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JUN 11 2009
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
JUN 10 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

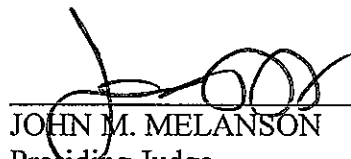
)
) **Water Right: 78-07126**
) **(Werntz)**
)
) **ORDER OF PARTIAL DECREE**
)
)

On January 5, 2007, the Idaho Department of Water Resources filed its *Director's Report for Basin 78, Reporting Area 24, for Irrigation and Other Water Rights*, which included recommendation for the above named water right.

On October 11, 2007, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Report* notifying the Court of a substitution of party for named water right. No objections were filed to the *Amended Director's Report* and the time period for filing objections has expired.

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 10, 2009

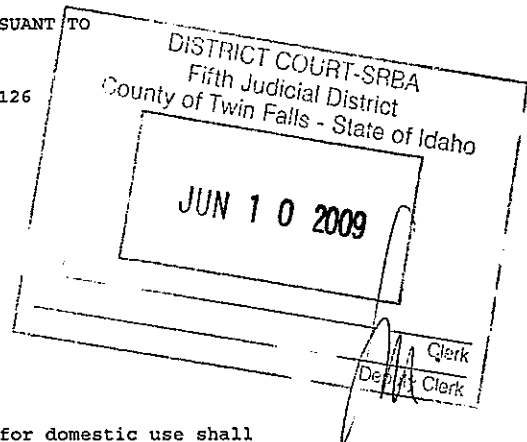

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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 78-07126



NAME AND ADDRESS: JAMES H WERNTZ
STEPHANIE M WERNTZ
210 W CRESTLINE DR
BOISE, ID 83702

SOURCE: SPRINGS TRIBUTARY: BOULDER CREEK

QUANTITY: 0.03 CFS
3.60 AFY

The quantity of water under this right for domestic use shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 08/28/1979

POINT OF DIVERSION: T21N R01E S03 NWSWN Within Adams County
NWSWN

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.01 CFS
			3.00 AFY
	Domestic	01-01 TO 12-31	0.02 CFS
			0.60 AFY

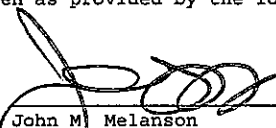
PLACE OF USE:	Irrigation		Within Adams County
	T21N R01E S03	SWNW 1.0	
	1.0 Acres Total		
	Domestic		Within Adams County
	T21N R01E S03	SWNW	

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 10 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

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)
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CERTIFICATE OF MAILING

Water Right(s): 78-07126

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 78-07126 was mailed
on June 10, 2009, with sufficient first-class postage prepaid
to the following:

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

JAMES H WERNTZ
STEPHANIE M WERNTZ
210 W CRESTLINE DR
BOISE, ID 83702

JULIE MURPHY
Chief Deputy Clerk