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NOV 17 2010

DEPARTMENT OF
WATER RESOURCES

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

NOV 16 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

Case No. 39576

)
) For Water Right: 45-14290
)
) ORDER OF PARTIAL DECREE ON
) UNCONTESTED WATER RIGHT
) CLAIM
) (City of Burley)

On April 27, 2010, a *Motion to File Late Notice of Claim* was filed by the City of Burley, by and through counsel, Michael P. Tribe, for the above-captioned water right. An *Order Granting Late Notice of Claim and Order for Expedited Late Claim Director's Report* was filed on July 21, 2010. The *Director's Report for Water Right 45-14290* was filed on September 30, 2010. No objections were filed. Hearing on the uncontested claim was held on November 16, 2010.

Therefore, IT IS HEREBY ORDERED that water right 45-14290 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated: November 16, 2010.


ERIC S. 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 45-14290

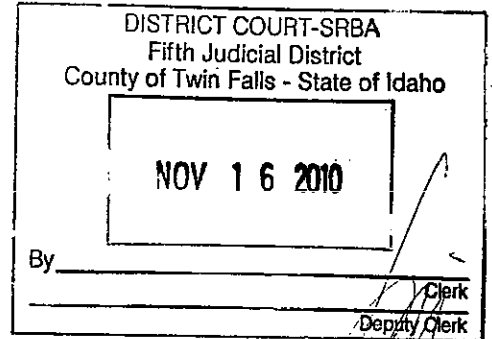
NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
BURLEY, ID 83318

SOURCE: GROUND WATER

QUANTITY: 0.44 CFS

PRIORITY DATE: 04/01/1944

POINT OF DIVERSION: T10S R23E S17 NENW Within Cassia County
S20 SWNE
SWNW
SENW
NWSW
SWSE
SWSE
SWSE
SWSE
S29 SENE
NENW
SWNW
S30 SENE
SENE
S32 SENE



PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	0.44 CFS

PLACE OF USE: Place of use is within the service area of the City of Burley municipal water supply system.

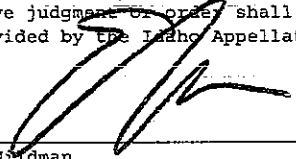
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from the Northside Park Well #8 located in T10S, R23E, S20, SESENW.

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 DECREE ON UNCONTESTED WATER RIGHT CLAIM was mailed on November 16, 2010, with sufficient first-class postage to the following:

CITY OF BURLEY

Represented by:

MICHAEL P TRIBE

615 H STREET

PO BOX 396

RUPERT, ID 83350-0396

Phone: 208-436-4717

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

ORDER

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Deputy Clerk