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JUL 31 2009

DEPARTMENT OF
WATER RESOURCES

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

JUL 30 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

)
) **ORDER OF PARTIAL DECREES**
)
)

) **For water rights: 77-04174, 77-04175, &**
) **77-10104 (Ritland)**
)

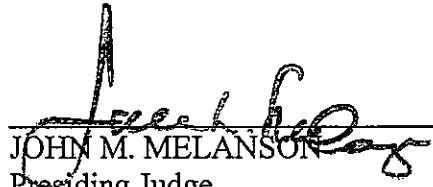
On March 31, 2006, the Idaho Department of Water Resources ("IDWR") filed its *Director's Report for Basin 77, Part I, Reporting Area 24, For Irrigation and Other Water Rights*, which included recommendations for the above-captioned water rights. No objections were filed and the time period for filing objections has expired. These rights are a split from right 63-31494.

On August 9, 2006, IDWR filed a *Notice of Completed Administrative Proceeding and Amended Director's Report* notifying the Court of a substitution of party for the above-captioned water rights. No objections were filed to the *Amended Director's Report* and the time period for filing objections has expired.

Water right 77-10104 was recommended with an Aesthetic, Recreation, or Wildlife ("ARW") Purpose of Use. This right (along with related rights 77-04174 and 77-04175) was withheld from decree because of pending objections in the SRBA regarding the ARW Purpose of Use. The objections involving the ARW Purpose of Use were ultimately designated as Basin-Wide Issue 14. On February 25, 2009, the Court approved an amended decree resolving Basin-Wide Issue 14. Therefore, the Court finds it is now appropriate to issue the *Partial Decrees* for the above-captioned rights.

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

DATED July 30, 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 77-04174

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

JUL 30 2009

NAME AND ADDRESS: STANLEY RITLAND
STEPHEN L RITLAND
1150 N SAN FRANCISCO ST
FLAGSTAFF, AZ 86001

SOURCE: SHEEP CREEK TRIBUTARY: SOUTH FORK SALMON RIVER
WILLEY CREEK TRIBUTARY: SHEEP CREEK

QUANTITY: 2.94 CFS

PRIORITY DATE: 01/01/1897

POINT OF DIVERSION: T20N R07E S29 NWSE Within Valley County
NWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.94 CFS
	Mining	01-01 TO 12-31	0.78 CFS

PLACE OF USE: Irrigation Within Valley County
T20N R07E S20 SWNE 10.0 LOT 4 (SENW) 27.0
LOT 5 (NESW) 25.0 LOT 8 (SESW) 26.0
NWSE 10.0
98.0 Acres Total

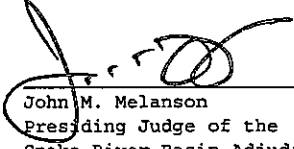
Mining Within Valley County
T20N R07E S20 SENW

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 77-04175

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

JUL 30 2009

NAME AND ADDRESS: STANLEY RITLAND
STEPHEN L RITLAND
1150 N SAN FRANCISCO ST
FLAGSTAFF, AZ 86001

SOURCE: SHEEP CREEK TRIBUTARY: SOUTH FORK SALMON RIVER
WILLEY CREEK TRIBUTARY: SHEEP CREEK

QUANTITY: 0.44 CFS

PRIORITY DATE: 01/01/1970

The appropriator shall exercise this right in a manner that recognizes the historic practice that the use of water for power generation is incidental to the rights of others to the use of water for other purposes. The appropriator shall not make a delivery call for hydropower generation except as against junior hydropower rights.

POINT OF DIVERSION: T20N R07E S29 NWSE Within Valley County
NWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Power	01-01 TO 12-31	0.44 CFS

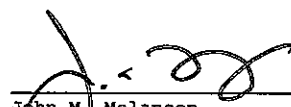
PLACE OF USE: Power Within Valley County
T20N R07E S20 LOT 5 (NESW)

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 77-10104

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

JUL 30 2009

NAME AND ADDRESS: STANLEY RITLAND
STEPHEN L RITLAND
1150 N SAN FRANCISCO ST
FLAGSTAFF, AZ 86001

SOURCE: SPRING TRIBUTARY: SHEEP CREEK

QUANTITY: 0.04 CFS

PRIORITY DATE: 12/31/1901

POINT OF DIVERSION: T20N R07E S29 SWNW Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Recreation	01-01 TO 12-31	0.04 CFS

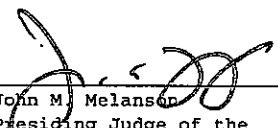
PLACE OF USE: Recreation Within Valley County
T20N R07E S29 SENW

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
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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 July 30, 2009, with sufficient first-class postage to the following:

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

STANLEY RITLAND
STEPHEN L RITLAND
1150 N SAN FRANCISCO ST
FLAGSTAFF, AZ 86001

ORDER

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Deputy Clerk

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