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NOV 19 2009

DEPARTMENT OF
WATER RESOURCES

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

NOV 18 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. 63-18509
) (Little Cattle Co.)
)

On February 9, 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

November 18, 2009

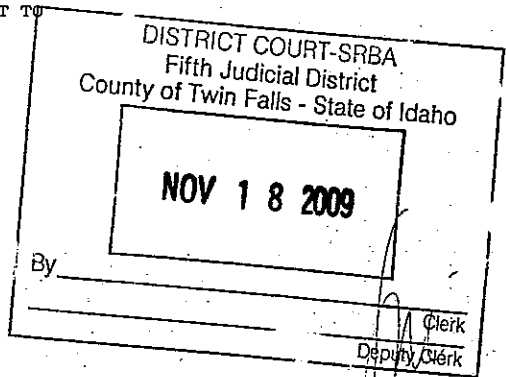
John M. Melanson
JOHN M. MELANSON

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 63-18509



NAME AND ADDRESS: LITTLE CATTLE CO
PO BOX 205
EMMETT, ID 83617

SOURCE: GROUND WATER

QUANTITY: 1.00 CFS
225.00 AFY

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
The total instantaneous diversion of water from all points of diversion under Right Nos. 63-3173, 63-7140 and 63-18509 shall not exceed 3.28 cfs.
This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation.

PRIORITY DATE: 06/01/1976

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION: T05N R01W S19 NESW Within Ada County
LOT 3 (NWSW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	1.00 CFS
	Stockwater	01-01 TO 12-31	0.18 CFS

PLACE OF USE: Irrigation

T05N R01W S19		Within ADA & CANYON County	
	NWNE 4.0		SWNE 1.0
	NENW 16.0	LOT 1	(NWNW) 1.0
LOT 2	(SWNW) 27.0		SENE 24.0
	NESW 2.0	LOT 3	(NWSW) 36.0
LOT 4	(SWSW) 5.0		
R02W S24	SENE 10.0		NESW 1.0
	SESW 5.0		NESE 39.0
	NWSE 22.0		SWSE 36.0
	SESE 23.0		
252.0 Acres Total			

Stockwater

T05N R01W S19		Within ADA & CANYON County	
	NWNE		SWNE
	NENW	LOT 1	(NWNW)
LOT 2	(SWNW)		SENE
	NESW	LOT 3	(NWSW)
LOT 4	(SWSW)		
R02W S24	SENE		NESW
	SESW		NESE
	NWSE		SWSE
	SESE		

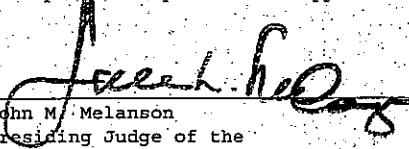
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is based upon an enlargement of Right nos. 63-3173 and 63-7140 pursuant to Section 42-1426, Idaho Code. The quantity of water decreed for this water right for stockwater use 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

2009 NOV 18 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): 63-18509

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 63-18509 was mailed
on November 18, 2009, with sufficient first-class postage prepaid
to the following:

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

LITTLE CATTLE CO
PO BOX 205
EMMETT, ID 83617
Phone: 208-365-4611

JULIE MURPHY
Chief Deputy Clerk