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DEPARTMENT OF
WATER RESOURCES

22-13878
etal

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
FEB 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: See Attached Exhibit A
(Brower / Hanson / Tetonia Properties LLC /
Humble / State of Idaho)

On December 30, 2009, 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 February 10, 2010.


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

22-13878
22-13879
22-13899
22-13900
22-13901
22-13902

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 22-13878

NAME AND ADDRESS:

KATHERINE HANSON
THOMAS HANSON
PO BOX 1750
MISSOULA, MT 59806

AARON POWERS
MEGHAN HANSON
PO BOX 669
VICTOR, ID 83455

SOURCE: BADGER CREEK TRIBUTARY: TETON RIVER

QUANTITY: 0.44 CFS

PRIORITY DATE: 06/01/1891

POINT OF DIVERSION: T06N R45E S08 NWNESE Within Teton County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Irrigation

PERIOD OF USE
04-15 TO 10-31

QUANTITY
0.44 CFS

PLACE OF USE:

Irrigation

Within Teton County

T06N R45E S08 SWSW 2.0
S17 NWNW 17.0
19.0 Acres Total

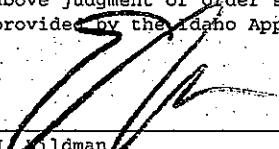
Right Nos. 22-13878 and 22-13881 are limited to the irrigation
of a combined total of 19 acres in a single irrigation season.

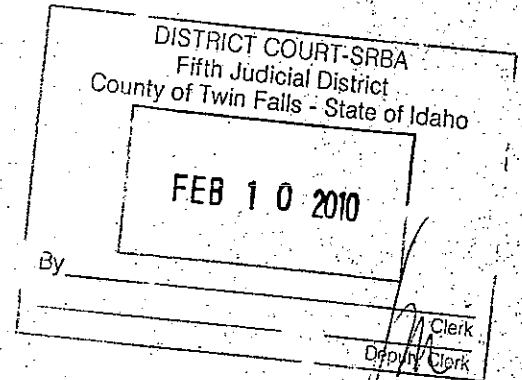
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. Wildman
Presiding Judge of the
Snake River Basin Adjudication

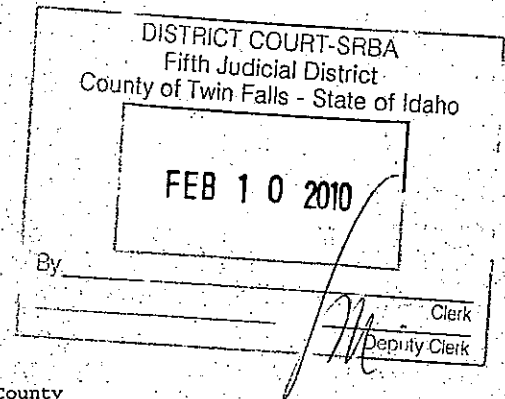


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
)

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

Water Right 22-13879



NAME AND ADDRESS: TETONIA PROPERTIES LLC
C/O PETE FREYMAN
394 S 100 W
VICTOR, ID 83455

SOURCE: BADGER CREEK TRIBUTARY: TETON RIVER

QUANTITY: 0.39 CFS

PRIORITY DATE: 06/01/1891

POINT OF DIVERSION: T06N R45E S08 NWNESE Within Teton County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.39 CFS

PLACE OF USE: Irrigation Within Teton County
T06N R45E S17 NWNW 17.0
17.0 Acres Total

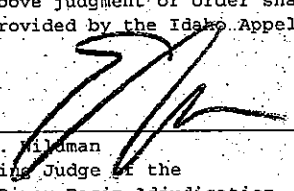
Right Nos. 22-13879 and 22-13882 are limited to the irrigation
of a combined total of 17 acres in a single irrigation season.

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. 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 22-13899

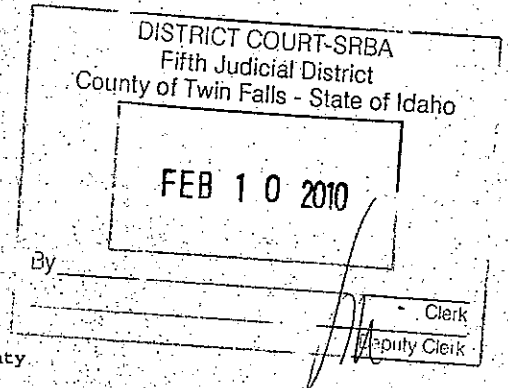
NAME AND ADDRESS: BEULAH BROWER
947 HWY 32
TETONIA, ID 83452

SOURCE: BADGER CREEK TRIBUTARY: TETON RIVER

QUANTITY: 0.87 CFS

PRIORITY DATE: 06/01/1891

POINT OF DIVERSION: T06N R45E S08 NWNESE Within Teton County



PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.87 CFS

PLACE OF USE:	Irrigation	Within Teton County
	T06N R45E S08	NESW 7.5 SWSW 2.4
		NWSW 27.0 SESW 1.0
	37.9 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 37.9 acres in a single irrigation season. Combined Right Nos.: 22-13899, 22-13903, 22-13907.

