

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
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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: 02-02047, 02-02054,
02-07272 and 02-10060
(Wilson & Wilson Co., Inc.)

On April 24, 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 I*, 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

DISTRICT COURT - SRBA
DISTRICT OF THE
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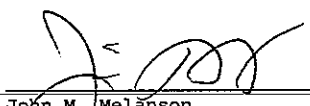
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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
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In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 02-02054

NAME AND ADDRESS: WILSON & WILSON CO INC
PO BOX 33
HAMMETT, ID 83627

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 3.66 CFS
915.00 AFY

The rights listed below are limited to a total combined
diversion rate of 26.65 cfs. Combined Right Nos.: 02-02047,
02-02054, 02-07272 & 02-10060.

PRIORITY DATE: 07/10/1946

POINT OF DIVERSION: T05S R06E S36 LOT 6 (SESESE) Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	3.66 CFS 915.00 AFY

PLACE OF USE:	Irrigation	Within Owyhee County
	T06S R06E S01	NESW 33.0 NESE 33.0 SWSE 40.0 SESE 27.0
	S12	NWNE 38.4 SENE 39.0 NWSE 33.6 SESE 40.0
	S13	
	R07E S06 LOT 5	SENW 0.5
	LOT 7	(NWSW) 20.0
	S07 LOT 1	(SWSW) 37.6
	LOT 3	(NWNW) 38.4 SENW 27.0 (NWSW) 40.0 SESE 40.0 SWSE 25.9
	S18	LOT 2 (SWSW) 40.0 NWSE 21.7
	LOT 1	NENE 5.6 (SNNW) 6.5 NESW 0.7 (SWSW) 37.6
	LOT 3	LOT 2 (SNNW) 38.9 NESW 38.0 (SWSW) 40.0 NWSE 21.7
	LOT 1	SENW 40.0 SWSE 25.9 NENE 20.4 NENW 40.0
	LOT 3	(NWNW) 38.0 SENW 40.0 (SNNW) 29.7 NESW 25.6
	1110.1 Acres Total	

The rights listed herein are limited to the irrigation of a
combined total of 1110.1 acres in a single irrigation season.
Combined Right Nos.: 02-02047, 02-02054, 02-07272 & 02-10060.
This right is limited to the irrigation of 183 acres within the
place of use described above in a single irrigation season.

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

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

OTHER PROVISIONS (continued)

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

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TWIN FALLS CO. IDAHO
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In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 02-07272

NAME AND ADDRESS: WILSON & WILSON CO INC
PO BOX 33
HAMMETT, ID 83627

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 17.82 CFS
4455.00 AFY

The rights listed below are limited to a total combined
diversion rate of 26.65 cfs. Combined Right Nos.: 02-02047,
02-02054, 02-07272 & 10060.
Water shall not be diverted under this right unless the flow of
the Snake River exceeds established downstream minimum stream
flows.

PRIORITY DATE: 10/23/1978

POINT OF DIVERSION: T05S R06E S36 LOT 6 (SESESE) Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	17.82 CFS 4455.00 AFY

PLACE OF USE:	Irrigation	Within Owyhee County
T06S R06E S01	SWNE 38.0 SESW 33.0 NWSE 40.0 SESE 27.0	NESW 33.0 NESE 33.0 SWSE 40.0
S12	NENE 40.0 SWNE 28.1 NESE 40.0 SWSE 32.0	NWNE 38.4 SENE 39.0 NWSE 33.6 SESE 40.0
S13	NENE 5.6	
R07E S06 LOT 5	(SWNW) 6.5 NESW 0.7	SENW 0.5 LOT 6 (NWSW) 20.0
LOT 7	(SWSW) 37.6	
S07 LOT 1	(NWNW) 38.4 SENW 27.0	LOT 2 (SWNW) 38.9 NESW 38.0
LOT 3	(NWSW) 40.0 SESW 40.0 SWSE 25.9	LOT 4 (SWSW) 40.0 NWSE 21.7
S18	NWNE 20.4	NENW 40.0
LOT 1	(NWNW) 38.0 SENW 40.0	LOT 2 (SWNW) 29.7 NESW 25.6
LOT 3	(NWSW) 0.5	
1110.1 Acres Total		

The rights listed below are limited to the irrigation of a
combined total of 1110.1 acres in a single irrigation season.
Combined Right Nos.: 02-02047, 02-02054, 02-07272 & 02-10060.
This right is limited to the irrigation of 891 acres within the
place of use described above in a single irrigation season.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS

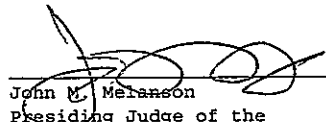
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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

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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
TWIN FALLS CO., IDAHO
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In Re SRBA)
)
Case No. 39576)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 02-10060

NAME AND ADDRESS: WILSON & WILSON CO INC
PO BOX 33
HAMMETT, ID 83627

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.69 CFS
115.00 AFY

Right Nos. 02-07272 and 02-10060 are limited to a total combined diversion rate of 18.86 cfs.
The rights listed below are limited to a total combined diversion rate of 26.65 cfs. Combined Right Nos.: 02-02047, 02-02054, 02-07272 & 02-10060.

PRIORITY DATE: 09/02/1987

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION: T05S R06E S36 LOT 6 (SESESE) Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.69 CFS
			115.00 AFY

PLACE OF USE:	Irrigation	Within Owyhee County
T06S R06E S01	SWNE 38.0	NESW 33.0
	SESW 33.0	NESE 33.0
	NWSE 40.0	SWSE 40.0
	SESE 27.0	
S12	NENE 40.0	NWNE 38.4
	SWNE 28.1	SENE 39.0
	NESE 40.0	NWSE 33.6
	SWSE 32.0	SESE 40.0
S13	NENE 5.6	
R07E S06 LOT 5	(SNNW) 6.5	SENE 0.5
	NESW 0.7	(NWSW) 20.0
LOT 7	(SWSW) 37.6	
S07 LOT 1	(NWNW) 38.4	LOT 2 (SNNW) 38.9
	SENE 27.0	NESW 38.0
LOT 3	(NWSW) 40.0	LOT 4 (SWSW) 40.0
	SESW 40.0	NWSE 21.7
	SWSE 25.9	
S18	NWNE 20.4	NENW 40.0
LOT 1	(NWNW) 38.0	LOT 2 (SNNW) 29.7
	SENE 40.0	NESW 25.6
LOT 3	(NWSW) 0.5	
1110.1 Acres Total		

Right Nos. 02-07272 and 02-10060 are limited to the irrigation of a combined total of 914 acres in a single irrigation season. The rights listed below are limited to the irrigation of a

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

PLACE OF USE (continued)

combined total of 1110.1 acres in a single irrigation season.
Combined Right Nos.: 02-02047, 02-02054 & 02-07272.

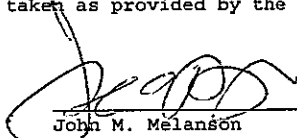
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is based upon an enlargement of Right No. 02-07272 pursuant to Section 42-1426, Idaho Code.

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

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:

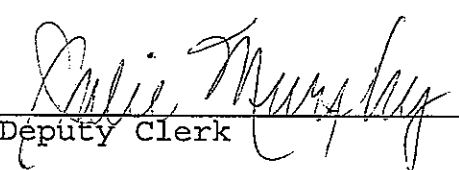
WILSON & WILSON CO INC
PO BOX 33
HAMMETT, ID 83627
Phone: 208-366-2173

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

ORDER

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Deputy Clerk