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DEPARTMENT OF
WATER RESOURCES

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 DECREE

Subcase No. 75-07067
(Halpern)

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

FEB - 2 2010

By _____ Clerk
Deputy Clerk

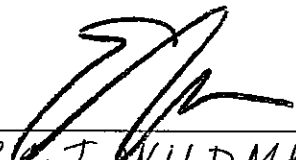
On March 21, 2008, a *Standard Form 5* was filed in the above-captioned water right, resolving the *Objection* filed in this water right by the United States Bureau of Land Management. On March 27, 2008 a *Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time period for filing a Challenge has expired.

Thereafter, it came to the court's attention that a license was pending for this right. In order to avoid any potential inconsistencies between the *Partial Decree* and a subsequently issued license, the practice of the Court has been to temporarily withhold the issuance of the *Partial Decree* until after the license is issued.

On December 2, 2009, IDWR filed an *Amended Director's Report* and a *Notice of Completed Administrative Proceeding*, indicating that a license was issued for the above-captioned water right. No objections were filed, and the time for filing objections has now expired.

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

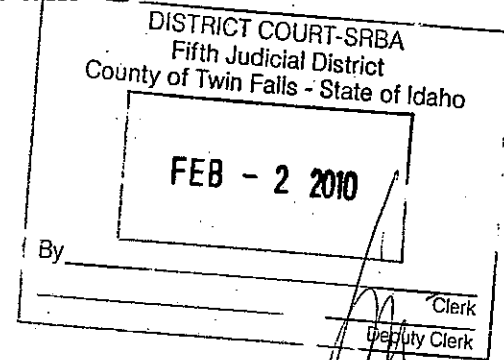
DATED February 2, 2010.


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 75-07067



NAME AND ADDRESS: MARTIN W HALPERN
PO BOX 32
ARGYLE, TX 76226

SOURCE: SOUTH GULCH CREEK TRIBUTARY: BIG HAT CREEK

QUANTITY: 0.16 CFS
28.30 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre or more than 3.5 afa per acre at the field headgate for irrigation of the lands herein.

PRIORITY DATE: 03/09/1976

POINT OF DIVERSION: T17N R20E S11 SWSESW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.16 CFS
			28.30 AFY

PLACE OF USE:	Irrigation	Within Lemhi County
	T17N R20E S14	NENW 1.3 NWNW 1.2 SWNW 1.4 SENW 4.2
	8.1 Acres Total	

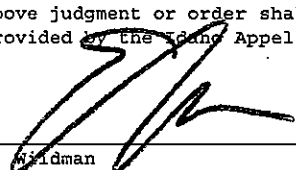
Place of use does not include federal public lands.

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. Widman
Presiding Judge of the
Snake River Basin Adjudication

2010 FEB 02 PM 02:0
DISTRICT COURT - SRB
TWIN FALLS CO., IDAH
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): 75-07067

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 75-07067 was mailed
on February 02, 2010, with sufficient first-class postage prepaid
to the following:

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

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

MARTIN W HALPERN
PO BOX 32
ARGYLE, TX 76226
Phone: 214-957-6189

JULIE MURPHY
Chief Deputy Clerk

CERTIFICATE OF MAILING

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02/02/10