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Department of Water Resources
Adjudication Bureau

DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED

2009 AUG 5 PM 12 42

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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ORDER OF PARTIAL DECREES

Subcases: See Attached Exhibit A
(Kanaka Rapids)

On June 22, 2009, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights. 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 wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water rights are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED August 5, 2009


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A - KANAKA RAPIDS

Subcase Nos:

47-02174
47-02175
47-02179
47-07261A
47-07261B
47-07680

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

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 47-02174

FILED
2009 AUG 5 PM 12 42

NAME AND ADDRESS: KANAKA RAPIDS RANCH HOMEOWNERS
WATER SYSTEM INC
PO BOX 508
BUHL, ID 83316

SOURCE: MUD CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 1.10 CFS

PRIORITY DATE: 11/23/1925

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

Rights 47-7261A, 47-2174, 47-2175, 47-2179 and 47-7551A are all
diverted through the point of diversion described above.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.10 CFS

PLACE OF USE:	Irrigation	Within Twin Falls County
	T09S R14E S10 LOT 4 (NENE) 15.0	NWNE 17.0
		SWNE 18.0
	LOT 6 (NENW) 5.1	SENE 26.0
		(SENW) 13.0
		NESE 13.0
	S11 LOT 9 (NWNE) 4.3	NENW 3.5
	LOT 8 (NENW) 13.0	LOT 3 (NWNW) 15.0
		SWNW 24.0
		SENE 5.7
		NWSW 9.8
		LOT 7 () 2.7
	185.1 Acres Total	

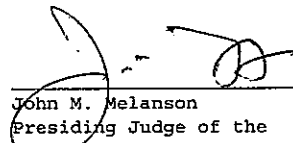
The rights listed below are limited to the irrigation of a
combined total of 232.6 acres in a single irrigation season.
Combined Right Nos.: 47-7680, 47-7261A, 47-2174, 47-2175,
47-2179 and 47-7261B. Right 47-7680 overlaps 37.3 acres on lands
irrigated from Mud Creek and 1.7 acres on lands irrigated from
Unnamed Stream (Silver Creek) while providing primary irrigation
water to 31.5 acres.
This right is limited to the irrigation of 55 acres within the
place of use described above in a single irrigation season.

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

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

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 47-02175

FILED
2009 AUG 5 PM 12 42

NAME AND ADDRESS: KANAKA RAPIDS RANCH HOMEOWNERS
WATER SYSTEM INC
PO BOX 508
BUHL, ID 83316

SOURCE: MUD CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.58 CFS

PRIORITY DATE: 03/27/1925

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

Rights 47-7261A, 47-2174, 47-2175, 47-2179 and 47-7551A are all
diverted through the point of diversion described above.

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 03-15 TO 11-15 0.58 CFS

PLACE OF USE: Irrigation Within Twin Falls County
T09S R14E S10 LOT 4 (NENE) 15.0 NWNE 17.0
SWNE 18.0 SENE 26.0
LOT 6 (NENW) 5.1 LOT 3 (SENW) 13.0
NESE 13.0
S11 LOT 9 (NWNE) 4.3 NENW 3.5
LOT 8 (NENW) 13.0 LOT 3 (NWNW) 15.0
SWNW 24.0 SENW 5.7
NWSW 9.8 LOT 7 () 2.7
185.1 Acres Total

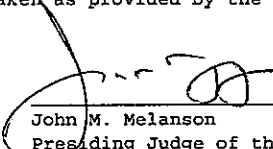
The rights listed below are limited to the irrigation of a
combined total of 232.6 acres in a single irrigation season.
Combined Right Nos.: 47-7680, 47-7261A, 47-2174, 47-2175,
47-2179 and 47-7261B. Right 47-7680 overlaps 37.3 acres on lands
irrigated from Mud Creek and 1.7 acres on lands irrigated from
Unnamed Stream (Silver Creek) while providing primary irrigation
water to 31.5 acres.
This right is limited to the irrigation of 29 acres within the
place of use described above in a single irrigation season.

