

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 JUN 30 PM 3 07

In Re SRBA)
)
Case No. 39576)
)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
) Water Right 67-00638

NAME AND ADDRESS: TREE TOP RANCHES LP
914 HOUSTON RD
BOISE, ID 83706

SOURCE: SAGE CREEK TRIBUTARY: WEISER RIVER

QUANTITY: 0.80 CFS

This right when combined with Right No. 67-638, 67-639, 67-643, 67-644, 67-645, 67-646, 67-647, 67-648, 67-00649, 67-650, 67-651, 67-652, 67-653, 67-2302, 67-2390, 67-7732, and 67-7899 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 herein.

PRIORITY DATE: 06/01/1888

POINT OF DIVERSION: T13N R04W S23 NWNENW Within Washington County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 10-31	0.80 CFS

PLACE OF USE:	Irrigation	Within Washington County
T13N R04W S11	SESW 0.8	NESE 30.0
	SWSE 40.0	SESE 40.0
S12	SWSW 24.0	SESW 16.0
	SWSE 9.3	
S13	NWNE 40.0	SWNE 38.0
	NENW 24.0	NWNW 39.0
	SWNW 39.0	SENE 40.0
	NESW 30.0	NWSW 40.0
	SWSW 35.0	SESW 19.0
	NWSE 1.4	
S14	NENE 40.0	NWNE 40.0
	SWNE 39.0	SENE 37.0
	NENW 28.0	SENE 25.0
	NESE 39.0	NWSE 8.6
	SWSE 6.1	SESE 28.0
S23	NENE 6.6	
S24	NENW 4.2	NWNW 20.0
	827.0 Acres Total	

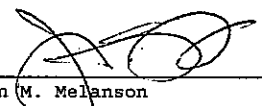
The rights listed below are limited to the irrigation of a combined total of 827.0 acres in a single irrigation season. Combined Right Nos.: 67-638, 67-639, 67-643, 67-644, 67-645, 67-646, 67-647, 67-648, 67-00649, 67-650, 67-651, 67-652, 67-653, 67-2302, 67-2390, 67-7732, and 67-7899

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. Mellanson
Presiding Judge of the
Snake River Basin Adjudication

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED _____

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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**

In Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREES

**Subcases: See Attached Exhibit A
(Tree Top Ranches LP)**

On April 20, 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

~~JOHN M. MELANSON~~

Presiding Judge

Snake River Basin Adjudication

EXHIBIT A (TREE TOP RANCHES LP)

Subcase Nos: .

67-00638
67-00644
67-00645
67-00646
67-00647
67-00648
67-00649
67-00650
67-00651
67-00652
67-00653
67-02302

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on June 30, 2009, with sufficient first-class postage to the following:

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

TREE TOP RANCHES LP
914 HOUSTON RD
BOISE, ID 83706
Phone: 208-377-0998

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".