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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
JUN 19 2009
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

Subcases: 63-31935 and 63-31936
(Drainage Dist. Number Four)

On April 6, 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 June 19, 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-31935

NAME AND ADDRESS: DRAINAGE DISTRICT NUMBER FOUR
OF ADA COUNTY
C/O S BRYCE FARRIS
PO BOX 2773
BOISE, ID 83701

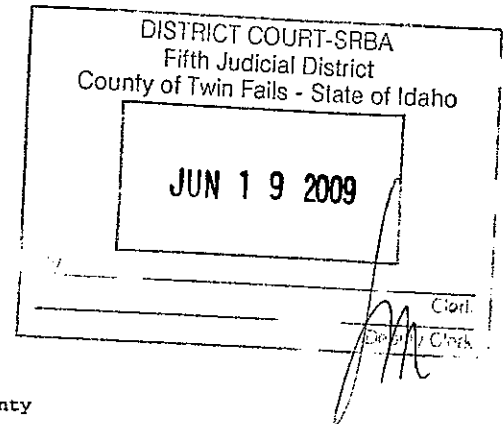
SOURCE: WASTE WATER TRIBUTARY: BOISE RIVER

QUANTITY: 20.00 CFS

PRIORITY DATE: 12/02/1940

POINT OF DIVERSION: T04N R01E S23 SWSE Within Ada County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 03-01 TO 11-15 20.00 CFS



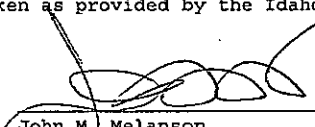
PLACE OF USE:
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1141.6 ACRES WITHIN
THE BOUNDARY OF THE THURMAN MILL DITCH COMPANY.
THE PLACE OF USE OF THIS WATER RIGHT IS WITHIN THE DIGITAL
BOUNDARY OF THE THURMAN MILL DITCH COMPANY.

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

WATER IS DELIVERED THROUGH THE THURMAN MILL CANAL
SOURCE IS ALSO KNOWN AS THE JUNCTION DRAIN
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 63-31936

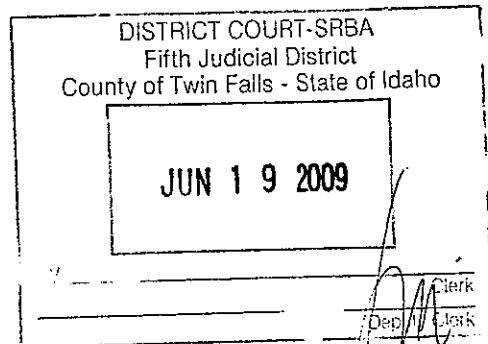
NAME AND ADDRESS: DRAINAGE DISTRICT NUMBER FOUR
OF ADA COUNTY
C/O S BRYCE FARRIS
PO BOX 2773
BOISE, ID 83701

SOURCE: WASTE WATER TRIBUTARY: BOISE RIVER

QUANTITY: 15.00 CFS

PRIORITY DATE: 08/13/1925

POINT OF DIVERSION: T03N R02E S05 LOT 11 (NESE) Within Ada County
R03E S29 LOT 6 (NWSW)
T04N R01E S22 LOT 6 (SENW)



PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	15.00 CFS

11.42 cfs of this right is credited for delivery to the Thurman Mill Canal; 1.03 cfs of this right is credited for delivery to the Ridenbaugh Canal and 2.55 cfs of this right is credited for delivery to the Warm Springs Canal.

PLACE OF USE: The place of use of this water right is within the digital boundaries of the Thurman Mill Ditch Company, Nampa & Meridian Irrigation District and the Warm Springs Ditch Company.

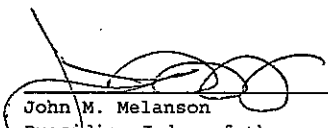
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The source of this right is wastewater collected by the right holder and returned to the Boise River. The quantity of water returned to the Boise River is exchanged for an equal quantity of water which is diverted upstream at points of diversion for each delivery organization.

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on June 19, 2009, with sufficient first-class postage to the following:

DRAINAGE DISTRICT NUMBER FOUR
OF ADA COUNTY
C/O S BRYCE FARRIS
PO BOX 2773
BOISE, ID 83701
Phone: 208-342-4591

DAINAGE DISTRICT NO 4
DRAINAGE DIST NO 4
Represented by:
S. BRYCE FARRIS
RINGERT LAW CHARTERED
455 S THIRD ST
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

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

