

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

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED

2009 NOV 18 AM 11 01

In Re SRBA )  
 )  
Case No. 39576 )  
 )

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

Water Right 63-04424

NAME AND ADDRESS: UNITED WATER IDAHO INC  
8248 W VICTORY RD  
PO BOX 190420  
BOISE, ID 83719-0420

SOURCE: GROUND WATER

QUANTITY: 1.33 CFS

PRIORITY DATE: 07/01/1943

POINT OF DIVERSION: T03N R01E S03 SENE Within Ada County  
S14 NENE  
S24 NESE  
S36 NWNW  
NESE  
R02E S02 NENW  
S04 SWSW  
S07 SWSW  
S08 NENE  
S09 SENW  
S10 NWNW  
S13 SWNW  
S14 SENW  
S15 NWNW  
S16 NWNW  
NWNW  
S17 NESW  
S18 NWNE  
NESW  
S19 NENE  
NENW  
S20 SENE  
S21 NENE  
S22 NWNE  
NWNE  
SESE  
S24 SWNW  
S25 NWSE  
S27 NWSE  
S28 NENE  
NWNW  
S33 NENW  
S36 SWNE  
T04N R01E S27 NWSW  
S34 NESW  
S35 NENW  
S36 NENW  
R02E S30 SWSE  
S31 NWSW  
S32 NWNW  
SWNW  
SWNW

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE  
Municipal

PERIOD OF USE  
01-01 TO 12-31

QUANTITY  
1.33 CFS

PLACE OF USE:

Place of use is within the service area of United Water Idaho as provided for under Idaho law. The place of use is generally described as within the city limits of Boise and the surrounding service area.

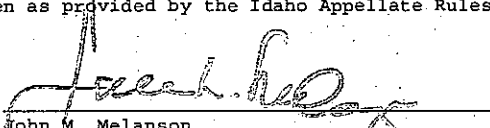
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from the Byrd Well located in T03N, R02E, S33, NENW.

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.

  
John M. Melanson  
Presiding Judge of the  
Snake River Basin Adjudication

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DEPARTMENT OF  
WATER RESOURCES

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED                       
2009 NOV 18 AM 10 58

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 DECREES                  |
|                | ) |                                           |
| Case No. 39576 | ) | Subcase Nos. 63-2506 et al. (See Attached |
|                | ) | Exhibit A                                 |
| _____          | ) | (United Water Idaho, Inc.)                |

No objections were filed to the *Director's Report* for the above-captioned water right claims. However, on August 28, 2009, IDWR sent correspondence to the Court stating that the *Director's Report* contained errors and/or omissions. Attached to the correspondence were corrected recommendations for these claims. On September 11, 2009, a hearing on the matter was held before Special Master Booth, at which hearing the claimant of these water rights, United Water Idaho, Inc., through its attorney John Marshall, stated that it agreed with the corrected recommendations for the above-captioned claims. Accordingly, these water right claims remain uncontested and therefore may be decreed with the elements as set forth in the corrected recommendations.

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

DATED November 18, 2009.

  
\_\_\_\_\_  
JOHN M. MELANSON  
Presiding Judge  
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

|          |          |
|----------|----------|
| 63-02506 | 63-08635 |
| 63-02576 | 63-08990 |
| 63-02595 | 63-09087 |
| 63-02605 | 63-09106 |
| 63-02668 | 63-09147 |
| 63-02703 | 63-09198 |
| 63-02808 | 63-09199 |
| 63-02954 | 63-09204 |
| 63-02956 | 63-09205 |
| 63-02989 | 63-09219 |
| 63-03064 | 63-09223 |
| 63-03073 | 63-09384 |
| 63-03105 | 63-09671 |
| 63-03112 | 63-09855 |
| 63-03128 | 63-10391 |
| 63-03164 | 63-31856 |
| 63-03172 | 63-31857 |
| 63-03202 |          |
| 63-03291 |          |
| 63-03292 |          |
| 63-03293 |          |
| 63-03295 |          |
| 63-03411 |          |
| 63-03448 |          |
| 63-03457 |          |
| 63-03494 |          |
| 63-03562 |          |
| 63-04015 |          |
| 63-04414 |          |
| 63-04424 |          |
| 63-04752 |          |
| 63-07066 |          |
| 63-07204 |          |
| 63-07282 |          |
| 63-07348 |          |
| 63-07479 |          |
| 63-07577 |          |
| 63-07589 |          |
| 63-07641 |          |
| 63-07658 |          |
| 63-07896 |          |
| 63-07979 |          |
| 63-07998 |          |
| 63-08011 |          |
| 63-08059 |          |
| 63-08236 |          |
| 63-08248 |          |
| 63-08265 |          |
| 63-08405 |          |
| 63-08432 |          |

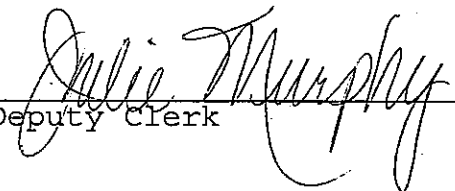
(Subcase list: UNTDWTR )  
12/21/09

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on November 18, 2009, with sufficient first-class postage to the following:

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

UNITED WATER IDAHO INC  
8248 W VICTORY RD  
PO BOX 190420  
BOISE, ID 83719-0420  
Phone: 208-362-7358

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