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DEPARTMENT OF
WATER RESOURCES

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

JUN 11 2009

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 DECREE

Subcase No. 78-10215
(Hubbard)

On April 22, 2009, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. 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 Recommendation* and wholly adopts them as its own.

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

June 11, 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 78-10215

NAME AND ADDRESS: ARLENE HUBBARD
JACK D HUBBARD
3127 SUBSTATION RD
NEW MEADOWS, ID 83654

SOURCE: UNNAMED DRAIN TRIBUTARY: LITTLE CREEK
WASTE WATER TRIBUTARY: LITTLE CREEK

QUANTITY: 3.00 CFS

PRIORITY DATE: 04/05/1957

POINT OF DIVERSION: T19N R02E S30 SENW Within Adams County
NESW
NESW
SESW
SESW
SESW
SESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	3.00 CFS

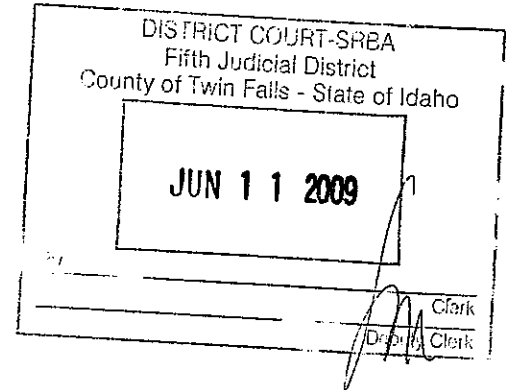
PLACE OF USE:	Irrigation	Within Adams County
	T19N R02E S30	NENW 36.0 NESW 40.0
	153.0 Acres Total	SENW 40.0 SESW 37.0

THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 153 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 78-183, 78-184, 78-10071 AND 78-10215

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

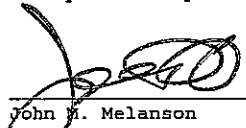
THIS RIGHT REMAINS SUBJECT TO THE RIGHT OF THE ORIGINAL
APPROPRIATOR, IN GOOD FAITH AND IN COMPLIANCE WITH STATE LAWS
GOVERNING CHANGES IN USE AND/OR EXPANSION OF WATER RIGHTS, TO
CEASE WASTING WATER, TO CHANGE THE PLACE OR MANNER OF WASTING
IT, OR TO RECAPTURE IT.

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

