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DEPARTMENT OF
WATER RESOURCES

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

JAN - 5 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: See Attached List of 43 Rights
(Carmen Creek)

On October 21, 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 5, 2011


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

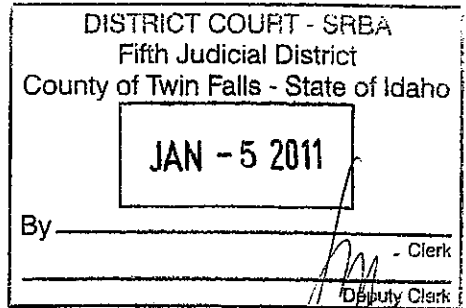
ORDER OF PARTIAL DECREES

75-10061A	BURNS
75-10061AA	EDMISTON
75-10061AE	CLEMENTZ
75-10061AM	YOWELL
75-10061B	HUDSON
75-10061C	FADNESS
75-10061J	TIPPETT
75-10061N	PILKERTON
75-10061Q	EDWARDS
75-10061R	MATEJKO
75-10061T	MOSHER
75-10061X	HARLING
75-10061Y	ERNEST
75-10061Z	MATTIS
75-10062A	BURNS
75-10062AB	JACKSON
75-10062AC	CLEMENTZ
75-10062AL	YOWELL
75-10062C	HUDSON
75-10062H	TIPPETT
75-10062L	PILKERTON
75-10062P	MATEJKO
75-10062R	MOSHER
75-10062V	HARLING
75-10062W	ERNEST
75-10062X	MATTIS
75-10062Y	EDMISTON
75-10136A	EISENHAUER / ERWIN
75-10136B	HERSHEY
75-10137A	EISENHAUER / ERWIN
75-10137B	HERSHEY
75-14025	TUTOR
75-14027	TUTOR
75-14044	EDGREN / BRADY
75-14046	EDGREN / BRADY
75-14055	MASCIA
75-14056	FOLS
75-14057	MASCIA
75-14058	FOLS
75-14388	FADNESS
75-14441	RICE
75-14443	RICE
75-14540	EDWARDS

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 75-10061A



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

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.059 CFS

PRIORITY DATE: 05/01/1875

POINT OF DIVERSION: T22N R22E S02 SWSWNW Within Lemhi County
NNNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.059 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	

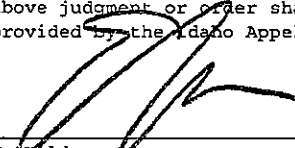
The rights listed below are limited to the irrigation of a combined total of 10.9 acres in a single irrigation season. Combined Right Nos.: 75-69A, 75-70A, 75-10061A, 75-10062A & 75-14248.

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

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on January 05, 2011, with sufficient first-class postage to the following:

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A C PILKERTON
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ALBERT C FOLS
ALVERA C FOLS
CARMEN CREEK USERS
CHARLES E & MARY N HARLING
CHARLES E HARLING
JAMES DAN EDGREN
JAMES EDGREN & JENNIFER BRADY
JENNIFER BRADY
LLOYD A & SHERYL L TUTOR
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ORDER

(Certificate of mailing continued)

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