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. 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 22-13900

NAME AND ADDRESS: W REID AND MARJEAN BROWER
FAMILY TRUST
881 HWY 32
TETONIA, ID 83452

SOURCE: BADGER CREEK TRIBUTARY: TETON RIVER

QUANTITY: 0.83 CFS

PRIORITY DATE: 06/01/1891

POINT OF DIVERSION: T06N R45E S08 NWNSE Within Teton County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.83 CFS

PLACE OF USE: Irrigation Within Teton County

T06N R45E S17	NWNW 1.5	SWNW 35.0
36.5 Acres Total		

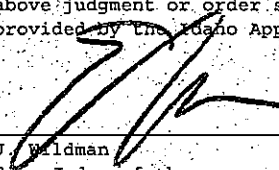
Right Nos.: 22-13900 and 22-13904 are limited to the irrigation
of a combined total of 36.5 acres in a single irrigation season.

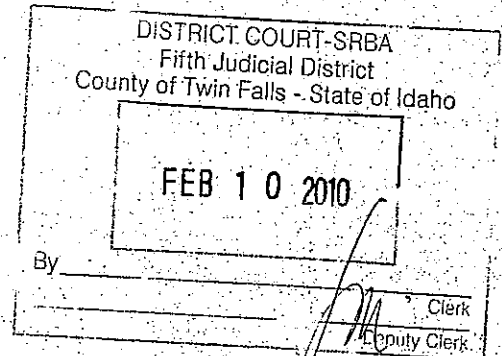
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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
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ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

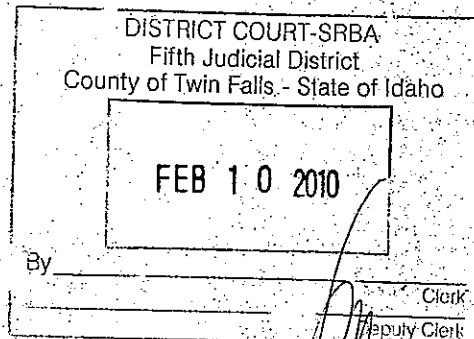
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment 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)
)
Water Right 22-13901



NAME AND ADDRESS: SHANNON DEE HUMBLE
PO BOX 506
VICTOR, ID 83455-0506

SOURCE: BADGER CREEK TRIBUTARY: TETON RIVER

QUANTITY: 0.21 CFS

PRIORITY DATE: 06/01/1891

POINT OF DIVERSION: T06N R45E S08 NWNESE Within Teton County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.21 CFS

PLACE OF USE:	Irrigation	Within Teton County
	T06N R45E S17	NENW 0.2 SWNW 3.9 SENW 4.7
	9.0 Acres Total	

Right Nos. 22-13901 and 22-13905 are limited to the irrigation of a combined total of 9 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).

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Eric J. Windman
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 22-13902

NAME AND ADDRESS: STATE OF IDAHO
IDAHO TRANSPORTATION DEPT
PO BOX 97
RIGBY, ID 83442-0097

SOURCE: BADGER CREEK TRIBUTARY: TETON RIVER

QUANTITY: 0.10 CFS

PRIORITY DATE: 06/01/1891

POINT OF DIVERSION: T06N R45E S08 NWNSE Within Teton County

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
FEB 10 2010
By _____ Clerk
Deputy Clerk

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-15 TO 10-31 0.10 CFS

PLACE OF USE: Irrigation Within Teton County
T06N R45E S17 NENW 0.2 SENW 4:2
4.4 Acres Total

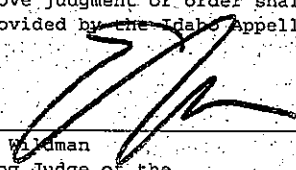
Right Nos. 22-13902 and 22-13906 are limited to the irrigation
of a combined total of 4.4 acres in a single irrigation season.

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
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Eric J. Wildman
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 February 10, 2010, with sufficient first-class postage to the following:

W REID AND MARJEAN BROWER
FAMILY TRUST
881 HWY 32
TETONIA, ID 83452

AARON POWERS
KATHERINE HANSON
MEGHAN HANSON
THOMAS HANSON
Represented by:
BARTON J BIRCH
81 N MAIN ST, STE B
DRIGGS, ID 83422
Phone: 208-354-0110

BEULAH BROWER
Represented by:
JERRY R. RIGBY
25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

TETONIA PROPERTIES LLC
C/O PETE FREYMAN
394 S 100 W
VICTOR, ID 83455

STATE OF IDAHO
IDAHO TRANSPORTATION DEPT
PO BOX 97
RIGBY, ID 83442-0097

SHANNON DEE HUMBLE
PO BOX 506
VICTOR, ID 83455-0506

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

ORDER

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Deputy Clerk