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

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

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED

2009 AUG 5 PM 12 43

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 47-02179

NAME AND ADDRESS: KANAKA RAPIDS RANCH HOMEOWNERS
WATER SYSTEM INC
PO BOX 508
BUHL, ID 83316

SOURCE: MUD CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 1.22 CFS

PRIORITY DATE: 08/10/1929

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

Rights 47-7261A, 47-2174, 47-2175, 47-2179 and 47-7551A are all
diverted through the point of diversion described above.

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Irrigation

PERIOD OF USE
03-15 TO 11-15

QUANTITY
1.22 CFS

PLACE OF USE: Irrigation Within Twin Falls County

T09S R14E S10 LOT 4	(NENE) 15.0	NWNE 17.0
	SWNE 18.0	SENE 26.0
LOT 6	(NENW) 5.1	LOT 3 (SENW) 13.0
	NESE 13.0	
S11 LOT 9	(NWNE) 4.3	NENW 3.5
LOT 8	(NENW) 13.0	LOT 3 (NWNW) 15.0
	SWNW 24.0	SENW 5.7
	NWSW 9.8	LOT 7 () 2.7
185.1 Acres Total		

The rights listed below are limited to the irrigation of a
combined total of 232.6 acres in a single irrigation season.
Combined Right Nos.: 47-7680, 47-7261A, 47-2174, 47-2175,
47-2179 and 47-7261B. Right 47-7680 overlaps 37.3 acres on lands
irrigated from Mud Creek and 1.7 acres on lands irrigated from
Unnamed Stream (Silver Creek) while providing primary irrigation
water to 31.5 acres.

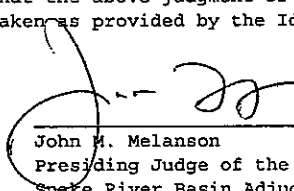
This right is limited to the irrigation of 61 acres within the
place of use described above in a single irrigation season.

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

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

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

In Re SRBA)
)
Case No. 39576)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 47-07261A

FILED
2009 AUG 5 PM 12 43

NAME AND ADDRESS: KANAKA RAPIDS RANCH HOMEOWNERS
WATER SYSTEM INC
PO BOX 508
BUHL, ID 83316

SOURCE: MUD CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.80 CFS
160.40 AFY

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.

PRIORITY DATE: 03/23/1974

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

Rights 47-7261A, 47-2174, 47-2175, 47-2179 and 47-7551A are all diverted through the point of diversion described above.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.80 CFS 160.40 AFY

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:	Irrigation	Within Twin Falls County
	T09S R14E S10 LOT 4 (NENE) 15.0	NWNE 17.0
	SWNE 18.0	SENE 26.0
	LOT 6 (NENW) 5.1	LOT 3 (SENW) 13.0
	NESE 13.0	
	S11 LOT 9 (NWNE) 4.3	NENW 3.5
	LOT 8 (NENW) 13.0	LOT 3 (NWNW) 15.0
	SWNW 24.0	SENE 5.7
	NWSW 9.8	LOT 7 () 2.7
	185.1 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 232.6 acres in a single irrigation season. Combined Right Nos.: 47-7680, 47-7261A, 47-2174, 47-2175, 47-2179 and 47-7261B. Right 47-7680 overlaps 37.3 acres on lands irrigated from Mud Creek and 1.7 acres on lands irrigated from Unnamed Stream (Silver Creek) while providing primary irrigation water to 31.5 acres. This right is limited to the irrigation of 40.1 acres within the place of use described above in a single irrigation season.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS

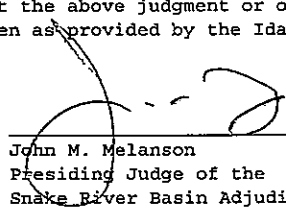
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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.



