

RECEIVED

AUG 06 2010

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
AUG - 5 2010	
By _____	_____ 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

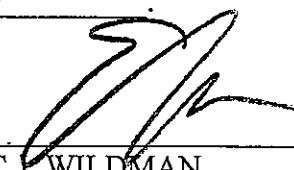
)
) **Water Rights: 63-33290 & 63-33292**
)
) **ORDER OF PARTIAL DECREES**
) **(Troost)**
)
)

On December 19, 2006, the Idaho Department of Water Resources filed its *Director's Report for Basin 63, Part III, Reporting Area 13, for Irrigation and Other Water Rights*, which included a recommendation for water right 63-09279.

On May 3, 2010, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Reports* notifying the Court that water right 63-09279 had been split into water rights **63-33290** and **63-33292**. No objections were filed to the *Amended Director's Reports* and the time period for filing objections has expired.

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

DATED August 5, 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 63-33290

NAME AND ADDRESS:

GREGORY TROOST
JOYCE TROOST
30540 SABIN RD
PARMA, ID 83660

SOURCE:

GROUND WATER

QUANTITY:

1.40 CFS
468.00 AFY

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

AUG - 5 2010

By

Clerk

Deputy Clerk

Diversion of water from the additional well authorized under Transfer 74917 located in the SWNE, Sec. 36, T6N, R5W shall not exceed a maximum diversion rate of 7.00 cfs. This right when combined with all other rights shall provide no more than 0.02 cfs per acre more than 4.5 afa per acre at the field headgate for irrigation of the lands herein. Rights 63-3315, 63-3547, 63-3581, 63-33290 and 63-33292 when combined shall not exceed a total diversion rate of 11.60 cfs, a total annual maximum diversion volume of 2880.5 af at the field headgate, and the irrigation of 640.1 acres. Rights 63-3315, 63-3547, 63-3581, 63-33290 and 63-33292 when combined for all uses shall not exceed a total diversion rate of 14.15 cfs and a total annual maximum diversion volume of 3280.3 af.

PRIORITY DATE:

11/01/1955

POINT OF DIVERSION:

T06N R05W S25	SWSE	Within Payette County
S35	NENE	Within Canyon County
S36	SWNE	Within Payette County
	SESW	
	SESW	
	SESW	

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-15 TO 11-15	1.40 CFS
		468.00 AFY

PLACE OF USE:

Irrigation		Within Payette County
T06N R05W S25	NESW 40.0	NWSW 40.0
	SWSW 40.0	SESW 40.0
	SWSE 40.0	SESE 40.0
S35	SENE 40.0	NESE 40.0
	NWSE 18.0	SWSE 24.0
S36	NENE 40.0	NWNE 40.0
	SWNE 40.0	SENE 40.0
	NENW 40.0	NWNW 40.0
	SWNW 40.0	SENW 40.0
	NESW 40.0	NWSW 40.0
	SWSW 40.0	SESW 40.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 40.0
1002.0 Acres Total		

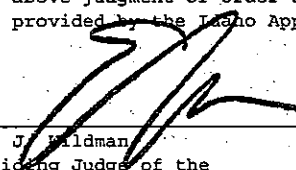
This right is limited to the irrigation of 104 acres within the place of use described above in a single irrigation season.

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. Wildman
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 63-33292

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
AUG - 5 2010	
By _____	Clerk
_____	Deputy Clerk

NAME AND ADDRESS: GREGORY TROOST
JOYCE TROOST
30540 SABIN RD
PARMA, ID 83660

SOURCE: GROUND WATER

QUANTITY: 3.65 CFS
1872.70 AFY

Diversion of water from the additional well authorized under Transfer 74917 located in the SWNE, Sec. 36, T6N, R5W shall not exceed a maximum diversion rate of 7.00 cfs. Rights 63-3315, 63-3547, 63-3581, 63-33290 and 63-33292 when combined for all uses shall not exceed a total diversion rate of 14.15 cfs and a total annual maximum diversion volume of 3280.3 af. This right when combined with all other rights shall provide no more than 0.02 cfs per acre more than 4.5 afa per acre at the field headgate for irrigation of the lands herein. Rights 63-3315, 63-3547, 63-3581, 63-33290 and 63-33292 when combined shall not exceed a total diversion rate of 11.60 cfs, a total annual maximum diversion volume of 2880.5 af at the field headgate, and the irrigation of 640.1 acres.

PRIORITY DATE: 09/07/1979

POINT OF DIVERSION:	T06N R05W S25	SWSE	Within Payette County
	S35	NENE	Within Canyon County
	S36	SWNE	Within Payette County
		SESW	
		SESW	
		SESW	

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.91 CFS 1492.50 AFY
	Stockwater	01-01 TO 12-31	0.74 CFS 380.20 AFY
	Commercial	01-01 TO 12-31	0.74 CFS 380.20 AFY

Commercial use is for a dairy.

PLACE OF USE:	Irrigation		Within Payette County
	T06N R05W S25	NESW 40.0	NWSW 40.0
		SWSW 40.0	SESW 40.0
		SWSE 40.0	SESE 40.0
	S35	SENE 40.0	NESE 40.0
		NWSE 18.0	SWSE 24.0
	S36	NENE 40.0	NWNE 40.0
		SWNE 40.0	SENE 40.0
		NENW 40.0	NWNW 40.0
		SWNW 40.0	SENW 40.0
		NESW 40.0	NWSW 40.0
		SWSW 40.0	SESW 40.0
		NESE 40.0	NWSE 40.0

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

PLACE OF USE (continued)

1002.0 Acres Total		SWSE 40.0	SESE 40.0
Stockwater			Within Payette County
T06N R05W S36		SWNE	SENE
		NESW	SESW
		NWSE	SWSE
Commercial			Within Payette County
T06N R05W S25		NESW	NWSW
		SESW	SWSE
		SESE	
S36		NENE	NWNE
		SWNE	SENE
		NENW	NWNW
		SWNW	SENE
		NESW	NWSW
		SWSW	SESW
		NESE	NWSE
		SWSE	SESE

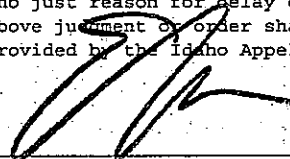
This right is limited to the irrigation of 632.5 acres within the place of use described above in a single irrigation season.

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. 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 August 05, 2010, with sufficient first-class postage to the following:

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

GREGORY TROOST
JOYCE TROOST
30540 SABIN RD
PARMA, ID 83660

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".