

RECEIVED
JUN 30 2010
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
JUN 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	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	Subcase No. 37-00496F
	)	(Barr / Berlow)
_____	)	

On May 7, 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

June 29, 2010



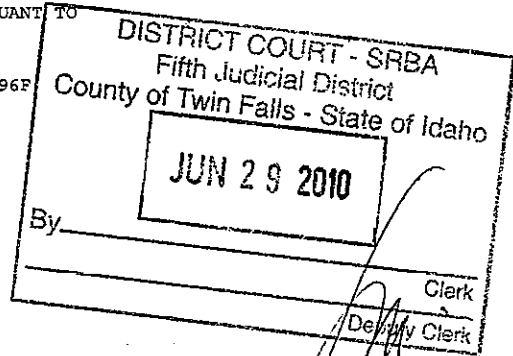
ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

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 37-00496F



NAME AND ADDRESS: DEBORAH BARR
MYER BERLOW
214 WILLOW ZINC SPUR
HAILEY, ID 83333

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.59 CFS
28.00 AFY

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands herein.

PRIORITY DATE: 07/01/1883

POINT OF DIVERSION: T03N R18E S20 SESW Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.16 CFS
			28.00 AFY
	Fire Protection	01-01 TO 12-31	0.43 CFS
	Aesthetic	04-15 TO 10-31	0.43 CFS
			28.00 AFY

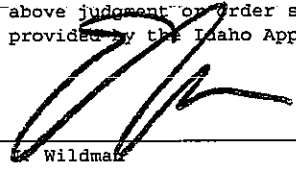
PLACE OF USE:	Irrigation		Within Blaine County
	T03N R18E S29	NWNW 5.0	SWNW 3.0
	8.0 Acres Total		
Fire Protection	T03N R18E S20	SWSW	Within Blaine County
	S29	NWNW	SWNW
Aesthetic	T03N R18E S20	SWSW	Within Blaine County
	S29	NWNW	SWNW
8 acres total			

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 W. Wildman
Presiding Judge of the
Snake River Basin Adjudication

2010 JUN 29 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): 37-00496F

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 37-00496F was mailed
on June 29, 2010, with sufficient first-class postage prepaid
to the following:

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

BILL MOLYNEUX
GERALD BASHAW
GRACE EAKIN
JOHN F STEVENSON
PEPIN CORSO-HARRIS
PETE VAN DER MEULEN
ROCKY SHERBINE
TOM O GARA

Represented by:
BARKER ROSHOLT & SIMPSON LLP
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

CERTIFICATE OF MAILING

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06/29/10

BIG WOOD CANAL COMPANY

Represented by:

CRAIG D. HOBDEY
125 5TH AVE
PO BOX 176
GOODING, ID 83330
Phone: 208-934-4429

BARKER LIVING TRUST

CHANEY CREEK RANCH LLC
CHARLES L MATTHIESEN
CHARLES T FOLEY
DEBORAH BARR
EAGLE CREEK IRRIGATION CO
ECD INC
ELISE G LUFKIN
GIMLET PROPERTY OWNERS ASSN
GREGORY RANCH LLC
LAKE CREEK MEADOWS HOMEOWNERS
MICHAEL E WILLARD
MICHAEL ENGL
MYER BERLOW
RALPH W & KANDI L GIRTON
RIVER ROCK RANCH LP
RIVERS EDGE ASSOCIATES LLC
ROY R WOODS
STEVEN D HOLZMAN TRUST
THE GULCH TRUST
THE R DANIEL OLMSTEAD
WILLIAM B. GORDON

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JULIE MURPHY
Chief Deputy Clerk