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JUN 10 2009

DEPARTMENT OF
WATER RESOURCES

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

JUN - 9 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: 73-00076
)
) ORDER OF PARTIAL DECREE
)
)
)
)

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 right. No objections were filed and the time period for filing objections has expired.

On November 29, 2007, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Report* notifying the Court of a change in the point of diversion and place of use elements in the above 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 9, 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

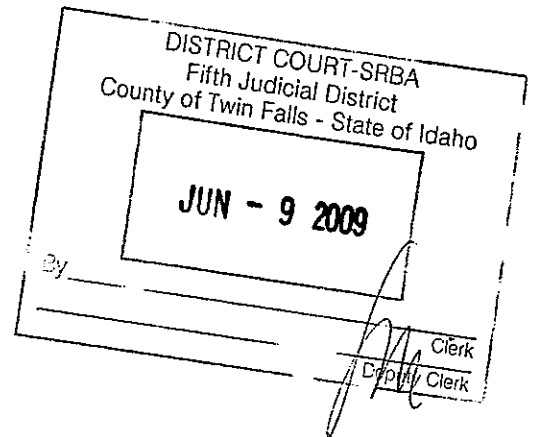
In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 73-00076

NAME AND ADDRESS: RIVER VALLEY RANCH LLC
C/O STEVEN LAWRENCE
60 JENNIFER LN
ALAMO, CA 94507

PATRICIA D GUNTHER
2739 BRODERICK ST
SAN FRANCISCO, CA 94123

DONALD M GREGORY JR
2741 UNION ST
SAN FRANCISCO, CA 94123

SOURCE: PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER



PRIOR TO THE DIVERSION AND USE OF WATER UNDER THIS APPROVAL,
THE RIGHT HOLDER SHALL COMPLY WITH ALL FISH SCREENING AND/OR FISH
PASSAGE REQUIREMENTS OF THE IDAHO DEPARTMENT OF FISH AND GAME.

DIVERSION OF WATER FROM THE PAHSIMEROI RIVER IS LIMITED TO
THOSE TIMES WATER IS AVAILABLE FOR DIVERSION UNDER THIS RIGHT
AND PRIORITY FROM DUCK SPRING AT THE ORIGINAL POINT OF DIVERSION
IN THE SESW, S26, T15N, R21E, AND TO THE AMOUNT OF WATER THAT
ACTUALLY REACHES THE PAHSIMEROI RIVER AND TO THOSE TIMES WATER
IS AVAILABLE FOR DIVERSION UNDER THIS RIGHT AND PRIORITY FROM
PATTERSON CREEK AT THE ORIGINAL POINT OF DIVERSION IN THE SWSE,
S26, T15N, R21E, AND TO THE AMOUNT OF WATER THAT ACUTALLY REACHES
THE PAHSIMEROI RIVER.

QUANTITY: 0.40 CFS

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO
MORE THAN 3.5 AFA PER ACRE AT THE FIELD HEADGATE FOR IRRIGATION
OF THE LANDS ABOVE.

PRIORITY DATE: 04/01/1912

POINT OF DIVERSION: T15N R21E S08 SESW Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.40 CFS

PLACE OF USE:	Irrigation	Within Custer County
	T15N R21E S06	SESW 13.0
	20.0 Acres Total	SWSE 7.0

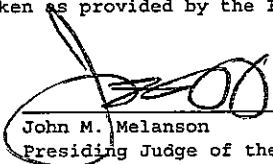
RIGHTS 73-76, 73-12115, 73-12117 AND 73-12119 WHEN COMBINED SHALL
NOT EXCEED THE IRRIGATION OF 18 ACRES.

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 09 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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 73-00076

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 73-00076 was mailed
on June 09, 2009, with sufficient first-class postage prepaid
to the following:

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

RIVER VALLEY RANCH LLC
C/O STEVEN LAWRENCE
60 JENNIFER LN
ALAMO, CA 94507

PATRICIA D GUNTHER
2739 BRODERICK ST
SAN FRANCISCO, CA 94123
Phone: 415-433-3887

DONALD M GREGORY JR
2741 UNION ST
SAN FRANCISCO, CA 94123
Phone: 415-433-3887

JULIE MURPHY
Chief Deputy Clerk