

RECEIVED

FEB 04 2010

DEPARTMENT OF
WATER RESOURCES

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

ORDER OF PARTIAL DECREES

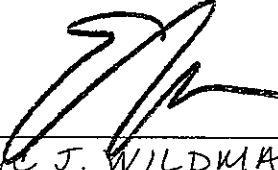
Subcases: 45-00256A, 45-00284C & 45-00286
(Potter/ Northcott/ Broadie/Sthulberg)

On December 2, 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 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 45-00256A

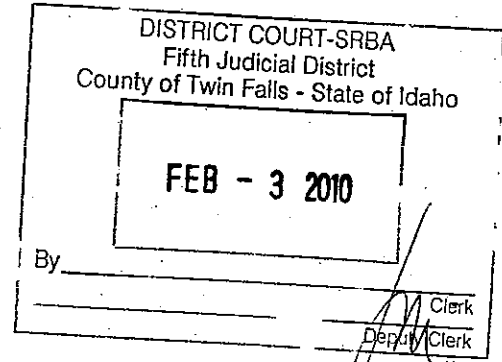
NAME AND ADDRESS:

MARY MAY POTTER
PO BOX 993
KETCHUM, ID 83340

JOLENE NORTHCOTT
1836 S 2000 E #B
GOODING, ID 83330

DEBORAH BROADIE
222 PICABO CUTOFF RD
CAREY, ID 83320

ELIZABETH STUHLBERG
938 4TH AVE DR
JEROME, ID 83338



SOURCE: HOWELL CREEK TRIBUTARY: MARSH CREEK
PINE CREEK TRIBUTARY: ANTONE CREEK
ANTONE CREEK TRIBUTARY: UNNAMED STREAM

QUANTITY: 3.35 CFS

PRIORITY DATE: 04/12/1892

POINT OF DIVERSION:	T12S R25E S21	SENWSW Within Cassia County
	S22	SWNWSW
		SWNWSW (Rediversion)
	S27	SWSWNW (Rediversion)
		SWSWNW
	S28	SENENE
		SENENE (Rediversion)
		SENENE (Rediversion)
		SENENE
		SESWSE (Injection)
	S33	SWNWNW

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	3.35 CFS

The use of water for irrigation under this right may begin as early as March 15 provided other elements of the right are not exceeded. The use of water before April 1 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

Irrigation	Within Cassia County
T12S R25E S21	NENE 40.0
	NESE 40.0
S22	NWNW 3.3
	NWSW 3.3
S27	NWNW 14.0
S28	NENE 8.0
	SENE 2.8
167.7 Acres Total	

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 167.7 ACRES IN A SINGLE IRRIGATION SEASON.

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

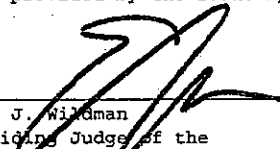
COMBINED RIGHT NOS. 45-284C, 45-286, 45-256A, and 45-2663.

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 45-00284C

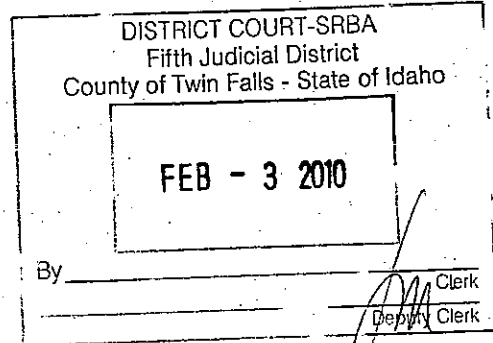
NAME AND ADDRESS:

MARY MAY POTTER
PO BOX 993
KETCHUM, ID 83340

JOLENE NORTHCOTT
1836 S 2000 E #B
GOODING, ID 83330

DEBORAH BROADIE
222 PICABO CUTOFF RD
CAREY, ID 83320

ELIZABETH STUHLBERG
938 4TH AVE DR
JEROME, ID 83338



SOURCE: HOWELL CREEK TRIBUTARY: MARSH CREEK

QUANTITY: 0.51 CFS

PRIORITY DATE: 04/01/1875

POINT OF DIVERSION: T12S R25E S21 SENWSW Within Cassia County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 10-31	0.51 CFS

The use of water for irrigation under this right may begin as early as March 15 provided other elements of the right are not exceeded. The use of water before April 1 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

Irrigation	Within Cassia County
T12S R25E S21	NENE 40.0 SENE 40.0
S22	NESE 39.0 NWNW 3.7 NWSW 1.4
129.9 Acres Total	

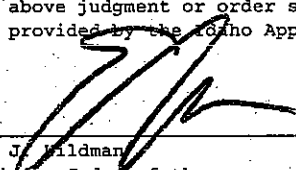
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 167.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 45-284C, 45-286, 45-256A, and 45-2663. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 129.9 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 45-284C, 45-286, and 45-2663. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 32 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. 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 45-00286

NAME AND ADDRESS:

MARY MAY POTTER
PO BOX 993
KETCHUM, ID 83340

JOLENE NORTHCOTT
1836 S 2000 E #B
GOODING, ID 83330

DEBORAH BROADIE
222 PICABO CUTOFF RD
CAREY, ID 83320

ELIZABETH STUHLBERG
938 4TH AVE DR
JEROME, ID 83338

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

FEB - 3 2010

By

Clerk

Decy Clerk

SOURCE: HOWELL CREEK TRIBUTARY: MARSH CREEK
QUANTITY: 1.20 CFS
PRIORITY DATE: 09/01/1880
POINT OF DIVERSION: T12S R25E S21 SENWSW Within Cassia County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-04 TO 10-31	1.20 CFS

The use of water for irrigation under this right may begin as early as March 15 provided other elements of the right are not exceeded. The use of water before April 1 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

Place of Use	Acres
Irrigation	
T12S R25E S21	NENE 40.0
	NESE 39.0
S22	NWNW 3.7
	NWSW 1.4
	SWNW 5.8
129.9 Acres Total	

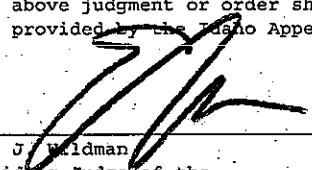
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 167.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 45-284C, 45-286, 45-256A, and 45-2663. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 129.9 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 45-284C, 45-286, and 45-2663. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 119 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. 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 03, 2010, with sufficient first-class postage to the following:

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

MARY MAY POTTER
PO BOX 993
KETCHUM, ID 83340
Phone: 208-788-3413

JOLENE NORTHCOTT
1836 S 2000 E #B
GOODING, ID 83330
Phone: 208-934-4170

DEBORAH BROADIE
222 PICABO CUTOFF RD
CAREY, ID 83320
Phone: 208-788-4455

ELIZABETH STUHLBERG
938 4TH AVE DR
JEROME, ID 83338
Phone: 208-324-4855


Deputy Clerk