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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAR 10 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: 37-01120 & 37-21746
(Clark)

On January 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 March 10, 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 37-01120

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

MAR 10 2010

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: ANITA K CLARK
TERRY L CLARK
PO BOX 308
CAREY, ID 83320

SOURCE: GROUND WATER

QUANTITY: 1.10 CFS

PRIORITY DATE: 01/22/1913

POINT OF DIVERSION: T02N R21E S03 LOT 1 (NENE) (Rediversion) Within Blaine County
NWSE (Rediversion)
T03N R21E S35 SWNW (Rediversion)
R22E S07 NWNE
NENW (Injection)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	1.10 CFS

PLACE OF USE: Irrigation Within Blaine County

Lot	Section	Acres
T02N R21E S02 LOT 4	(NWNW)	4.0
S03 LOT 1	(NENE)	39.0
LOT 2	(NWNE)	11.0
	SWNE	20.0
	SENE	27.0
	NESE	11.0
	NWSE	22.0
	SWSE	30.0
164.0 Acres Total		

The rights listed below are limited to the irrigation of a combined total of 170 acres in a single irrigation season. Combined Right Nos.: 37-1120, 37-1140, 37-21383, 37-21746 and 37-21963.

The rights listed below are limited to the irrigation of a combined total of 164 acres in a single irrigation season. Combined Right Nos.: 37-1120, 37-1140, 37-21383 and 37-21746. This right is limited to the irrigation of 55 acres within the place of use described above in a single irrigation season.

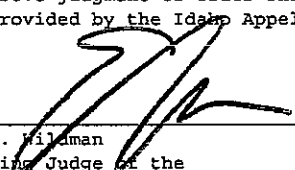
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

In accordance with Baptie v. Lewis (Blaine County, January 22, 1926), the water diverted from the Logan Tunnel is developed water and not tributary to Muldoon Creek or Little Wood River. Water diverted from Logan Tunnel shall be administered separately from those sources.

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.



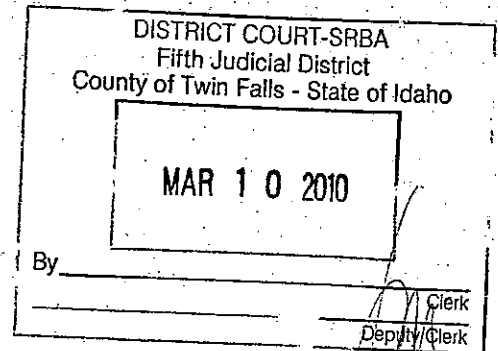
Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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 37-21746



NAME AND ADDRESS: ANITA K CLARK
TERRY L CLARK
PO BOX 308
CAREY, ID 83320

SOURCE: MULDOON CREEK TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 3.89 CFS

The quantity of water under this right for stockwater use shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 01/23/1926

POINT OF DIVERSION: T02N R21E S03 LOT 1 (NENE) Within Blaine County
NWSE
T03N R21E S35 SWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	3.84 CFS
	Stockwater	01-01 TO 12-31	0.05 CFS

PLACE OF USE: Irrigation Within Blaine County

T02N R21E S02 LOT 4 (NWNW)	4.0	
S03 LOT 1 (NENE)	39.0	LOT 2 (NWNE) 11.0
	SWNE 20.0	SENE 27.0
	NESE 11.0	NWSE 22.0
	SWSE 30.0	
164.0 Acres Total		

Stockwater Within Blaine County

T02N R21E S02 LOT 4 (NWNW)	
S03 LOT 1 (NENE)	LOT 2 (NWNE)
	SENE
	NWSE
	SWSE

The rights listed below are limited to the irrigation of a
combined total of 164 acres in a single irrigation season.
Combined Right Nos.: 37-1120, 37-1140, 37-21383 and 37-21746.
The rights listed below are limited to the irrigation of a
combined total of 170 acres in a single irrigation season.
Combined Right Nos.: 37-1120, 37-1140, 37-21383, 37-21746 and
37-21963.
This right is limited to the irrigation of 101 acres within the
place of use described above in a single irrigation season.

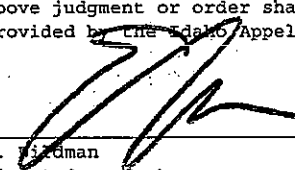
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for
stockwater use is not a determination of historical beneficial
use.

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. Friedman
Presiding Judge of the
Snake River Basin Adjudication

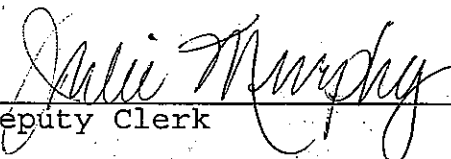
CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on March 10, 2010, with sufficient first-class postage to the following:

ANITA K CLARK
TERRY & ANITA CLARK
TERRY L 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

A handwritten signature in dark ink, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and cursive.