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SEP 30 2010

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
SEP 29 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

ORDER OF PARTIAL DECREES

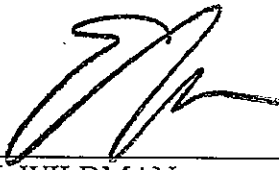
Subcases: 03-07009, 03-07034,
03-10010, 03-10198 & 03-10264
(City of Weiser)

On August 24, 2010, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights. 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 wholly adopts them as its own.

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

DATED September 29, 2010.



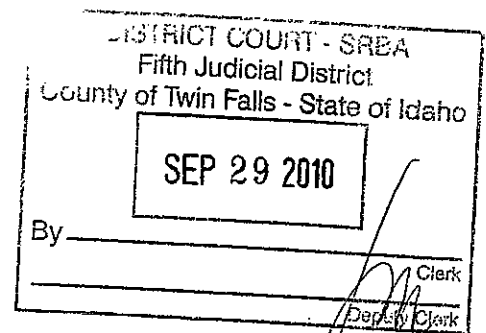
ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

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 03-07009



NAME AND ADDRESS: CITY OF WEISER
55 W IDAHO ST
WEISER, ID 83672

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.65 CFS

PRIORITY DATE: 11/15/1972

POINT OF DIVERSION: T11N R05W S32 SWSW Within Washington County

The point of diversion for this water right is unsurveyed
accretion land. The quarter-quarter description has been
protracted from the adjacent public land survey.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	0.65 CFS

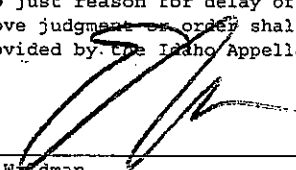
PLACE OF USE:
Place of use is within the service area of the City of Weiser
municipal water supply system as provided for under Idaho Law.

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

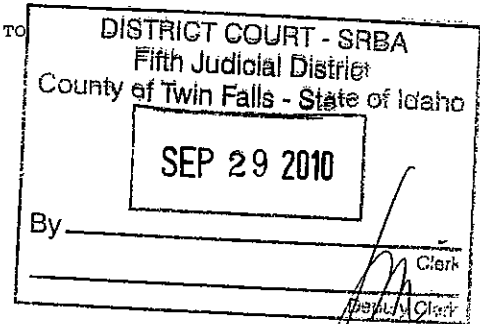
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment 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. Widdman
Presiding Judge of the
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 03-07034



NAME AND ADDRESS: CITY OF WEISER
55 W IDAHO ST
WEISER, ID 83672

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.38 CFS
85.50 AFY

Right Nos. 3-7034 and 67-4016 are limited to a total combined annual diversion volume of 85.5 AF.
Water shall not be diverted under this right unless the flow of the Snake River at the U.S. Geological stream gaging station at Weiser exceeds 4,750 cfs.
Right Nos. 3-7034 and 3-10198 are limited to a total combined diversion rate of 1.30 cfs and to a total combined annual diversion volume of 432.0 AF from the point of diversion in T01N, R05W, S17, NWNW.

PRIORITY DATE: 05/03/1984

POINT OF DIVERSION: T10N R05W S17 NWNW Within Washington County

The point of diversion for this water right is unsurveyed accretion land. The quarter-quarter description has been protracted from the adjacent public land survey.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.38 CFS 85.50 AFY

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: Irrigation Within Washington County
T10N R05W S17 NWNE 5.0 SWNE 14.0
19.0 Acres Total

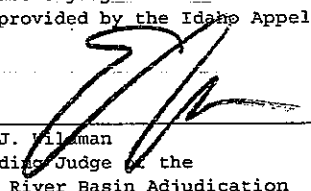
Right Nos. 3-7034 and 67-4016 are limited to the irrigation of a combined total of 19 acres in a single irrigation season.

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. 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.



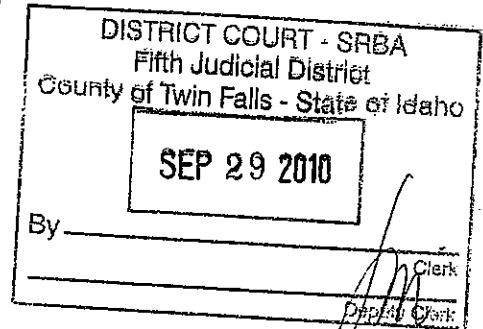
Eric J. Wilman
Presiding Judge of the
Snake River Basin Adjudication

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 03-10198



NAME AND ADDRESS: CITY OF WEISER
55 W IDAHO ST
WEISER, ID 83672

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 3.76 CFS

Right Nos. 3-7034 and 3-10198 are limited to a total combined
diversion rate of 1.30 cfs and to a total combined annual
diversion volume of 432.0 AF from the point of diversion in
T10N, R05W, S17, NWNW.

PRIORITY DATE: 01/15/1907

POINT OF DIVERSION: T10N R05W S17 NWNW Within Washington County
S20 LOT 1 (NENE)

The point of diversion in T10N, R05W, S17, NWNW is unsurveyed
accretion land. The quarter-quarter description has been
protracted from the adjacent public land survey.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	3.76 CFS

PLACE OF USE:	Irrigation	Within Washington County
	T10N R05W S17	NWNE 35.0 SWNE 24.0
		SENE 6.0 LOT 4 (NENW) 41.0
	LOT 3 (SENE) 41.0	NESE 38.0
	NWSE 2.0	SESE 1.0
	188.0 Acres Total	

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

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NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
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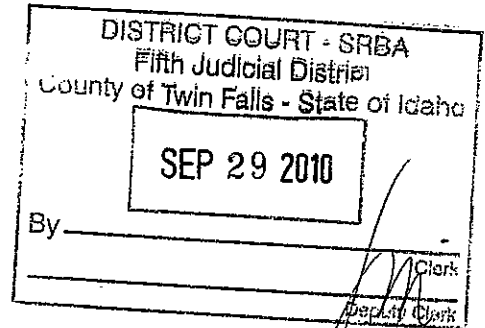
Eric J. Weidman
Presiding Judge of the
Snake River Basin Adjudication

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 03-10264



NAME AND ADDRESS: CITY OF WEISER
55 W IDAHO ST
WEISER, ID 83672

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.22 CFS

PRIORITY DATE: 01/15/1907

POINT OF DIVERSION: T10N R05W S20 LOT 1 (NENE) Within Washington County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.22 CFS

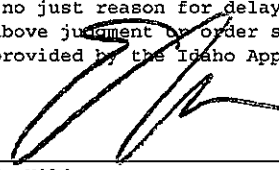
PLACE OF USE: Irrigation Within Washington County
T10N R05W S17 SESE 11.0
11.0 Acres Total

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
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Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

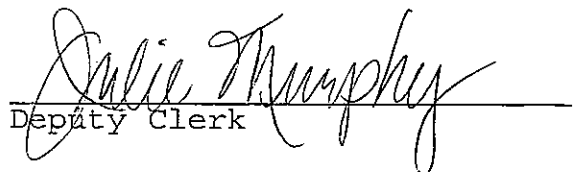
CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on September 29, 2010, with sufficient first-class postage to the following:

CITY OF WEISER

Represented by:
JOSEPHINE P BEEMAN
409 W JEFFERSON ST
BOISE, ID 83702
Phone: 208-331-0950

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

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".