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DEPARTMENT OF
WATER RESOURCES

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

FEB - 9 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

)
) For Water Right: 75-14198
)
) ORDER OF PARTIAL DECREE ON
) UNCONTESTED WATER RIGHT
) CLAIM
) (Phillips)

The *Director's Report for Basin 75, Irrigation and Other, Reporting Area 23*, was filed on January 11, 2007, and included a recommendation for the above-captioned water right claim. No objections were filed. However, the Court withheld entry of the ***Partial Decree*** as this claim overlapped with water right claims which were contested. All contested matters have been resolved and it is no longer necessary to delay entry of the ***Partial Decree***.

Therefore, IT IS HEREBY ORDERED that water right 75-14198 is hereby decreed as set forth in the attached ***Partial Decree Pursuant to I.R.C.P. 54(b)***.

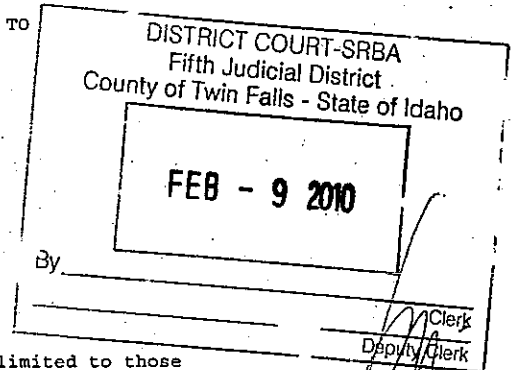
Dated: February 9, 2010.


ERICK 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 75-14198



NAME AND ADDRESS: CLYDE L PHILLIPS
12 HUSSEY LN
SALMON, ID 83467

SOURCE: IRON CREEK TRIBUTARY: SALMON RIVER
SALMON RIVER TRIBUTARY: SNAKE RIVER

Diversion of water from the Salmon River is limited to those times water is available for diversion under this right and priority from Iron Creek. Availability of water from Iron Creek shall be determined based on the lesser of the flow in Iron Creek at the authorized point(s) of diversion or at the mouth of Iron Creek.

QUANTITY: 0.75 CFS

This right when applied to lands via sprinklers shall be limited to 0.02 cfs per acre and 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 04/26/1935

POINT OF DIVERSION: T18N R21E S15 NWNESE Within Lemhi County
LOT 8 (NWNWSW)
S16 NWSENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.75 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T18N R21E S09 LOT 2 (NESE)21.0	LOT 3 (SESE)28.0
	S10 LOT 10 (SWSW)12.0	
	S15 LOT 4 (SWNE)18.0	LOT 2 (NENW)37.8
	SWNW 4.8	LOT 3 (SENW)32.0
	LOT 8 (NWSW)10.0	
	163.6 Acres Total	

Rights 75-101, 75-102, 75-2093, 75-4003, 75-7031, 75-14196, and 75-14198 when combined shall not exceed the irrigation of 163.6 acres.

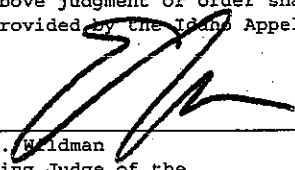
Rights 75-2093 and 75-14198 when combined are limited to the irrigation of 14 acres within the place of use described above in a single irrigation season.

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE ON UNCONTESTED WATER RIGHT CLAIM was mailed on February 09, 2010, with sufficient first-class postage to the following:

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

CLYDE L PHILLIPS
12 HUSSEY LN
SALMON, ID 83467
Phone: 208-894-2224