

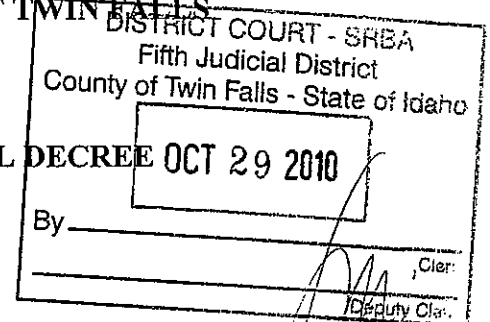
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREE OCT 29 2010

Subcase No. 75-14651  
(Markelz)



On August 24, 2010, a *Special Master's Report and Recommendation* was filed for water right 75-10777. 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 75-10777 had been split into water rights 75-14647, 75-14648, 75-14649, 75-14650 and **75-14651**. 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)*.

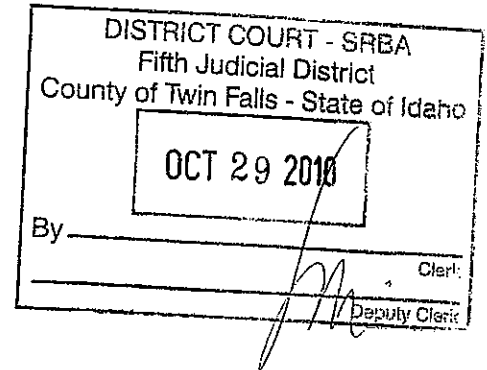
DATED October 29, 2010.

  
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 75-14651



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: 0.0614 CFS

PRIORITY DATE: 04/01/1894

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

| PURPOSE AND<br>PERIOD OF USE: | <u>PURPOSE OF USE</u>             | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-------------------------------|-----------------------------------|----------------------|-----------------|
|                               | IRRIGATION                        | 04/01 10/31          | 0.0614 CFS      |
| PLACE OF USE:                 | <u>IRRIGATION in LEMHI County</u> |                      |                 |
|                               | T21N R21E S01                     | NESW 4.00            |                 |
|                               | 4 ACRES TOTAL                     |                      |                 |

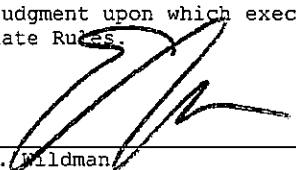
Right Nos. 75-14651, 75-14656, 75-14661 and 75-14666 are limited to the  
irrigation of a combined total of 4 acres in a single irrigation season.

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. Wildman  
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): 75-14651

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 75-14651. 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