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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

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

By

Clerk
Deputy Clerk

In Re SRBA

Case No. 39576

)
) Water Right: 47-02263
) (Lanting Enterprises)
)
) 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 October 1, 2008, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Report* notifying the Court of a transfer 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

July 30, 2009

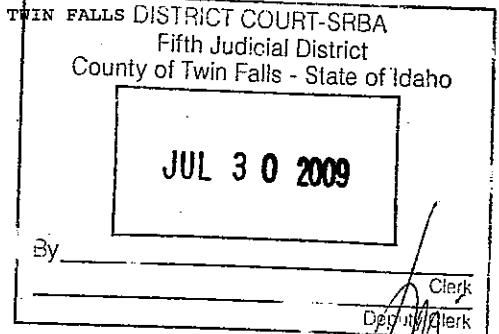
JOHN M. MELANSON

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 47-02263



NAME AND ADDRESS: LANTING ENTERPRISES
C/O JAMES W LANTING
2181 N 2300 E
TWIN FALLS, ID 83301

SOURCE: GROUND WATER

If the surface water rights appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

QUANTITY: 0.20 CFS
97.60 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above. Right Nos 47-2263, 47-8007B, and 47-8261 are limited to a total combined diversion rate of 4.10 cfs and to a total combined annual diversion volume of 900.0 AF.

PRIORITY DATE: 02/29/1952

POINT OF DIVERSION: T13S R16E S05 SWNWSW Within Twin Falls County
S08 SENENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.20 CFS 97.60 AFY

PLACE OF USE:	Irrigation	Within Twin Falls County
	T12S R16E S31	SESE 1.0
	S32	SWSW 6.0
	T13S R16E S04	NESW 35.0
		SWSW 33.0
	S05	SWNE 1.0
	LOT 4	(NWNW) 36.0
		SENE 34.0
		NWSW 39.0
		SESW 1.0
		NWSE 32.0
		SESE 36.0
	S06 LOT 1	(NENE) 23.0
		SENE 32.0
		NWSE 38.0
		SESE 24.0
	S07	NENE 12.0
		NWSW 35.0
		SESW 34.0
		(NENW) 11.0
		SWNW 37.0
		NESW 33.0
		SWSW 13.0
		NESE 33.0
		SWSE 32.0
		SWNE 12.0
		NESE 38.0
		SWSE 22.0
		NWNE 28.0

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

PLACE OF USE (continued)

S08	NENE 34.0	NWNE 1.0
	SWNE 33.0	SENE 39.0
	NESE 26.0	NWSE 25.0
869.0 Acres Total		

Right 47-02263 is limited to the irrigation of 70 acres within the place of use described above in a single irrigation season. Right Nos 47-2263, 47-8007B, and 47-8261 are limited to the irrigation of a combined total of 347 acres within the place of use described above in a single irrigation season.

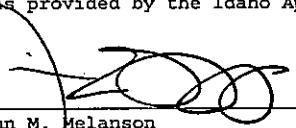
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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 JUL 30 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

)
)
)
)
CERTIFICATE OF MAILING

Water Right(s): 47-02263

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 47-02263 was mailed
on July 30, 2009, with sufficient first-class postage prepaid
to the following:

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

LANTING ENTERPRISES
C/O JAMES W LANTING
2181 N 2300 E
TWIN FALLS, ID 83301
Phone: 208-655-4272

JULIE MURPHY
Chief Deputy Clerk