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AUG 06 2010

DEPARTMENT OF
WATER RESOURCES

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

AUG - 5 2010

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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ORDER OF PARTIAL DECREE

For water right claim: 47-16411

No objections were filed to the *Director's Report* for the above-captioned water right claim. However, in the Court's review of the uncontested water rights in Basin 47, the Court inquired of IDWR concerning an apparent discrepancy between the quantity element contained in the *Director's Report* for this claim and a remark contained in the *Director's Report* addressing diversion rate. IDWR responded that the remark addressing diversion rate needed to be removed. On June 18, 2010, an *Amended Director's Report* was issued for the above-captioned water right claim. No objections to the *Amended Director's Report* were filed, and the time for filing objections has now expired.

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

Dated

August 5, 2010

ERIC J. WILDMAN

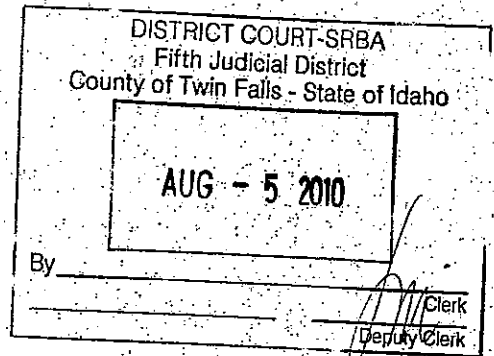
Presiding Judge

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 47-16411



NAME AND ADDRESS: GARY BURKETT
PAMELA J BURKETT
PO BOX 5899
TWIN FALLS, ID 83303

SOURCE: CEDAR DRAW TRIBUTARY: SNAKE RIVER

QUANTITY: 0.25 CFS

PRIORITY DATE: 04/01/1941

POINT OF DIVERSION: T09S R16E S31 LOT 4 (SESWSW) Within Twin Falls County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.25 CFS

PLACE OF USE: Irrigation
T09S R15E S36, NENW 12.6
12.6 Acres Total Within Twin Falls County

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. Waldman
Presiding Judge of the
Snake River Basin Adjudication

2010 AUG 05 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): 47-16411

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 47-16411 was mailed
on August 05, 2010, with sufficient first-class postage prepaid
to the following:

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

GARY BURKETT
PAMELA J BURKETT
PO BOX 5899
TWIN FALLS, ID 83303
Phone: 208-734-4888

JULIE MURPHY
Chief Deputy Clerk