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DEPARTMENT OF  
WATER RESOURCES

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_  
2009 DEC 14 AM 10 35

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

)  
) Water Right: 45-14236  
) (Andersen)  
)  
) ORDER OF PARTIAL DECREE  
)  
)

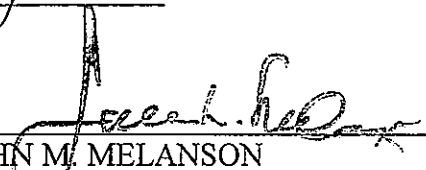
On September 7, 2004, the Idaho Department of Water Resources filed its *Director's Report for Basin 45, Reporting Area 10, for Irrigation and Other Water Rights*, which included recommendation for water right 45-02490. No objections were filed and the time period for filing objections has expired.

On July 28, 2009, the Idaho Department of Water Resources filed a *Notice of Completed Administrative and Amended Director's Report* notifying the Court that water right 45-02490 had been split into water rights 45-14235 and **45-14236**. No objections were filed to the *Amended Director's Report* and the time period for filing objections has expired.

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 14, 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, IDAHO

FILED

In Re SRBA )  
Case No. 39576 )

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

2009 DEC 14 AM 10 35

Water Right 45-14236

NAME AND ADDRESS: WAYNE C ANDERSEN LLC  
911 S 700 W  
BURLEY, ID 83318

SOURCE: GROUND WATER

QUANTITY: 0.98 CFS  
253.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED  
DIVERSION RATE OF 7.33 CFS AND TO A TOTAL COMBINED ANNUAL  
DIVERSION VOLUME OF 2295.7 AF. COMBINED RIGHT NOS.: 45-14236,  
45-14238, 45-14240, 45-14242, 45-14244 & 45-14246.

PRIORITY DATE: 03/05/1955

POINT OF DIVERSION: T12S R22E S20 SWSWE Within Cassia County  
S21 SWSWNW  
NWSWSW

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|----------------------------|----------------|----------------|------------------------|
|                            | Irrigation     | 03-15 TO 11-15 | 0.98 CFS<br>253.00 AFY |

| PLACE OF USE: | Irrigation        | Within Cassia County   |  |
|---------------|-------------------|--|--|
|               | T12S R22E S20     | NENE 40.0<br>SENE 40.0<br>NESE 40.0<br>SWSE 38.0                                       | NWNE 40.0<br>SENW 40.0<br>NWSE 40.0<br>SESE 39.0                           |
|               | S21               | NENE 40.0<br>SWNE 40.0<br>NENW 40.0<br>SWNW 40.0<br>NESW 40.0<br>SWSW 2.5<br>NWSE 40.0 | NWNE 40.0<br>SENE 39.0<br>NWNW 40.0<br>SENW 40.0<br>NWSW 40.0<br>NESE 29.0 |
|               | S22               | NESW 39.0<br>SWSW 39.0   | NWSW 37.0<br>SESW 39.0   |
|               | 941.5 Acres Total |  |  |

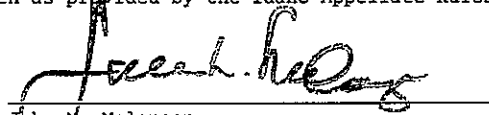
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A  
COMBINED TOTAL OF 941.5 ACRES IN A SINGLE IRRIGATION SEASON.  
COMBINED RIGHT NOS.: 45-14236, 45-14238, 45-14240, 45-14242,  
45-14244 & 45-14246.  
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 63.3 ACRES WITHIN  
THE PLACE OF USE DESCRIBED 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.

A handwritten signature in dark ink, appearing to read "John M. Melanson", is written over a horizontal line.

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

2009 DEC 14 PM 02:01  
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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): 45-14236

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 45-14236 was mailed  
on December 14, 2009, with sufficient first-class postage prepaid  
to the following:

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

WAYNE C ANDERSEN LLC  
911 S 700 W  
BURLEY, ID 83318

JULIE MURPHY  
Chief Deputy Clerk

