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DEPARTMENT OF
WATER RESOURCES

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

JUN 30 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

)
) Water Right: 63-32907
) (Jenkins)
)

) ORDER OF PARTIAL DECREE
)
)

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 recommendation for water right 63-02706B. No objections were filed and the time period for filing objections has expired.

On May 3, 2010, the Idaho Department of Water Resources filed a *Notice of Completed Administrative and Amended Director's Report* notifying the Court that water right 63-02706B had been split into water rights 63-32906, **63-32907** and 63-32908. No objections were filed to the *Amended Director's Report* and the time period for filing objections has 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

June 30, 2010

ERIC J. WILDMAN

Presiding Judge

Snake River Basin Adjudication

ORDER OF PARTIAL DECREE

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 63-32907

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

JUN 30 2010

By

Clerk

Deputy Clerk

NAME AND ADDRESS: CANDACE JENKINS
WILLIAM E JENKINS
14229 ORCHARD AVE
CALDWELL, ID 83605

SOURCE: GROUND WATER

QUANTITY: 0.15 CFS
45.00 AFY

PRIORITY DATE: 07/02/1948

POINT OF DIVERSION: T03N R03W S22 NENE Within Canyon County
NENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.15 CFS 45.00 AFY

PLACE OF USE: Irrigation Within Canyon County
T03N R03W S22 SENE 10.0
10.0 Acres Total

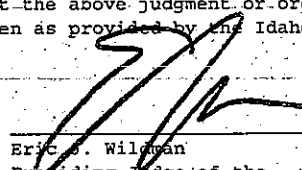
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Diversion and use of water under this right from the new well authorized under Transfer 69928 located in the NENE, Sec 22, T03N, R03W shall be subordinate to all ground water rights existing within the immediate area prior to the date of approval of this transfer upon determination of injury due to local well interference. Provided, (1) this condition does not intend to affect the rights priority date of 7/2/1948, which is expressly preserved except in case of injury as set forth by the following, and (2) "determination of injury" means an injury proven by a claimant to have occurred because of pumping from the new location in conjunction with any pumping from the original location and then only to the extent that the alleged cause (pumping) is something more than would be permitted had the pumping occurred only at the original location.

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 S. Wilgman
Presiding Judge of the
Snake River Basin Adjudication

2010 JUN 30 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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s) : 63-32907

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 63-32907 was mailed
on June 30, 2010, with sufficient first-class postage prepaid
to the following:

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

CANDACE JENKINS
WILLIAM E JENKINS
14229 ORCHARD AVE
CALDWELL, ID 83605

JULIE MURPHY
Chief Deputy Clerk