

RECEIVED

MAR 05 2010

DEPARTMENT OF  
WATER RESOURCES

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

MAR - 4 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

) ORDER OF PARTIAL DECREE

Case No. 39576

) Subcase No. 67-00348C  
) (Abide)  
)  
)

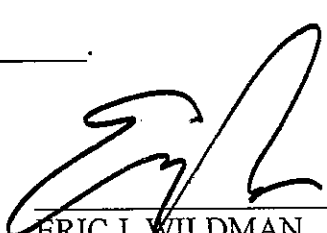
On January 20, 2010, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

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 Recommendation* and wholly adopts them as its own.

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

March 4, 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 67-00348C

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

MAR - 4 2010

NAME AND ADDRESS: ROSE K ABIDE  
WILLIAM P ABIDE  
PO BOX 3080  
HAILEY, ID 83333

SOURCE: MILL CREEK TRIBUTARY: WEISER RIVER

QUANTITY: 0.25 CFS

PRIORITY DATE: 05/01/1878

POINT OF DIVERSION: T17N R01W S36 NWSE Within Adams County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 03-15 TO 11-15 | 0.25 CFS |

| PLACE OF USE: | Irrigation                                        | Within Adams County |
|---------------|---------------------------------------------------|---------------------|
|               | T16N R01W S02 LOT 3 (NENW) 29.0 LOT 4 (NWNW) 21.0 |                     |
|               | SWNW 8.0 SENW 7.8                                 |                     |
|               | 65.8 Acres Total                                  |                     |

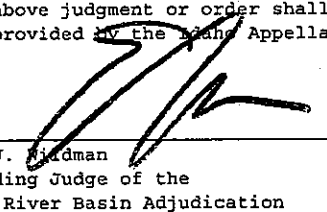
This right is limited to the irrigation of 20.0 acres within the  
place of use described above in a single irrigation season.

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. Friedman  
Presiding Judge of the  
Snake River Basin Adjudication

2010 MAR 04 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 )

Case No. 39576 )  
\_\_\_\_\_ )

CERTIFICATE OF MAILING

Water Right(s): 67-00348C

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 67-00348C was mailed  
on March 04, 2010, with sufficient first-class postage prepaid  
to the following:

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

ROSE K ABIDE  
WILLIAM P & ROSE ABIDE  
WILLIAM P ABIDE  
Represented by:  
CHARLES L. HONSINGER  
455 S THIRD ST  
PO BOX 2773  
BOISE, ID 83701-2773  
Phone: 208-342-4591

JULIE MURPHY  
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1  
03/04/10