

**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: 47-07744

(Foster)

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 April 21, 2007, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding* and *Amended Director's Report* notifying the Court of a substitution of party 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

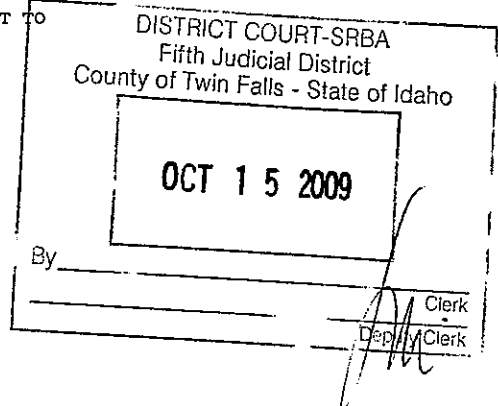
Snake River Basin Adjudication

ORDER OF PARTIAL DECREE

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 47-07744



NAME AND ADDRESS: JERRY L FOSTER
LINDA J FOSTER
4415 N 1355 E
BUHL, ID 83316

SOURCE: GROUND WATER

QUANTITY: 0.17 CFS
16.10 AFY

This right when combined with all other rights shall provide no
more than 0.03 cfs per acre nor more than 4.0 afa per acre at
the field headgate for irrigation of the lands above.

PRIORITY DATE: 06/15/1981

POINT OF DIVERSION: T09S R14E S14 NWSWSE Within Twin Falls County
NWSWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.11 CFS 15.20 AFY
	Stockwater	01-01 TO 12-31	0.02 CFS 0.30 AFY
	Domestic	01-01 TO 12-31	0.04 CFS 0.60 AFY

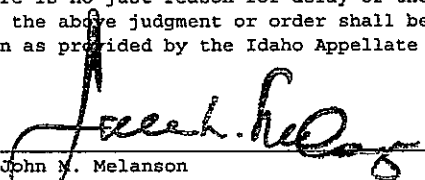
PLACE OF USE:	Irrigation	Within Twin Falls County
	T09S R14E S14	SWSE 3.8
	3.8 Acres Total	
	Stockwater	Within Twin Falls County
	T09S R14E S14	SWSE
	Domestic	Within Twin Falls County
	T09S R14E S14	SWSE

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 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

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CERTIFICATE OF MAILING

Water Right(s): 47-07744

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 47-07744 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

JERRY L FOSTER
LINDA J FOSTER
4415 N 1355 E
BUHL, ID 83316

JULIE MURPHY
Chief Deputy Clerk