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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
NOV 30 2010
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. 37-11911
	)	(Picabo Livestock Co. Inc.)
_____	)	

On October 29, 2010, 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.

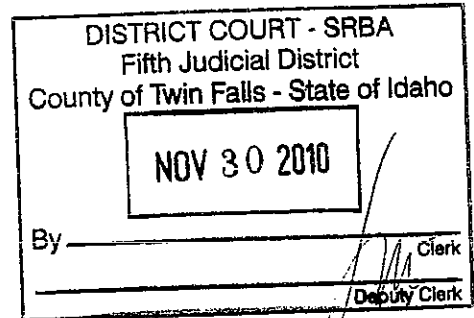
Therefore, IT IS ORDERED that the above-captioned water right be **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED November 30, 2010.


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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-11911



NAME AND ADDRESS: PICABO LIVESTOCK CO INC
PO BOX 748
PICABO, ID 83348

SOURCE: GROUND WATER

QUANTITY: 6.18 CFS
1190.00 AFY

Right Nos. 37-2627A, 37-11911, and 37-11914 are limited to a total combined diversion rate of 16.83 cfs and to a total combined annual diversion volume of 5312.7 AF. The total instantaneous diversion of water from all points of diversion for all ground water rights identified under Transfer No. 69624 and the surface water rights identified under Transfer No. 69626 shall not exceed 72.78 cfs, nor a total combined annual volume measured at the points of diversion of 17,081 af.

PRIORITY DATE: 07/28/1959

POINT OF DIVERSION: T01S R20E S20 SESWSE Within Blaine County
S30 NWSWNE
SENENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	6.18 CFS 1190.00 AFY

PLACE OF USE:	Irrigation	Within Blaine County
T01S R20E S19	NENE 40.0	SENE 39.0
LOT 4	(SWSW) 38.0	SESW 39.0
	NESE 26.0	NWSE 32.0
	SWSE 35.0	SESE 37.0
S20	NWNW 40.0	SWNW 40.0
	NESW 30.0	NWSW 38.0
	SWSW 19.0	SESW 19.0
	NESE 40.0	NWSE 36.0
	SWSE 11.0	SESE 36.0
S21	SWNE 40.0	SENE 27.0
	NESW 40.0	NWSW 40.0
	SWSW 40.0	SESW 36.0
	NESE 40.0	NWSE 40.0
	SWSE 37.0	SESE 28.0
S22	SWNW 23.0	SENE 19.0
	NESW 6.8	NWSW 36.0
	SWSW 37.0	SESW 27.0
S26	NWSW 14.0	SWSW 36.0
	SESW 3.0	
S27	NWNE 20.0	SWNE 29.0
	NENW 36.0	NWNW 18.0
	SWNW 32.0	SENE 22.0
	NESW 15.0	NWSW 24.0
	SWSW 0.6	SESW 12.0
	NESE 30.0	NWSE 16.0
	SWSE 32.0	SESE 36.0
S28	NENE 20.0	NWNE 24.0

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

	SWNE 34.0	SENE 29.0
	NENW 17.0	NWNW 22.0
	SWNW 40.0	SENW 38.0
	NESW 40.0	NWSW 40.0
	SWSW 32.0	SESW 38.0
	NESE 40.0	NWSE 40.0
	SWSE 36.0	SESE 6.4
S29	NENE 29.0	NWNE 38.0
	SWNE 40.0	SENE 40.0
	NENW 33.0	NWNW 27.0
	SWNW 33.0	SENW 40.0
	NESW 36.0	NESE 40.0
	NWSE 39.0	SWSE 2.8
	SESE 29.0	
S30	NENE 30.0	NWNE 35.0
	SWNE 40.0	SENE 31.0
	NENW 18.0	LOT 1 (NWNW) 2.0
	SENW 15.0	NESE 37.0
	NWSE 40.0	SWSE 35.0
	SESE 40.0	
S31	NENE 40.0	NWNE 15.0
	SENE 40.0	
S33	NENE 4.9	NWNE 19.0
	NENW 4.4	
S34	NENE 40.0	NWNE 40.0
	NENW 34.0	NWNW 0.5
S35	NWNW 41.0	SWNW 25.0
3037.4	Acres Total	

Rights identified under Transfer No. 69624 and the surface water rights identified under Transfer No. 69626 are limited to the irrigation of a combined total of 2711.3 acres in a single irrigation season.

This right is limited to the irrigation of 340 acres within the place of use described above in a single irrigation season.

Right Nos. 37-2627A, 37-11911, and 37-11914 are limited to the irrigation of a combined total of 2711.3 acres in a single irrigation season.

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

Right No. 37-11914 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

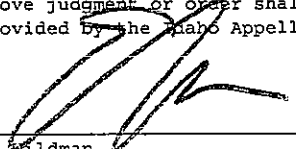
The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.

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 NOV 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): 37-11911

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 37-11911 was mailed
on November 30, 2010, with sufficient first-class postage prepaid
to the following:

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

PICABO LIVESTOCK CO INC
Represented by:
GARY D. SLETTE
PO BOX 1906
TWIN FALLS, ID 83303
Phone: 208-734-0700

JULIE MURPHY
Chief Deputy Clerk