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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

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	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	Subcase No. 47-17209
	)	(Fairchild)
_____	)	

On June 9, 2010, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. 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 Recommendation* and wholly adopts them as its own.

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 47-17209

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

AUG - 5 2010

By

Clerk
Deputy Clerk

NAME AND ADDRESS:

WADE F FAIRCHILD
4547 N 1100 E
BUHL, ID 83316

SOURCE:

UNNAMED STREAM TRIBUTARY: SNAKE RIVER

QUANTITY:

1.89 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
Use of this right with Right No. 47-17210 is limited to a total combined diversion rate of 2.58 cfs.

PRIORITY DATE:

11/13/1922

POINT OF DIVERSION:

T09S R14E S08

NENESW Within Twin Falls County
NWNESW
SWNESW
SWNE

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

Irrigation

03-15 TO 11-15

1.89 CFS

Stockwater

01-01 TO 12-31

0.03 CFS

PLACE OF USE:

Irrigation

T09S R14E S08

SWNE 30.0

NESW 28.0

NWSE 29.0

Within Twin Falls County

SENE 14.0

NESE 28.0

129.0 Acres Total

Stockwater

T09S R14E S08

SWNE

NESW

NWSE

Within Twin Falls County

SENE

NESE

USE OF THIS RIGHT WITH RIGHT NO. 47-17210 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 129 ACRES IN A SINGLE IRRIGATION SEASON.

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

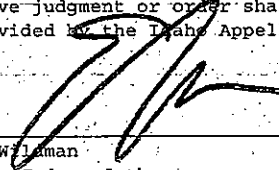
The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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. Wylaman
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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 47-17209

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 47-17209 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

WADE F FAIRCHILD
4547 N 1100 E
BUHL, ID 83316
Phone: 208-543-5403

LEO E RAY
4647 D RIVER RD
BUHL, ID 83316
Phone: 208-837-6114

JULIE MURPHY
Chief Deputy Clerk