

RECEIVED
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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN 11 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	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	Subcase No. 75-14581
	)	(Tolman)
_____	)	

On April 1, 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

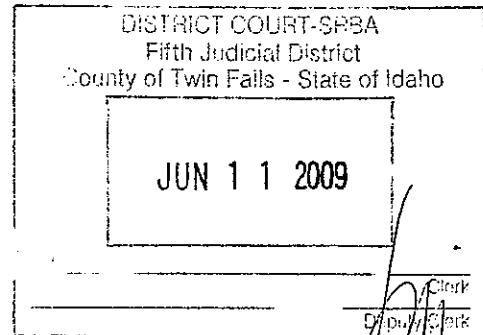
June 11, 2009


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 75-14581



NAME AND ADDRESS: KATHY TOLMAN
125 WILLIAMS CREEK RD
SALMON, ID 83467

EDWARD REX TOLMAN
41 CORBETT LN
SALMON, ID 83467

SOURCE: WILLIAMS CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 2.50 CFS

PRIORITY DATE: 07/08/1943

POINT OF DIVERSION: T20N R21E S12 SENESE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	2.50 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T20N R22E S06	LOT 4 (NENW) 7.0
	LOT 6 (SWNW) 1.6	SENW 33.0
	NESW 40.0	LOT 7 (NWSW) 17.0
	SESW 1.2	LOT 11 (NWSE) 13.0
	LOT 13 (SWSE) 12.0	
	125.0 Acres Total	

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. Melanson
Presiding Judge of the
Snake River Basin Adjudication

2009 JUN 11 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 75-14581

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 75-14581 was mailed
on June 11, 2009, with sufficient first-class postage prepaid
to the following:

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

KATHY TOLMAN
125 WILLIAMS CREEK RD
SALMON, ID 83467

KEVIN RICE
127 CORBETT LN
SALMON, ID 83467
Phone: 208-756-2669

EDWARD REX TOLMAN
41 CORBETT LN
SALMON, ID 83467

RANDY CAPPS
87 CORBETT LN
SALMON, ID 83467
Phone: 208-756-2997

CERTIFICATE OF MAILING

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06/11/09

BILL & LOIS GATTUNG
88 LOIS LN
SALMON, ID 83467
Phone: 208-756-3704

JULIE MURPHY
Chief Deputy Clerk