

RECEIVED
JUN 11 2009
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN 10 2009	
by _____	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

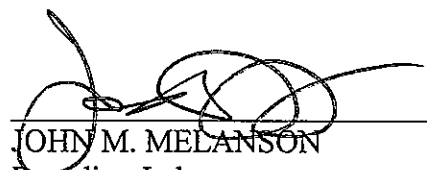
In Re SRBA	)	Water Rights: 73-00099, 73-00100 and
	)	73-12107
Case No. 39576	)	
	)	
	)	ORDER OF PARTIAL DECREES
	)	
	)	

On January 25, 2007, the Idaho Department of Water Resources filed its *Director's Report for Basin 73, Part I, Reporting Area 23, 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 December 14, 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 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)*.

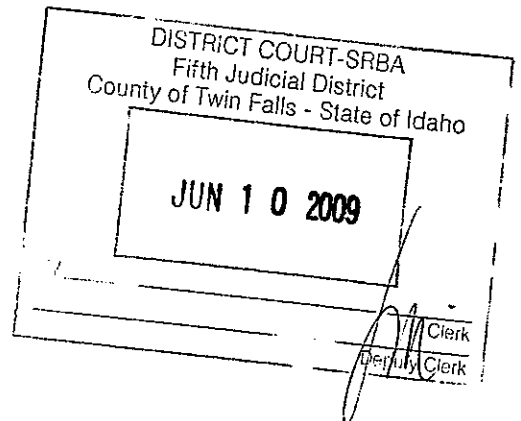
DATED June 10, 2009.



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54 (b) FOR
Case No. 39576)
) Water Right 73-00099



NAME AND ADDRESS: CARYL L ELZINGA
GLENN A ELZINGA
19 MOEN LN
MAY, ID 83253-2000

SOURCE: MUD SPRINGS CREEK TRIBUTARY: PAHSIMEROI RIVER
PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 5.10 CFS

The quantity of water diverted from the Pahsimeroi River in the NWSE, S35, 15N, R21E is limited to 1.1 cfs. When available, the total quantity of this right must be diverted from Mud Springs Creek. If 5.1 cfs is not available from Mud Springs Creek, the balance may be taken from the Pahsimeroi River. The quantity of water diverted from the Pahsimeroi River in the SESE, S27, 15N, R21E is limited to 4.0 cfs.

PRIORITY DATE: 04/14/1885

POINT OF DIVERSION: T15N R21E S27 SWSE Within Custer County
SESE
NENW
S35 NWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	5.10 CFS

PLACE OF USE:	Irrigation	Within Custer County
	T15N R21E S21	SWNE 2.4 NESW 39.0
		SESW 23.0 NESE 11.0
		NWSE 34.0 SWSE 23.0
		SESE 34.0
	S22	NWSW 0.3 SWSW 25.0
	S27	NENW 14.0 NWNW 30.0
	S28	NENE 4.9
	240.6 Acres Total	

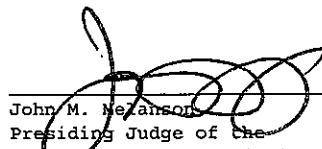
Use of this right with Right No. 73-100 is limited to the irrigation of 240.6 acres in a single irrigation season.

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 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. Nezanson
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 73-00100

NAME AND ADDRESS:

CARYL L ELZINGA
GLENN A ELZINGA
19 MOEN LN
MAY, ID 83253-2000

SOURCE:

PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER

QUANTITY:

2.90 CFS

PRIORITY DATE:

06/11/1901

POINT OF DIVERSION:

T15N R21E S35 NWSE Within Custer County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 10-31	2.90 CFS

PLACE OF USE:

Irrigation		Within Custer County
T15N R21E S21	NESW 8.6	SESW 23.0
	NWSE 5.7	SWSE 23.0
	SESE 22.0	
S22	SWSW 1.8	
S27	NWNW 27.0	
S28	NENE 4.9	
116.0 Acres Total		

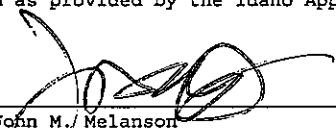
Use of this right with Right No. 73-99 is limited to the
irrigation of 240.6 acres in a single irrigation season.

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
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.



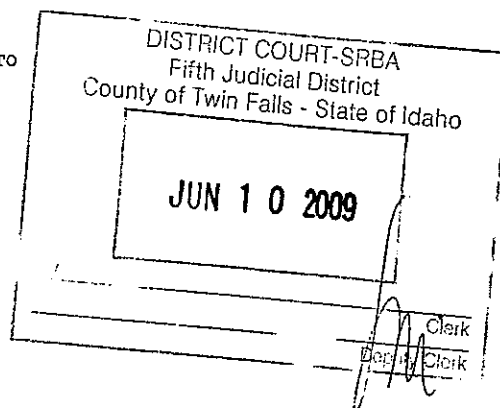
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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 73-12107



NAME AND ADDRESS: CARYL L ELZINGA
GLENN A ELZINGA
19 MOEN LN
MAY, ID 83253-2000

SOURCE: PATTERSON CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.80 CFS

PRIORITY DATE: 03/24/1891

POINT OF DIVERSION: T15N R21E S27 NWNE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.80 CFS

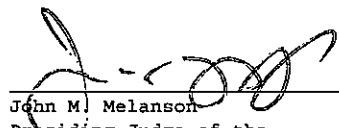
PLACE OF USE: Irrigation Within Lemhi County
T15N R21E S16 SWSE 11.0
S21 NWNE 13.0
24.0 Acres Total

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

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:

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

CARYL L ELZINGA
GLENN A ELZINGA
19 MOEN LN
MAY, ID 83253-2000

ORDER

Page 1 6/10/09

FILE COPY FOR 00118

Deputy Clerk

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