

RECEIVED

JUN 16 2010

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

ORDER OF PARTIAL DECREES

Subcases: 37-00234B, 37-00418E, 37-00577V,
37-00886J, 37-21805, & 37-21807
(Eakin)

On April 15, 2010, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights. 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 wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water rights are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED June 15, 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 37-00234B

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
JUN 15 2010	
By _____	Clerk
_____	Deputy Clerk

NAME AND ADDRESS: ESTATE OF JAMES IVAN EAKIN
GRACE EAKIN
28 PERO RD
PO BOX 296
BELLEVUE, ID 83313

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 2.00 CFS

PRIORITY DATE: 06/15/1884

POINT OF DIVERSION: T02N R18E S36 NESWNW Within Blaine County

Water diverted from Headgate #45 delivered through District
Canal.

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	2.00 CFS

PLACE OF USE:	Irrigation	Within Blaine County	
	T01N R18E S25	NENE 37.0	NWNE 37.0
		SWNE 40.0	SENE 40.0
	154.0 Acres Total		

The rights listed below are limited to the irrigation of a
combined total of 154 acres in a single irrigation season.
Combined Right Nos.: 37-475, 37-234B, 37-116, 37-111, 37-21805,
37-112, 37-886J, 37-477, 37-577V, 37-418E, and 37-21807.

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

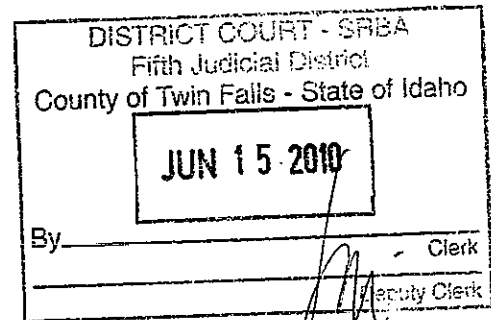
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment 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. 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 37-00418E



NAME AND ADDRESS: ESTATE OF JAMES IVAN EAKIN
GRACE EAKIN
28 PERO RD
PO BOX 296
BELLEVUE, ID 83313

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.04 CFS
8.00 AFY

Right Nos. 37-886J and 37-418E are limited to a total combined
annual diversion volume of 8 AF.

PRIORITY DATE: 06/23/1888

POINT OF DIVERSION: T02N R18E S36 NESWNW Within Blaine County

Water diverted from Headgate #45 delivered through District
Canal.

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-15 TO 10-31	0.04 CFS
		8.00 AFY

PLACE OF USE:

Irrigation	Within Blaine County
T01N R18E S25	NENE 37.0 NWNE 37.0 SWNE 40.0 SENE 40.0
154.0 Acres Total	

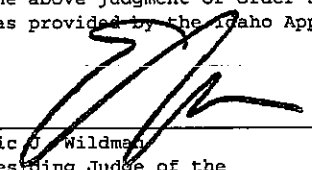
The rights listed below are limited to the irrigation of a
combined total of 154 acres in a single irrigation season.
Combined Right Nos.: 37-475, 37-234B, 37-116, 37-111, 37-21805,
37-112, 37-886J, 37-477, 37-577V, 37-418E, and 37-21807.
This right is limited to the irrigation of 0.4 acres within the
place of use described above in a single irrigation season.

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.

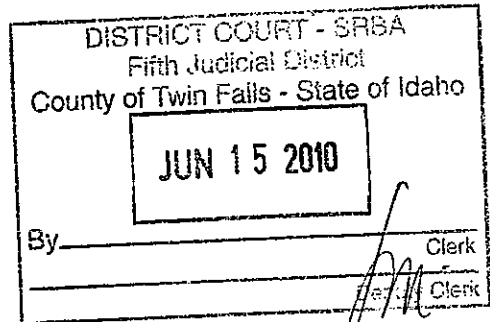


Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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)
Water Right 37-00577V)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR



NAME AND ADDRESS: ESTATE OF JAMES IVAN EAKIN
GRACE EAKIN
28 PERO RD
PO BOX 296
BELLEVUE, ID 83313

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 2.80 CFS

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION: T02N R18E S36 NESWNW Within Blaine County

Water diverted from Headgate #45 delivered through District Canal.

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-15 TO 10-31	2.80 CFS

PLACE OF USE:

Irrigation	Within Blaine County
T01N R18E S25	NENE 37.0 NWNE 37.0 SWNE 40.0 SENE 40.0
154.0 Acres Total	

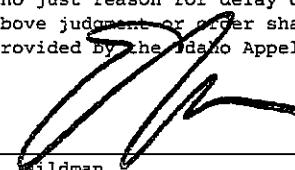
The rights listed below are limited to the irrigation of a combined total of 154 acres in a single irrigation season. Combined Right Nos.: 37-475, 37-234B, 37-116, 37-111, 37-21805, 37-112, 37-886J, 37-477, 37-577V, 37-418E, and 37-21807.

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).

