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DEPARTMENT OF
WATER RESOURCES

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

MAR - 3 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

)
) Water Right Nos.: 37-00795,
) 37-00796, 37-00798 & 37-03155
) (Scarrow)
)
) ORDER OF PARTIAL DECREES
)

On November 4, 2005, the Idaho Department of Water Resources filed its *Director's Report for Basin 37, Part I, Reporting Area 16, 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 February 18, 2010, 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

March 3, 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 37-00795

NAME AND ADDRESS: JIM D SCARROW
3184 S 1900 E
WENDELL, ID 83355

SOURCE: BIRCH CREEK TRIBUTARY: SNAKE RIVER
SOUTH FORK BIRCH CREEK TRIBUTARY: BIRCH CREEK

QUANTITY: 0.70 CFS

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

PRIORITY DATE: 06/30/1878

POINT OF DIVERSION: T06S R13E S34 NWSESE Within Gooding County
S35 NESWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.70 CFS
	Stockwater	01-01 TO 12-31	0.05 CFS

PLACE OF USE: Irrigation Within Gooding County
T06S R13E S34 NESE 2.6 SESE 32.0
T07S R13E S02 LOT 2 (SWNE) 6.1 LOT 1 (SENE) 7.9
48.6 Acres Total

Stockwater Within Gooding County
T06S R13E S34 SESE

Right nos. 37-795, 37-796 and 37-798 are limited to the
irrigation of a combined total of 48.6 acres in a single
irrigation season.

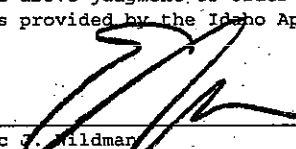
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. 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 37-00796.

NAME AND ADDRESS: JIM D SCARROW
3184 S 1900 E
WENDELL, ID 83355

SOURCE: BIRCH CREEK TRIBUTARY: SNAKE RIVER
SOUTH FORK BIRCH CREEK TRIBUTARY: BIRCH CREEK

QUANTITY: 0.70 CFS

PRIORITY DATE: 06/30/1880

POINT OF DIVERSION: T06S R13E S34 NWSESE Within Gooding County
S35 NESWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.70 CFS

PLACE OF USE: Irrigation Within Gooding County
T06S R13E S34 NESE 2.6 SESE 32.0
T07S R13E S02 LOT 2 (SWNE) 6.1 LOT 1 (SENE) 7.9
48.6 Acres Total

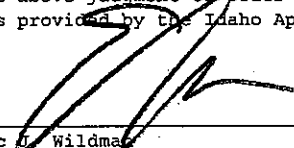
Right nos. 37-795, 37-796 and 37-798 are limited to the
irrigation of a combined total of 48.6 acres in a single
irrigation season.

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 L. 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 37-00798

NAME AND ADDRESS: JIM D SCARROW
3184 S 1900 E
WENDELL, ID 83355

SOURCE: BIRCH CREEK TRIBUTARY: SNAKE RIVER
SOUTH FORK BIRCH CREEK TRIBUTARY: BIRCH CREEK

QUANTITY: 0.64 CFS

PRIORITY DATE: 06/30/1878

POINT OF DIVERSION: T06S R13E S34 NWSESE Within Gooding County
S35 NESWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.64 CFS

PLACE OF USE: Irrigation Within Gooding County
T06S R13E S34 NESE 2.6 SESE 32.0
T07S R13E S02 LOT 2 (SWNE) 6.1 LOT 1 (SENE) 7.9
48.6 Acres Total

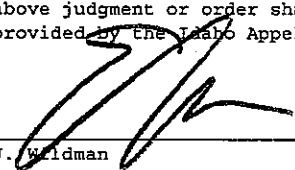
Right nos. 37-795, 37-796 and 37-798 are limited to the
irrigation of a combined total of 48.6 acres in a single
irrigation season.
This right is limited to the irrigation of 42 acres within the
place of use described above in a single irrigation season.

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. Waldman
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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-03155

NAME AND ADDRESS: JIM D SCARROW
3184 S 1900 E
WENDELL, ID 83355

SOURCE: SOUTH FORK BIRCH CREEK TRIBUTARY: BIRCH CREEK

QUANTITY: 0.50 CFS

PRIORITY DATE: 05/14/1934

POINT OF DIVERSION: T06S R13E S35 NESWSW Within Gooding County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.50 CFS
	Stockwater	01-01 TO 12-31	0.05 CFS

PLACE OF USE: Irrigation Within Gooding County
T06S R13E S34 NESE 2.6 SESE 32.0
T07S R13E S02 LOT 2 (SWNE) 6.1 LOT 1 (SENE) 7.9
48.6 Acres Total

Stockwater Within Gooding County
Same as Irrigation

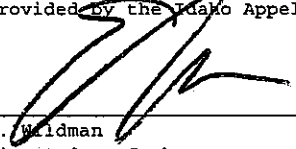
This right is limited to the irrigation of 25 acres within the place of use described above in a single irrigation season. Right nos. 37-795, 37-796, 37-798 and 37-3155 are limited to the irrigation of a combined total of 48.6 acres in a single irrigation season.

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. Waldman
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 03, 2010, with sufficient first-class postage to the following:

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

JIM D SCARROW
3184 S 1900 E
WENDELL, ID 83355

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