

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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DEPARTMENT OF
WATER RESOURCES

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

Subcases: See Attached Exhibit A
(South Leigh Creek LLC)

On May 28, 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

July 13, 2009


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A - SOUTH LEIGH CREEK LLC

Subcase Nos:

22-00366B

22-00367B

22-00611A

22-13588

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
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2009 JUL 13 PM 2 50

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 22-00366B

NAME AND ADDRESS: SOUTH LEIGH CREEK LLC
525 OAK KNOLL AVE
MENLO PARK, CA 94025

SOURCE: SOUTH LEIGH CREEK TRIBUTARY: TETON RIVER

QUANTITY: 0.25 CFS

PRIORITY DATE: 05/01/1898

POINT OF DIVERSION: T06N R45E S36 SENW Within Teton County
R46E S31 LOT 2 (SWNW)
S32 NWNWSW
LOT 1 (NWNE)

The point of diversion described above as T6N R46E S32 NWNE Lot 1
is where the conveyance system enters Idaho.
One point of diversion for this water right is in Wyoming, T44N,
R118W, Sec. 6 SENE Lot 2, 6 PM.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.25 CFS

PLACE OF USE:	Irrigation	Within Teton County
	T06N R45E S35	SWNE 8.4 NESE 27.0 SENE 25.0 NWSE 18.0
	78.4 Acres Total	

The rights listed below are limited to the irrigation of a
combined total of 78.4 acres in a single irrigation season.
Combined Right Nos.: 22-366B, 22-367B, 22-611A, 22-13588.

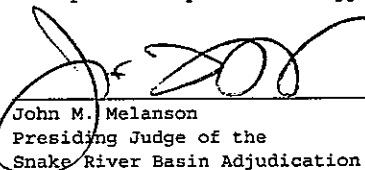
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This water right is subject to the delivery provisions contained
in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4,
1941) ("Roxana decree"). Nothing in this Partial Decree is
intended to relieve or alter the state of Idaho nor the state of
Wyoming from their obligations contained in the Roxana decree.

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 JUL 13 PM 2 50

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 22-00367B

NAME AND ADDRESS: SOUTH LEIGH CREEK LLC
525 OAK KNOLL AVE
MENLO PARK, CA 94025

SOURCE: SOUTH LEIGH CREEK TRIBUTARY: TETON RIVER

QUANTITY: 0.75 CFS

PRIORITY DATE: 05/01/1899

POINT OF DIVERSION: T06N R45E S36 SENW Within Teton County
R46E S31 LOT 2 (SWNW)
S32 NWNWSW
LOT 1 (NWNE)

The point of diversion described above as T6N R46E S32 NWNE Lot 1
is where the conveyance system enters Idaho.
One point of diversion for this water right is in Wyoming, T44N,
R118W, Sec. 6 SENE Lot 2, 6 PM.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.75 CFS

PLACE OF USE:	Irrigation	Within Teton County
	T06N R45E S35	SWNE 8.4 SENE 25.0 NESE 27.0 NWSE 18.0
	78.4 Acres Total	

The rights listed below are limited to the irrigation of a
combined total of 78.4 acres in a single irrigation season.
Combined Right Nos.: 22-366B, 22-367B, 22-611A, 22-13588.

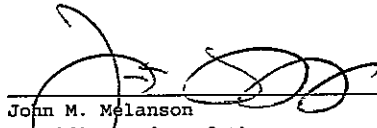
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This water right is subject to the delivery provisions contained
in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4,
1941) ("Roxana decree"). Nothing in this Partial Decree is
intended to relieve or alter the state of Idaho nor the state of
Wyoming from their obligations contained in the Roxana decree.

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

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 JUL 13 PM 2 50

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 22-00611A

NAME AND ADDRESS: SOUTH LEIGH CREEK LLC
525 OAK KNOLL AVE
MENLO PARK, CA 94025

SOURCE: SOUTH LEIGH CREEK TRIBUTARY: TETON RIVER

QUANTITY: 1.20 CFS

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION: T06N R45E S36 SENW Within Teton County
R46E S31 LOT 2 (SWNW)
S32 NWNWSW
LOT 1 (NWNE)

One point of diversion for this water right is in Wyoming, T44N,
R118W, Sec. 6 SENE Lot 2, 6 PM.
The point of diversion described above as T6N R46E S32 NWNE Lot 1
is where the conveyance system enters Idaho.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	1.20 CFS

PLACE OF USE:	Irrigation	Within Teton County
	T06N R45E S35	SWNE 8.4 NESE 27.0
		SENE 25.0 NWSE 18.0
	78.4 Acres Total	

The rights listed below are limited to the irrigation of a
combined total of 78.4 acres in a single irrigation season.
Combined Right Nos.: 22-366B, 22-367B, 22-611A, 22-13588.
This right is limited to the irrigation of 60 acres within the
place of use described above in a single irrigation season.

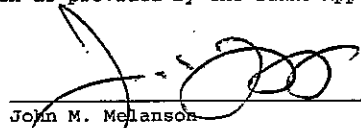
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This water right is subject to the delivery provisions contained
in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4,
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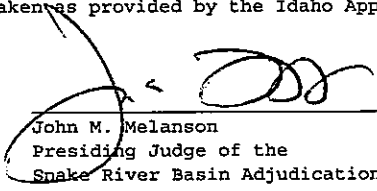
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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

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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 13, 2009, with sufficient first-class postage to the following:

SOUTH LEIGH CREEK LLC

Represented by:

ROBERT L HARRIS

1000 RIVERWALK DR, STE 200

PO BOX 50130

IDAHO FALLS, ID 83405

Phone: 208-523-0620

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

ORDER

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Deputy Clerk