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

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

2009 AUG 5 PM 12 43

In Re SRBA)
)
Case No. 39576)
)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 47-07261B

NAME AND ADDRESS: KANAKA RAPIDS RANCH HOMEOWNERS
WATER SYSTEM INC
PO BOX 508
BUHL, ID. 83316

SOURCE: UNNAMED STREAM TRIBUTARY: MUD CREEK

QUANTITY: 0.32 CFS
64.00 AFY

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands herein.

PRIORITY DATE: 03/23/1974

POINT OF DIVERSION: T09S R14E S11 SWSWSW Within Twin Falls County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.32 CFS 64.00 AFY

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: Irrigation Within Twin Falls County
T09S R14E S11 NWSW 11.0 SWSW 5.0
16.0 Acres Total

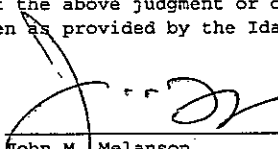
The rights listed below are limited to the irrigation of a combined total of 232.6 acres in a single irrigation season. Combined Right Nos.: 47-7680, 47-7261A, 47-2174, 47-2175, 47-2179 and 47-7261B. Right 47-7680 overlaps 37.3 acres on lands irrigated from Mud Creek and 1.7 acres on lands irrigated from Unnamed Stream (Silver Creek) while providing primary irrigation water to 31.5 acres.

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

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John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
DISTRICT OF THE
TWIN FALLS
FILED

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PLACE OF USE (continued)

Commercial		Within Twin Falls County	
T09S R14E S11	NWSW		
Heating		Within Twin Falls County	
T09S R14E S10 LOT 4	(NENE)	LOT 4	(NWNE)
	SWNE		SENE
LOT 4	(NENW)	LOT 3	(SENW)
	NESE		SESE
S11 LOT 9	(NWNE)	LOT 8	(NENW)
LOT 3	(NWNW)		SWNW
	SENW		NWSW
	SWSW		SESW
S14	NWNE		SWNE
	NENW		NWNW
	SENW		
Domestic		Within Twin Falls County	
T09S R14E S10 LOT 4	(NENE)	LOT 4	(NWNE)
	SWNE		SENE
LOT 4	(NENW)	LOT 3	(SENW)
	NESE		SESE
S11 LOT 9	(NWNE)	LOT 8	(NENW)
LOT 3	(NWNW)		SWNW
	SENW		NWSW
	SWSW		SESW
S14	NWNE		SWNE
	NENW		NWNW
	SENW		

Domestic and heating places of use are located within Lots 1-99, Kanaka Rapids Ranches P.U.D.; and Lots 201, 203-234, and 236-244, The Riverside at Kanaka Rapids Ranch. The rights listed below are limited to the irrigation of a combined total of 232.6 acres in a single irrigation season. Combined Right Nos.: 47-7680, 47-7261A, 47-2174, 47-2175, 47-2179 and 47-7261B. Right 47-7680 overlaps 37.3 acres on lands irrigated from Mud Creek and 1.7 acres on lands irrigated from Unnamed Stream (Silver Creek) while providing primary irrigation water to 31.5 acres.

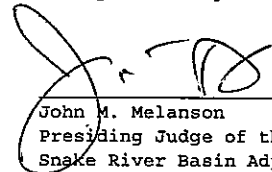
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The right holder shall use the full allotment of appurtenant surface water rights available under Rights 47-7261A, 47-2174, 47-2175, 47-2179 and 47-7261B in conjunction with groundwater diverted for irrigation purposes under this right. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on August 05, 2009, with sufficient first-class postage to the following:

KANAKA RAPIDS RANCH HOMEOWNERS
WATER SYSTEM INC
PO BOX 508
BUHL, ID 83316
Phone: 208-543-9093

TWIN FALLS CANAL COMPANY
Represented by:
BARKER, ROSHOLT & SIMPSON LLP
113 MAIN AVE W, STE 303
PO BOX 485
TWIN FALLS, ID 83303-0485
Phone: 208-733-0700

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

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line.