

RECEIVED
OCT 16 2009
DEPARTMENT OF
WATER RESOURCES

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

OCT 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

Case No. 39576

)
) Water Right: 47-02382
) (High Plains Dairy LLC)
)
) ORDER OF PARTIAL DECREE
)
)

On February 2, 2007, the Idaho Department of Water Resources filed its *Director's Report for Basin 47, Part I, Reporting Area 12, for Irrigation and Other Water Rights*, which included recommendation for the above named water right.

On May 21, 2009 the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Report* notifying the Court of a transfer for named water right. 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 October 15, 2009.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

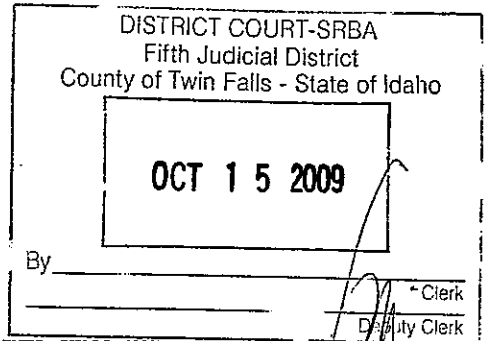
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 47-02382

NAME AND ADDRESS: HIGH PLAINS DAIRY LLC
PO BOX 780
CASTLEFORD, ID 83321

SOURCE: GROUND WATER

QUANTITY: 1.34 CFS
568.40 AFY



RIGHTS 47-2382, 51-13052 AND 51-13054 WHEN COMBINED SHALL NOT
EXCEED A TOTAL DIVERSION RATE OF 2.42 CFS, A TOTAL ANNUAL MAXIMUM
DIVERSION VOLUME OF 785.2 AF AT THE FIELD HEADGATE.
THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO
MORE THAN 0.02 CFS PER ACRE NOR MORE THAN 4.0 AFA PER ACRE AT THE
FIELD HEADGATE FOR IRRIGATION OF THE LANDS ABOVE.

PRIORITY DATE: 12/13/1963

POINT OF DIVERSION: T09S R13E S18 SENWSE Within Twin Falls County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.34 CFS 568.40 AFY

PLACE OF USE:	Irrigation	Within Twin Falls County
	T09S R13E S17	SWSW 40.0
	S18	NESW 32.9
		NESE 20.1
		SWSE 32.3
		SESE 36.7
	225.1 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 225.1 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
RIGHT NOS. 47-2382, 51-13052 AND 51-13054 ARE LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 225.1 ACRES IN A SINGLE
IRRIGATION SEASON.

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

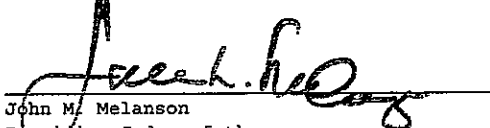
FAILURE OF THE RIGHT HOLDER TO COMPLY WITH THE CONDITIONS OF THIS
TRANSFER IS CAUSE FOR THE DIRECTOR TO RESCIND APPROVAL OF THE
TRANSFER.

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY THIS
TRANSFER WITHIN 1 YEAR OF THE DATE OF THIS APPROVAL.

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 OCT 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) : 47-02382

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 47-02382 was mailed
on October 15, 2009, with sufficient first-class postage prepaid
to the following:

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

HIGH PLAINS DAIRY LLC
PO BOX 780
CASTLEFORD, ID 83321

JULIE MURPHY
Chief Deputy Clerk