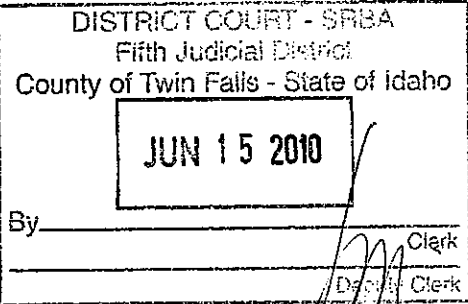
RULE 54(b) CERTIFICATE

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. 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)
Water Right 37-00886J



NAME AND ADDRESS: ESTATE OF JAMES IVAN EAKIN
GRACE EAKIN
28 PERO RD
PO BOX 296
BELLEVUE, ID 83313

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.198 CFS
8.00 AFY

Right Nos. 37-886J and 37-418E are limited to a total combined
annual diversion volume of 8 AF.

PRIORITY DATE: 06/01/1884

POINT OF DIVERSION: T02N R18E S36 NESWNW Within Blaine County

Water diverted from Headgate #45 delivered through District
Canal.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.198 CFS 8.00 AFY

PLACE OF USE:	Irrigation	Within Blaine County
	T01N R18E S25	NENE 37.0 NWNE 37.0 SWNE 40.0 SENE 40.0
	154.0 Acres Total	

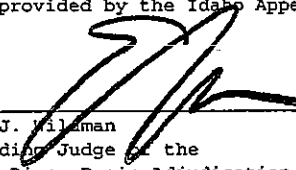
This right is limited to the irrigation of 3.7 acres within the
place of use described above in a single irrigation season.
The rights listed below are limited to the irrigation of a
combined total of 154 acres in a single irrigation season.
Combined Right Nos.: 37-475, 37-234B, 37-116, 37-111, 37-21805,
37-112, 37-886J, 37-477, 37-577V, 37-418E, and 37-21807.

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. Wilman
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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 37-21805

NAME AND ADDRESS: ESTATE OF JAMES IVAN EAKIN
GRACE EAKIN
28 PERO RD
PO BOX 296
BELLEVUE, ID 83313

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 3.12 CFS

PRIORITY DATE: 06/20/1884

POINT OF DIVERSION: T02N R18E S36 NESWNW Within Blaine County

Water diverted from Headgate #45 delivered through District Canal.

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-15 TO 10-31 3.12 CFS

PLACE OF USE: Irrigation Within Blaine County

T01N R18E S25	NENE 37.0	NWNE 37.0
	SWNE 40.0	SENE 40.0
154.0 Acres Total		

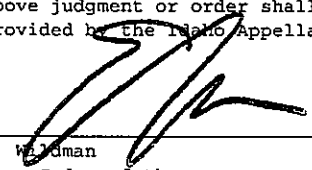
The rights listed below are limited to the irrigation of a combined total of 154 acres in a single irrigation season. Combined Right Nos.: 37-475, 37-234B, 37-116, 37-111, 37-21805, 37-112, 37-886J, 37-477, 37-577V, 37-418E, and 37-21807.

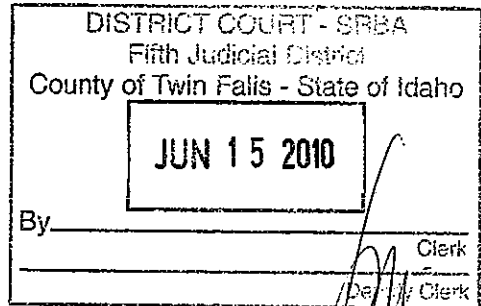
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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).

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Eric J. Waldman
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 37-21807

NAME AND ADDRESS: ESTATE OF JAMES IVAN EAKIN
GRACE EAKIN
28 PERO RD
PO BOX 296
BELLEVUE, ID 83313

SOURCE: GROUND WATER

QUANTITY: 3.08 CFS
539.00 AFY

PRIORITY DATE: 04/21/1970

POINT OF DIVERSION: T01N R18E S25 NENWNE Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-31	3.08 CFS 539.00 AFY

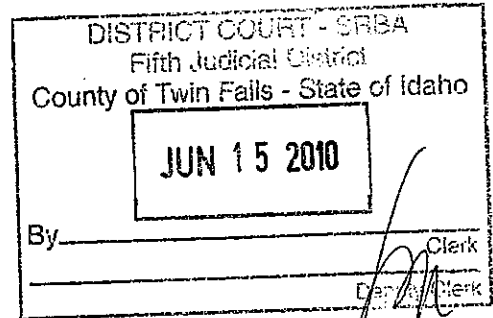
The use of water for irrigation under this right may begin as early as April 15 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before May 1 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:	Irrigation	Within Blaine County
	T01N R18E S25	NENE 37.0 NWNE 37.0 SWNE 40.0 SENE 40.0
	154.0 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 154 acres in a single irrigation season. Combined Right Nos.: 37-475, 37-234B, 37-116, 37-111, 37-21805, 37-112, 37-886J, 37-477, 37-577V, 37-418E, and 37-21807.

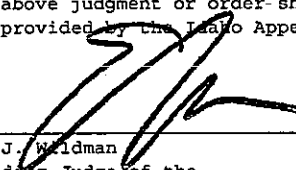
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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Eric J. Waldman
Presiding Judge of the
Snake River Basin Adjudication

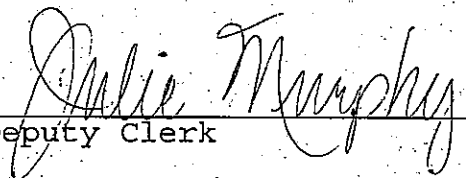
CERTIFICATE OF MAILING

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:

ESTATE OF JAMES IVAN EAKIN
GRACE EAKIN

Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

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.