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DEPARTMENT OF
WATER RESOURCES

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

APR - 7 2010

By

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Clerk

Deputy Clerk

In Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREES

Subcases: 37-02243A & 37-02243C
(The Muldoon Ranch Co. LLC)

On February 5, 2010, *Special Master's Reports and Recommendations* were filed for the above-captioned water rights. No Challenges were filed to the *Special Master's Reports and Recommendations* 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 Reports and Recommendations* 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 April 7, 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 37-02243A

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

APR - 7 2010

By _____ Clerk
_____ Deputy Clerk

NAME AND ADDRESS: THE MULDOON RANCH CO LLC
C/O ARLEN CROUCH
370 E 500 N
JEROME, ID 83338

SOURCE: GROUND WATER

Point of injection into Copper Creek. Points of redirection from
Muldoon Creek.
The source of this right is ground water flowing from the Mutual
Mine Tunnel.

QUANTITY: 4.21 CFS

PRIORITY DATE: 08/08/1912

POINT OF DIVERSION: T02N R21E S03 NWSE (Rediversion) Within Blaine County
S16 NENW (Rediversion)
NWNW (Rediversion)
T03N R21E S01 SWSW
S11 NWSW (Injection)

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	4.21 CFS

PLACE OF USE:	Irrigation	Within Blaine County
T02N R21E S09	SENE 8.3	
S10	NENW 23.0	NWNW 12.0
	SWNW 31.0	SENE 2.8
S16	NWNW 4.1	SWNW 9.4
S17	SWNE 33.0	SENE 31.0
	SENE 4.9	NESW 32.0
	SWSW 1.6	SESW 35.0
	NESE 40.0	NWSE 31.0
	SWSE 40.0	SESE 25.0
S20	NWNE 9.9	NENW 23.0
	NWNW 12.0	
	409.0 Acres Total	

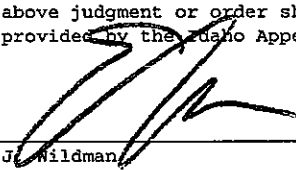
The rights listed below are limited to the irrigation of a
combined total of 409 acres in a single irrigation season.
Combined Right Nos.: 37-1046C, 37-1142, and 37-2243A.
This right is limited to the irrigation of 210.6 acres within
the place of use described above in a single irrigation season.

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.



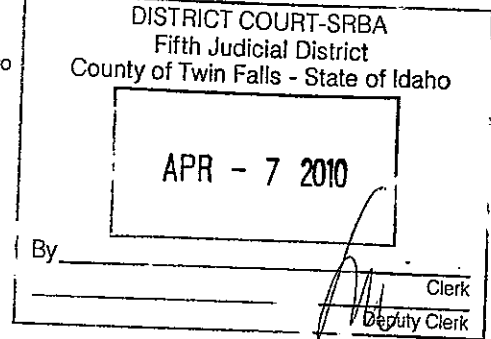
Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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)
_____)

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

Water Right 37-02243C



NAME AND ADDRESS: GEORGE T MERRILL & MARILYN K
MERRILL FAMILY TRUST
735 VICTOR AVE
CHUBBUCK, ID 83202

SOURCE: GROUND WATER

The source of this right is ground water flowing from the Mutual
Mine Tunnel.
Point of injection into Copper Creek. Point of redirection from
Muldoon Creek.

QUANTITY: 0.03 CFS

PRIORITY DATE: 08/08/1912

POINT OF DIVERSION: T02N R21E S03 NWSE (Rediversion) Within Blaine County
T03N R21E S01 SWSW
S11 NWSW (Injection)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.03 CFS

PLACE OF USE: Irrigation Within Blaine County
T02N R21E S10 NWNW 1.6
1.6 Acres Total

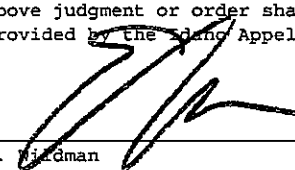
The rights listed below are limited to the irrigation of a
combined total of 1.6 acres in a single irrigation season.
Combined Right Nos.: 37-1046A and 37-2243C.

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
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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. Friedman
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 April 07, 2010, with sufficient first-class postage to the following:

GEORGE T MERRILL & MARILYN K
MERRILL FAMILY TRUST
735 VICTOR AVE
CHUBBUCK, ID 83202
Phone: 208-237-6033

THE MULDOON RANCH CO LLC
Represented by:
GARY D. SLETTE
PO BOX 1906
TWIN FALLS, ID 83303
Phone: 208-734-0700

TERRY AND ANITA CLARK
Represented by:
SCOTT L CAMPBELL
101 S CAPITOL BLVD 10TH FLOOR
PO BOX 829
BOISE, ID 83701-0829
Phone: 208-345-2000

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

