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DEPARTMENT OF
WATER RESOURCES

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

APR - 6 2010

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

)
) Water Right: 37-20805

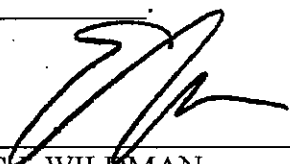
)
) ORDER OF PARTIAL DECREE
) (Marks)
)
)

On February 21, 2007, the Idaho Department of Water Resources filed its *Director's Report for Basin 37, Part III, Reporting Area 16, for Irrigation and Other Water Rights*, which included recommendation for the above named water right.

On February 18, 2010, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Report* notifying the Court of a substitution of party for named water right. 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 April 6, 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 37-20805

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

APR - 6 2010

By

Clerk

Deputy Clerk

NAME AND ADDRESS: MATTHEW MARKS
PO BOX 2169
HAILEY, ID 83333

SOURCE: GROUND WATER

QUANTITY: 0.08 CFS
14.40 APY

This right when combined with all other rights shall provide no
more than 0.03 cfs per acre nor more than 3.5 afa per acre at
the field headgate for irrigation purposes.

PRIORITY DATE: 12/14/1974

POINT OF DIVERSION: T01N R18E S28 NENE Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	0.08 CFS 14.40 APY

The period of use for the irrigation described in this approval
may be extended to an ending date of 10/31 provided that
beneficial use of the water can be shown and other elements of
the right are not exceeded. The use of water after 10/15 is
subordinate to all water rights having no subordinated early or
late irrigation use and a priority date earlier than April 21,
2003.

PLACE OF USE: Irrigation Within Blaine County
T01N R18E S28 NENE 4.1
4.1 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 J. Widman
Presiding Judge of the
Snake River Basin Adjudication

2010 APR 06 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): 37-20805

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 37-20805 was mailed
on April 06, 2010, with sufficient first-class postage prepaid
to the following:

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

MATTHEW MARKS
PO BOX 2169
HAILEY, ID 83333

JULIE MURPHY
Chief Deputy Clerk