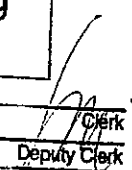


RECEIVED

DEC 07 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
DEC 3 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. 01-00071C
	)	(Scott)
_____	)	

On September 4, 2009, a *Supplemental Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Supplemental 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 *Supplemental 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 September 3, 2009.


JOHN M. MELANSON
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 01-00071C

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
DEC 3 2009
By _____ Clerk Deputy Clerk

NAME AND ADDRESS: R GENE SCOTT
4644 E 185 N
RIGBY, ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
Water is delivered from the Dry Bed.

QUANTITY: 0.06 CFS

The right holder shall maintain a measuring device and lockable
controlling works of a type approved by the Department in a
manner that will provide the watermaster suitable control of the
diversion.

This right when combined with all other rights shall provide no
more than 4.0 afa per acre at the field headgate for irrigation
of the lands above.

PRIORITY DATE: 06/01/1890

POINT OF DIVERSION: T04N R40E S29 SWNE NE Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.06 CFS

PLACE OF USE: Irrigation Within Jefferson County
T04N R40E S29 SENE 29.0
29.0 Acres Total

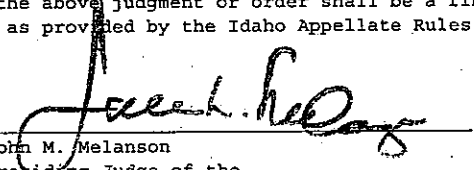
This right is limited to the irrigation of 1.5 acres within the
place of use described above in a single irrigation season.
The rights listed below are limited to the irrigation of a
combined total of 29 acres in a single irrigation season.
Combined Right Nos.: 01-35B, 01-71C, 01-177A, 01-10017.

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 03 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): 01-00071C

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 01-00071C was mailed
on December 03, 2009, with sufficient first-class postage prepaid
to the following:

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

R WYDELL JOHNSON
Represented by:
OLSEN, NATHAN M
BEARD ST. CLAIR GAFFNEY PA
2105 CORONADO ST
IDAHO FALLS, ID 83404-7495
Phone: 208-523-5171

R GENE SCOTT
Represented by:
ROBERT L HARRIS
1000 RIVERWALK DR, STE 200
PO BOX 50130
IDAHO FALLS, ID 83405
Phone: 208-523-0620

JULIE MURPHY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
12/03/09