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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

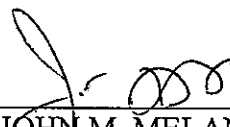
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	Subcase No. 73-00108
	)	(Circle Pie Ranches Partnership)
_____	)	

On June 25, 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 August 6, 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)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 73-00108

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
AUG - 6 2009
By _____ Clerk
_____ Deputy Clerk

NAME AND ADDRESS: CIRCLE PIE RANCHES PARTNERSHIP
C/O BEN YATES
HC 62, BOX 2295
MAY, ID 83253

SOURCE: SPRING TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 1.20 CFS

PRIORITY DATE: 11/28/1904

POINT OF DIVERSION: T14N R22E S07 SWNE Within Custer County
SENW (Injection)
LOT 3 (NWSW) (Rediversion)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.20 CFS

PLACE OF USE:	Irrigation	Within Custer County
T14N R21E S01	SWNW 0.2 NWSW 28.0 SESW 9.4	NESW 0.6 SWSW 39.0
S02	SWNE 27.0 NESE 38.0 SWSE 17.0	SENE 15.0 NWSE 26.0 SESE 40.0
S11	NENE 18.0	
S12	NENW 18.0 SWNW 23.0	NWNW 40.0 SENW 9.6
348.8 Acres Total		

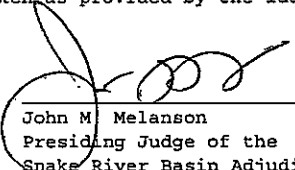
This right is limited to the irrigation of 60 acres within the place of use described above in a single irrigation season. Right Nos. 73-6, 73-12, 73-10063, 73-105, 73-107, 73-108, 73-114, 73-2015 and 73-2053 are limited to the irrigation of a combined total of 348.8 acres in a single irrigation season. Right Nos. 73-6, 73-12, 73-10063, 73-105, 73-107, 73-108, 73-114, 73-2015, 73-2053 and 73-7025 are limited to the irrigation of a combined total of 352.8 acres in a single irrigation season. Place of use does not include federal public lands.

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): 73-00108

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 73-00108 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

UNITED STATES OF AMERICA

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

CIRCLE PIE RANCHES PARTNERSHIP
C/O BEN YATES
HC 62, BOX 2295
MAY, ID 83253
Phone: 208-876-4276

JULIE MURPHY
Chief Deputy Clerk