

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

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
OCT 29 2010	
	Clk
	Deputy Clk

In Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREE

Subcase No. 75-14661
(Markelz)

On August 24, 2010, a *Special Master's Report and Recommendation* was filed for water right 75-10779. On August 25, 2010, a *Notice of Administrative Proceeding* was filed by the Idaho Department of Water Resources (IDWR), contemplating a change in said water right. On September 14, 2010, a *Notice of Completed Administrative Proceeding* together with *Amended Director's Reports* was filed by IDWR, notifying the Court that water right 75-10779 had been split into water rights 75-14657, 75-14658, 75-14659, 75-14660 and 75-14661. No objections were filed to the *Notice of Completed Administrative* and *Amended Director's Reports* and the time for filing objections has now expired.

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

DATED October 29, 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)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) for
Water Right 75-14661

DISTRICT COURT - SRE	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
OCT 29 2010	
By _____	Clerk _____

NAME AND ADDRESS: MARY MARKELZ
12 STORM RIDER RD
SALMON ID 83467

SOURCE: CHIPPS CREEK TRIBUTARY: POLLARD CANYON CREEK
 POLLARD CANYON CREEK TRIBUTARY: JESSE CREEK

QUANTITY: 0.001 CFS

PRIORITY DATE: 05/01/1883

POINT OF DIVERSION: T21N R21E S2 SWSESW Within LEMHI County
 T21N R21E S11 NWSWNW Within LEMHI County

PURPOSE AND

PERIOD OF USE:	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.001 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T21N R21E S01 NESW	4.00	
	4 ACRES TOTAL		

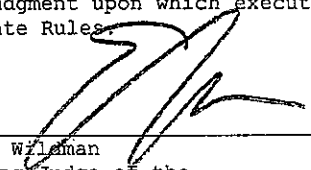
Right Nos. 75-14651, 75-14656, 75-14661 and 75-14666 are limited to the
irrigation of a combined total of 4 acres in a single irrigation season.

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. Section 42-1412(6), Idaho
Code.

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. Wyleman
Presiding Judge of the
Snake River Basin Adjudication

2010 OCT 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

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CERTIFICATE OF MAILING

Water Right(s): 75-14661

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 75-14661 was mailed
on October 29, 2010, with sufficient first-class postage prepaid
to the following:

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

MARY MARKELZ
12 STORM RIDER RD
SALMON, ID 83467

JULIE MURPHY
Chief Deputy Clerk