT OF DIVERSION: T22N R22E S02 LOT 3 (NENW) Within Lemhi County
LOT 4 (NWNW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.11 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S02 SWNW 1.7
1.7 Acres Total

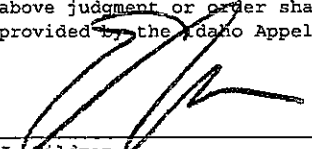
The rights listed below are limited to the irrigation of a combined total of 1.7 acres in a single irrigation season.
Combined Right Nos.: 75-69N, 75-70N, 75-10061Y and 75-10062W.

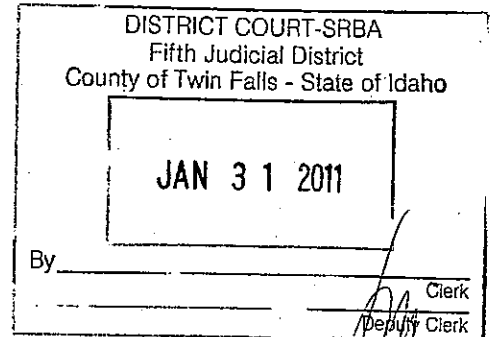
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Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication



In Re SRBA) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54 (b) FOR
Case No. 39576)
)
) Water Right 75-00070T

JAN 31 2011

By _____ Clerk

Deputy Clerk

PLACE OF USE:	Irrigation	Within Lemhi County
	T22N R22E S02 LOT 4 (NWNW) 0.1	SWNW 2.0
	2.1 Acres Total	

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

RULE 54 (b) CERTIFICATE

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on January 31, 2011, with sufficient first-class postage to the following:

GEORGE MATEJKO
PO BOX 129
CARMEN, ID 83462
Phone: 208-756-1946

JACQUELINE D ERNEST
ROBERT M ERNEST
PO BOX 132
CARMEN, ID 83462
Phone: 208-756-3334

WILLIAM W CLEMENTZ
PO BOX 225
CARMEN, ID 83462
Phone: 208-756-2347

JOHN E BURNS
RUTH C BURNS
PO BOX 264
CARMEN, ID 83462
Phone: 208-756-3645

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

