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DEPARTMENT OF
WATER RESOURCES

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

JUN 10 2009

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Clerk

Deputy Clerk

In Re SRBA

Case No. 39576

)
) Water Right Nos.: See Attached Exhibit A
) (Mackay Bar Corp)
)

) ORDER OF PARTIAL DECREES
)
)

On March 31, 2006, the Idaho Department of Water Resources filed its *Director's Report for Basin 77, Part 1, Reporting Area 24, for Irrigation and Other Water Rights*, which included recommendations for the above named water rights. No objections were filed and the time period for filing objections has expired.

On August 4, 2006, the Idaho Department of Water Resources filed an *Amended Notice of Completed Administrative Proceeding and Amended Director's Reports* notifying the Court of a change of address in each of the above named water rights. No objections were filed to the *Amended Director's Reports* and the time period for filing objections has expired.

Therefore, IT IS ORDERED that the above-captioned water rights be decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED June 10, 2009


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A (MAKAY BAR CORP)

Subcase Nos:

77-04045

77-04046

77-04048

77-04057

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 77-04045

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

JUN 10 2009

Clerk
Deputy Clerk

NAME AND ADDRESS: MACKAY BAR CORP
PO BOX 7968
BOISE, ID 83707

SOURCE: MACKAY SPRING TRIBUTARY: SALMON RIVER

QUANTITY: 0.33 CFS

PRIORITY DATE: 02/28/1917

POINT OF DIVERSION: T24N R08E S32 NESW Within Idaho County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 10-31	0.10 CFS
	Commercial	01-01 TO 12-31	0.23 CFS

PLACE OF USE: Irrigation Within Idaho County
T24N R08E S32 NWNE 1.0 NENW 1.0
SENE 2.0 NESW 1.0
5.0 Acres Total

Commercial Within Idaho County
T24N R08E S32 NENW SENW

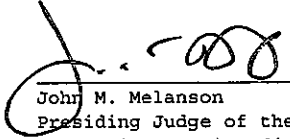
Right Nos. 77-2088, 77-4045 and 77-4049 are limited to the
irrigation of a combined total of 50 acres in a single
irrigation season.

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

PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY SURVEY NO. 537.
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 77-04046

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

JUN 10 2009

NAME AND ADDRESS: MACKAY BAR CORP
PO BOX 7968
BOISE, ID 83707

SOURCE: SMITH CREEK TRIBUTARY: SOUTH FORK SALMON RIVER

QUANTITY: 1.90 CFS

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

PRIORITY DATE: 06/30/1908

POINT OF DIVERSION: T22N R07E S13 NESE Within Idaho County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 10-31	1.70 CFS
	Stockwater	01-01 TO 12-31	0.50 CFS

PLACE OF USE:	Irrigation	Within Idaho County
	T22N R07E S13	NESE 9.5 SESE 17.0
	S24	NENE 2.5 SENE 7.2
	R08E S18	NESW 4.8 NWSW 21.0
		SWSW 20.0
	82.0 Acres Total	

Stockwater	Within Idaho County
Same as Irrigation	

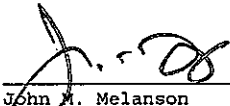
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Property is known as Homestead Entry Survey No. 59.
The quantity of water decreed for this water right for
stockwater use is not a determination of historical beneficial
use.

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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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 77-04048

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

JUN 10 2009

NAME AND ADDRESS: MACKAY BAR CORP
PO BOX 7968
BOISE, ID 83707

SOURCE: HETTINGER RANCH SPRING TRIBUTARY: SOUTH FORK SALMON RIVER
UNNAMED STREAM TRIBUTARY: SOUTH FORK SALMON RIVER

Clerk

Deputy Clerk

QUANTITY: 0.23 CFS

PRIORITY DATE: 06/30/1908

POINT OF DIVERSION: T22N R07E S13 NENE Within Idaho County
NENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 10-31	0.18 CFS
	Stockwater	01-01 TO 12-31	0.50 CFS

PLACE OF USE: Irrigation Within Idaho County
T22N R07E S24 NENE 0.8 SENE 7.2
8.0 Acres Total

Stockwater Within Idaho County
Same as Irrigation

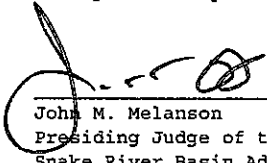
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Property is known as Homestead Entry Survey No. 59.

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

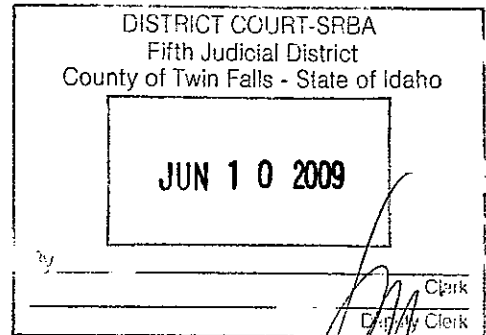
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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 77-04057



NAME AND ADDRESS: MACKAY BAR CORP
PO BOX 7968
BOISE, ID 83707

SOURCE: THREEMILE CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.14 CFS

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

PRIORITY DATE: 10/09/1919

POINT OF DIVERSION: T24N R08E S28 SWNW Within Idaho County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 10-31	0.10 CFS
	Domestic	01-01 TO 12-31	0.04 CFS

PLACE OF USE: Irrigation Within Idaho County
T24N R08E S28 SWNW 5.0
5.0 Acres Total

Domestic Within Idaho County
T24N R08E S28 SWNW

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

The quantity of water decreed for this water right for domestic
use is not a determination of historical beneficial use.
Property is known as Homestead Entry Survey No. 342.

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.

[Signature]
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 10, 2009, with sufficient first-class postage to the following:

MACKAY BAR CORP
PO BOX 7968
BOISE, ID 83707
Phone: 208-344-1881

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

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line.