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DEC 29 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
DEC 28 2009	
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

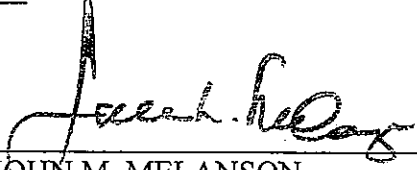
Subcases: 37-01227B & 37-01228A
(Warner)

On October 23, 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 December 28, 2009.


JOHN M. MELANSON
Presiding Judge, pro tem
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 37-01227B

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

DEC 28 2009

NAME AND ADDRESS:

LAWRENCE WARNER
155 TOWNSEND GULCH RD
BELLEVUE, ID 83313

SOURCE:

TOWNSEND GULCH TRIBUTARY: BIG WOOD RIVER

QUANTITY:

0.10 CFS
17.50 APY

By

Clerk

Deputy Clerk

This right when combined with all other rights shall provide no
more than 0.03 cfs per acre and 3.5 afa per acre at the field
headgate for irrigation of the lands above.

PRIORITY DATE:

06/01/1883

POINT OF DIVERSION:

T01N R18E S02 NENWSW Within Blaine County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-15 TO 10-31	0.10 CFS
		17.50 APY

The use of water for irrigation under this right may begin as
early as April 15 and may continue to as late as October 31,
provided other elements of the right are not exceeded. The use
of water after October 15 under this remark is subordinate to
all water rights having no subordinated early or late irrigation
use and a priority date earlier than the date a partial decree
is entered for this right.

PLACE OF USE:

Irrigation		Within Blaine County
T01N R18E S02	NESW 1.3	NWSW 3.4
4.7 Acres Total		

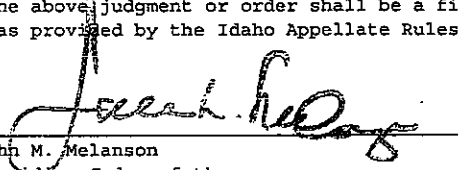
Right Nos. 37-1227B and 37-1228A are limited to the irrigation
of a combined total of 4.7 acres in a single irrigation season.

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.



John M. Melanson
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 37-01228A

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

DEC 28 2009

NAME AND ADDRESS: LAWRENCE WARNER
155 TOWNSEND GULCH RD
BELLEVUE, ID 83313

SOURCE: TOWNSEND GULCH TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.10 CFS

This right when combined with all other rights shall provide no
more than 0.03 cfs per acre and 3.5 afa per acre at the field
headgate for irrigation of the lands above.

PRIORITY DATE: 05/01/1905

POINT OF DIVERSION: T01N R18E S02 NENWSW Within Blaine County

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 Blaine County
T01N R18E S02 NESW 1.3 NWSW 3.4
4.7 Acres Total

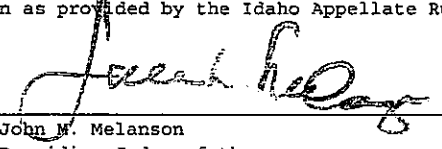
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NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
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final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
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 December 28, 2009, with sufficient first-class postage to the following:

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