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DEC 30 2010

DEPARTMENT OF
WATER RESOURCES

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

DEC 29 2010

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Clerk
Deputy Clerk

In Re SRBA

Case No. 39576

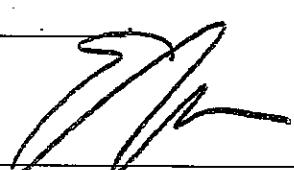
)
) Water Right: 72-16770
) (Leuzinger / Dowton)
)
)

) ORDER OF PARTIAL DECREE
)
)
)

On June 29, 2010, the Idaho Department of Water Resources filed its *Director's Report of Late Claims and Miscellaneous Claims for Irrigation and Other Water Rights*, which included recommendation for the above named water right. On November 16, 2010, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Report* notifying the Court of a transfer for named water right. No objections were filed to the *Amended Director's Report* and the time period for filing objections has expired.

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 29, 2010



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

ORDER OF PARTIAL DECREE

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 72-16770

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

DEC 29 2010

By _____

Clerk
Deputy Clerk

NAME AND ADDRESS: TIMOTHY LEUZINGER
PO BOX 157
CHALLIS, ID 83226

KAREN A DOWTON
PO BOX 7
ELLIS, ID 83235

GARY LEUZINGER
23 OLIVER DR
SALMON, ID 83467

SOURCE: WEST PASS CREEK TRIBUTARY: EAST FORK SALMON RIVER

QUANTITY: 3.20 CFS

PRIORITY DATE: 05/01/1952

POINT OF DIVERSION: T08N R17E S32 NWSNW Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	3.20 CFS

PLACE OF USE:	Irrigation	Within Custer County
	T08N R17E S29	SESW 3.0 NWSW 8.6 SWSW 23.0
	S32	NWNW 6.8
	53.4 Acres Total	

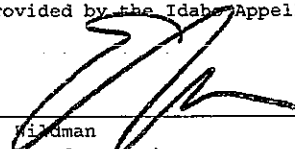
The rights listed below are limited to the irrigation of a
combined total of 67.7 acres in a single irrigation season.
Combined Right Nos.: 72-234, 72-235, 72-16770.
Place of use does not include federal public lands.
Property also known as HES Nos. 597 and 722.

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

2010 DEC 29 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): 72-16770

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 72-16770 was mailed
on December 29, 2010, with sufficient first-class postage prepaid
to the following:

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

GARY LEUZINGER
KAREN A DOWTON
TIMOTHY LEUZINGER
Represented by:
JERRY R. RIGBY
25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

JULIE MURPHY
Chief Deputy Clerk