

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - 3RD
TWIN FALLS CO., IDAHO
FILED

2009 OCT 28 AM 9 17

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: 47-07723
(Downton)

ORDER OF PARTIAL DECREE

On February 2, 2007, the Idaho Department of Water Resources filed its *Director's Report for Basin 47, Reporting Area 12, for Irrigation and Other Water Rights*, which included recommendation for the above named water right.

On August 31, 2009 the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding* and *Amended Director's Report* notifying the Court of a change in the basis of claim from permit to a license 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 October 28, 2009.

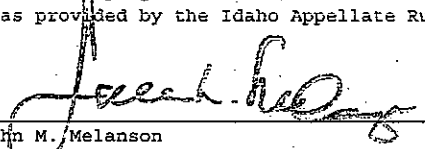
JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

PAGE 1
Aug-31-2009

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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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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CERTIFICATE OF MAILING

Water Right(s) : 47-07723

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 47-07723 was mailed on October 28, 2009, with sufficient first-class postage prepaid to the following:

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

MARGARET SMITH
PHILIP A SMITH JR
1795 RIVER RD
BUHL, ID 83316
Phone: 208-543-9270

JULIE MURPHY
Chief Deputy Clerk