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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO IDAHO
FILED
2009 DEC 1 PM 10 17

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 AMENDED PARTIAL DECREE

SUBCASE: 35-02389
(Albertson)

On October 29, 2009, an *Amended Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Amended 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 *Amended Special Master's Report and Recommendation* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water right is hereby **decreed** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*. The previously issued *Partial Decree* is replaced and superseded thereby.

DATED December 1, 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

AMENDED

DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED

In Re SRBA)
Case No. 39576)

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

Water Right 35-02389

2009 DEC 1 AM 10 17

NAME AND ADDRESS: KORTNY L ALBERTSON
579 N 2850 E
ROBERTS, ID 83444

SOURCE: GROUNDWATER

QUANTITY: 4.44 CFS
1432.00 AFY

PRIORITY DATE: 12/02/1954

POINT OF DIVERSION: T05N R36E S33 NESW Within Jefferson County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY

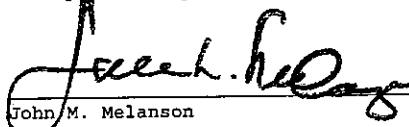
PLACE OF USE:	Irrigation		Within Jefferson County
T05N R36E S33	NWNE 2.9	SWNE 39.0	
	NENW 3.0	NWNW 3.1	
	SNNW 40.0	SENE 40.0	
	NESW 40.0	NWSW 40.0	
	SWSW 37.0	SESW 37.0	
	NWSE 39.0	SWSE 37.0	
	358.0 Acres Total		

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF AMENDED PARTIAL DECREE was mailed on December 01, 2009, with sufficient first-class postage to the following:

BINGHAM GROUND WATER DISTRICT
UPPER VALLEY IRRIGATORS ASSOC

Represented by:
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FREMONT-MADISON IRR DIST

Represented by:
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NORTH SIDE CANAL COMPANY

Represented by:
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STATE OF IDAHO

Represented by:
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STATE OF IDAHO
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PO BOX 44449
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ABERDEEN AMERICAN FALLS GROUND

Represented by:
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TWIN FALLS CANAL COMPANY

Represented by:
TRAVIS L THOMPSON
113 MAIN AVE W, STE 303
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TWIN FALLS, ID 83303-0485
Phone: 208-733-0700

DIRECTOR OF IDWR

PO BOX 83720
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KORTNY L ALBERTSON

579 N 2850 E
ROBERTS, ID 83444

