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AUG 10 2009

DEPARTMENT OF
WATER RESOURCES

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

AUG - 6 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: 47-17518**
) **(Kottraba)**
)
) **ORDER OF PARTIAL DECREE**
)
)

On February 2, 2007, the Idaho Department of Water Resources filed its *Director's Report for Basin 47, Part 1, Reporting Area 12, for Irrigation and Other Water Rights*, which included recommendation for water right 47-02260. No objections were filed and the time period for filing objections has expired.

On June 12, 2009, the Idaho Department of Water Resources filed a *Notice of Completed Administrative and Amended Director's Report* notifying the Court that water right 47-02260 had been split into water rights 47-17518 and 47-17519. 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

August 6, 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 47-17518

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

AUG - 6 2009

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: JEANA C LEAVELL-KOTTRABA
MARC KOTTRABA
4475 N 1280 E
BUHL, ID 83316

SOURCE: MUD CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.62 CFS

This right when combined with all other rights shall provide no
more than .02 cfs per acre for irrigation of the lands above.

PRIORITY DATE: 12/17/1950

POINT OF DIVERSION: T09S R14E S15 SESE Within Twin Falls County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.62 CFS

PLACE OF USE: Irrigation Within Twin Falls County
T09S R14E S15 NWSE 31.0
31.0 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

2009 AUG 06 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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 47-17518

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 47-17518 was mailed
on August 06, 2009, with sufficient first-class postage prepaid
to the following:

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

JEANA C LEAVELL-KOTTRABA
MARC KOTTRABA
4475 N 1280 E
BUHL, ID 83316

JULIE MURPHY
Chief Deputy Clerk