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DEC 17 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
DEC 15 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

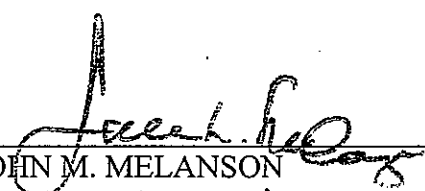
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	Subcase No. 73-12154
	)	(Elzinga)
_____	)	

On September 4, 2009, 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 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 Recommendation* and wholly adopts them as its own.

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

DATED December 15, 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 73-12154

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

DEC 15 2009

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: CARYL L ELZINGA
GLENN A ELZINGA
19 MOEN LN
MAY, ID 83253-2000

SOURCE: PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER

Prior to the diversion and use of water under this approval, the
right holder shall comply with all fish screening and/or fish
passage requirements of the Idaho Department of Fish and Game.

QUANTITY: 0.73 CFS
129.80 AFY

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

PRIORITY DATE: 03/10/1966

POINT OF DIVERSION: T15N R21E S21 SWNE Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.73 CFS 129.80 AFY

PLACE OF USE:	Irrigation	Within Custer County
	T15N R21E S21	SWNE 12.9 SENE 1.4 NESW 31.0 SESW 31.0 NESE 33.0 NWSE 39.0 SWSE 35.0 SESE 40.0 S22 NWSW 11.0 S27 NWSW 11.0 S28 NWSW 11.0 NENE 31.0
	350.3 Acres Total	

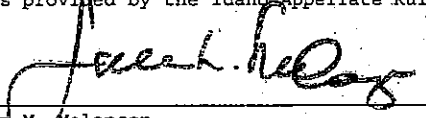
This right is limited to the irrigation of 36.4 acres within
the place of use described above in a single irrigation season.
Rights 73-12150, 73-12152, 73-12154 and 73-12163 when combined
shall not exceed the irrigation of 350.3 acres.

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

2009 DEC 15 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
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): 73-12154

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 73-12154 was mailed
on December 15, 2009, with sufficient first-class postage prepaid
to the following:

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

CARYL L ELZINGA
GLENN A ELZINGA
19 MOEN LN
MAY, ID 83253-2000

JULIE MURPHY
Chief Deputy Clerk