

RECEIVED
OCT 29 2009
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
OCT 27 2009
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

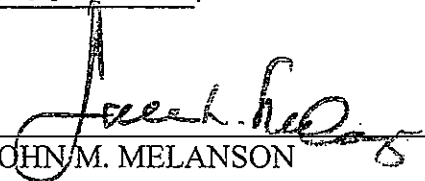
)
) Water Right Nos.: 47-04064 & 47-07348
) (Kleinbart)
)
) ORDER OF PARTIAL DECREES
)
)
)

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 recommendations for the above named water rights. No objections were filed and the time period for filing objections has expired.

On August 10, 2009, the Idaho Department of Water Resources filed an *Amended Notice of Completed Administrative Proceeding and Amended Director's Reports* notifying the Court of a substitution of party in each of the above named water rights. No objections were filed to the *Amended Director's Reports* and the time period for filing objections has expired.

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

DATED October 27, 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

In Re SRBA)
Case No. 39576)
_____)

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

Water Right 47-04064

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

OCT 27 2009

NAME AND ADDRESS: CHERYL KLEINBART
STEVE KLEINBART
PO BOX 718
HAGERMAN, ID 83332

SOURCE: GROUND WATER

QUANTITY: 0.05 CFS
38.30 AFY

PRIORITY DATE: 06/01/1920

POINT OF DIVERSION: T08S R14E S33 LOT 6 (NENWSW) Within Twin Falls County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Heating	01-01 TO 12-31	0.05 CFS 38.30 AFY
	Domestic	01-01 TO 12-31	0.04 CFS 0.60 AFY
	Recreation	01-01 TO 12-31	0.05 CFS 38.30 AFY

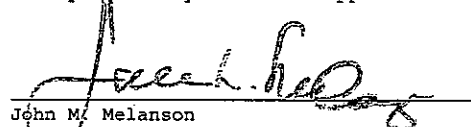
PLACE OF USE:	Heating	Within Twin Falls County
	T08S R14E S33 LOT 3 (SWNW)	
	Domestic	Within Twin Falls County
	T08S R14E S33 LOT 3 (SWNW)	
	Recreation	Within Twin Falls County
	T08S R14E S33 LOT 3 (SWNW)	

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

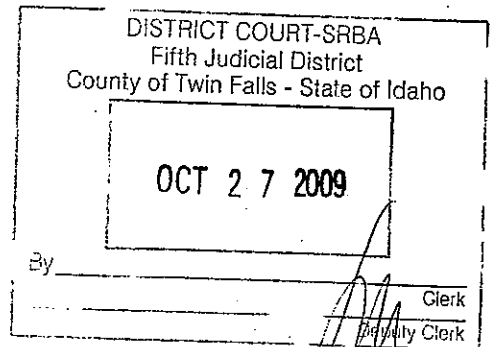
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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.


John M. Melanson
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 47-07348



NAME AND ADDRESS: CHERYL KLEINBART
STEVE KLEINBART
PO BOX 718
HAGERMAN, ID 83332

SOURCE: GROUND WATER

QUANTITY: 0.03 CFS
4.30 AFY

PRIORITY DATE: 08/16/1976

POINT OF DIVERSION: T08S R14E S33 LOT 3 (NESWNW) Within Twin Falls County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.02 CFS
			3.10 AFY
	Domestic	01-01 TO 12-31	0.03 CFS
			1.20 AFY

PLACE OF USE: Irrigation Within Twin Falls County
T08S R14E S33 LOT 2 (NWNW) 0.8
0.8 Acres Total

Domestic Within Twin Falls County
T08S R14E S33 LOT 3 (SWNW)

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

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John M. Melanson
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 October 27, 2009, with sufficient first-class postage to the following:

CHERYL KLEINBART
STEVE KLEINBART
PO BOX 718
HAGERMAN, ID 83332

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