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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN 15 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

Case No. 39576

)
) **Water Rights: 37-22461 & 37-22462**
)
) **ORDER OF PARTIAL DECREES**
) **(Clark)**
)
)

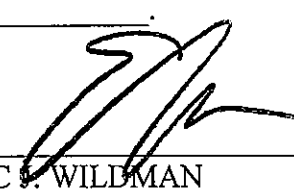
On December 5, 2006, the Idaho Department of Water Resources filed its *Director's Report for Basin 37, Part II, Reporting Area 16, for Irrigation and Other Water Rights*, which included a recommendation for water right 37-00050D.

On April 1, 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 37-00050D had been split into water rights **37-22461** and **37-22462**. 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

June 15, 2010


ERIC S. 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 37-22461

NAME AND ADDRESS:

BRIAN CLARK
JENNIFER J CLARK
PO BOX 428
FAIRFIELD, ID 83327

SOURCE:

SOLDIER CREEK TRIBUTARY: CAMAS CREEK

QUANTITY:

0.02 CFS

PRIORITY DATE:

06/27/1883

POINT OF DIVERSION:

T01N R14E S33 NESESE Within Camas County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Irrigation

PERIOD OF USE
04-15 TO 10-31

QUANTITY
0.02 CFS

PLACE OF USE:

Irrigation
T01S R14E S03 LOT 4 (NWNW) 1.0
2.3 Acres Total

Within Camas County
SWNW 1.3

Place of use is located within Lot 1 Block 1 of Mountain View Too
Subdivision, and within Tax Lot 1641.

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

This water right shall be administered as being from a separate
source pursuant to Basin 37 Part 2 General Provision No. 1A. If
the holder of this right seeks to change the right pursuant to
Idaho Code Sec. 42-222 or successor statute, nothing in this
General Provision shall preclude any other person or entity from
demonstrating that such a change in use would cause injury to
its water right or from receiving relief provided by law in the
event of injury.

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

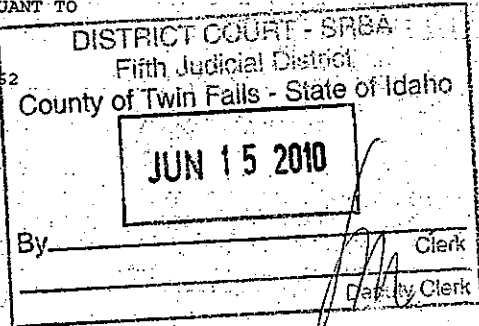
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment 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 37-22462



NAME AND ADDRESS: BRIAN CLARK
JENNIFER J CLARK
PO BOX 428
FAIRFIELD, ID 83327
SOURCE: SOLDIER CREEK TRIBUTARY: CAMAS CREEK
QUANTITY: 0.26 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands herein. In the future, the right holder may be required to maintain measuring devices and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions. Rights 37-22462 and 37-21287 when combined shall not exceed the irrigation of 30.7 acres within the place of use described above in a single irrigation season. Rights 37-21287 and 37-22462 when combined shall not exceed a total diversion rate of 0.37 cfs at the points of diversion in Sec. 3, T01S, R14E.

PRIORITY DATE: 06/27/1883
POINT OF DIVERSION: T01N R14E S33 SWSENE Within Camas County
T01S R14E S03 NWNWSW
SENWSW

Points of diversion in Sec. 3, T01S, R14E are located within Lots 1 and 11, Mountain View Acres Subdivision.

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-15 TO 10-31 0.26 CFS

PLACE OF USE: Irrigation Within Camas County
T01S R14E S03 SWNW 6.2 NESW 8.5
NWSW 11.5 SWSW 0.7
SESW 9.5
36.4 Acres Total.

This right is limited to the irrigation of 22.7 acres within the place of use described above in a single irrigation season.

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

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37-C (presently inactive). This water right shall be administered as being from a separate

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

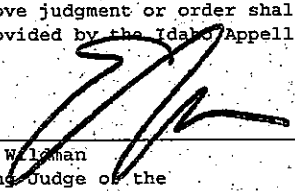
OTHER PROVISIONS (continued)

source pursuant to Basin 37 Part 2 General Provision No. 1A. If the holder of this right seeks to change the right pursuant to Idaho Code Sec. 42-222 or successor statute, nothing in this General Provision shall preclude any other person or entity from demonstrating that such a change in use would cause injury to its water right or from receiving relief provided by law in the

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. Wilman
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 June 15, 2010, with sufficient first-class postage to the following:

BRIAN CLARK
JENNIFER J CLARK
PO BOX 428
FAIRFIELD, ID 83327
Phone: 208-764-2507

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

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line.