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DEC 24 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
DEC 23 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

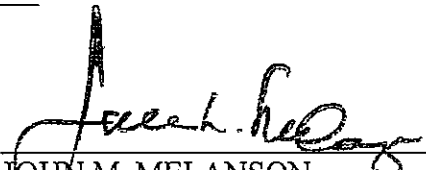
Subcases: See Attached Exhibit A
(Sopatyk)

On October 9, 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 23, 2009.



JOHN M. MELANSON
Presiding Judge, *Pro tem*
Snake River Basin Adjudication

EXHIBIT A - SOPATYK

Subcase Nos:

75-14620

75-14621

75-14622

75-14623

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 75-14620

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

DEC 23 2009

By _____ Clerk

Deputy Clerk

NAME AND ADDRESS: BRIAN SOPATYK
913 S LATAH
BOISE, ID 83705

SOURCE: ANDERSON CREEK TRIBUTARY: DAHLONEGA CREEK

QUANTITY: 0.03 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 05/04/1927

POINT OF DIVERSION: T26N R21E S25 SENW Within Lemhi County
NESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	0.03 CFS

Domestic use is for 1 home and up to one-half (1/2) acre of lawn
and garden irrigation.

PLACE OF USE: Domestic Within Lemhi County
T26N R21E S25 NESW

Place of use does not include federal public lands.

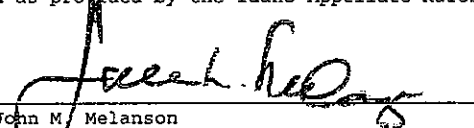
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a
determination of historical beneficial use.

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 75-14621

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

DEC 23 2009

NAME AND ADDRESS: BRIAN SOPATYK
913 S LATAH
BOISE, ID 83705

SOURCE: ANDERSON CREEK TRIBUTARY: DAHLONEGA CREEK

QUANTITY: 0.03 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 05/04/1927

POINT OF DIVERSION: T26N R21E S13 SENW Within Lemhi County
NESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	0.03 CFS

Domestic use is for 1 home and up to one-half (1/2) acre of lawn
and garden irrigation.

PLACE OF USE: Domestic Within Lemhi County
T26N R21E S25 NESW

Place of use does not include federal public lands.

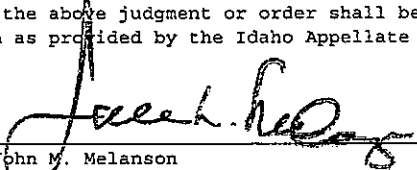
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John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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 75-14622

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

DEC 23 2009

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: BRIAN SOPATYK
913 S LATAH
BOISE, ID 83705

SOURCE: ANDERSON CREEK TRIBUTARY: DAHLONEGA CREEK

QUANTITY: 0.03 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 05/04/1927

POINT OF DIVERSION: T26N R21E S13 SENW Within Lemhi County
NESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	0.03 CFS

Domestic use is for 1 home and up to one-half (1/2) acre of lawn
and garden irrigation.

PLACE OF USE: Domestic Within Lemhi County
T26N R21E S25 NESW

Place of use does not include federal public lands.

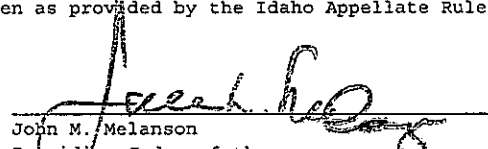
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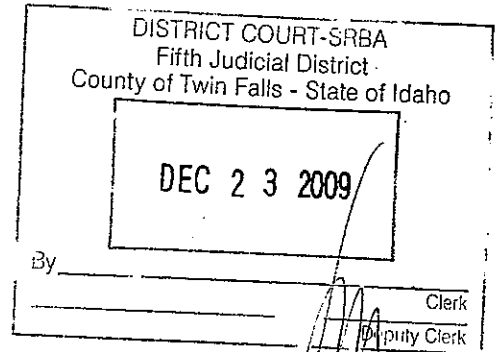

John M. Melanson
Presiding Judge of the
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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

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

Water Right 75-14623



NAME AND ADDRESS: BRIAN SOPATYK
913 S LATAH
BOISE, ID 83705

SOURCE: ANDERSON CREEK TRIBUTARY: DAHLONEGA CREEK

QUANTITY: 0.03 CFS

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PRIORITY DATE: 05/04/1927

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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 23, 2009, with sufficient first-class postage to the following:

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

BRIAN SOPATYK
913 S LATAH
BOISE, ID 83705

