

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN - 4 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	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	Subcase No. 22-04185
	)	(Arnold)
_____	)	

On March 31, 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 4, 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 22-04185

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

JUN - 4 2009

NAME AND ADDRESS: DENNIE K ARNOLD
JANET ARNOLD
1045 N HWY 32
FELT, ID 83424

SOURCE: GROUND WATER

QUANTITY: 4.11 CFS
1326.50 AFY

The rights listed below are limited to a total combined
diversion rate of 5.28 cfs. Combined Right Nos.:22-4185,
22-7019, 22-7171

The rights listed below are limited to a total combined annual
diversion volume of 2550.5 af. Combined Right Nos.:22-4185,
22-7019, 22-7171.

PRIORITY DATE: 06/15/1983

This water right is subordinate to all water rights with a
priority date earlier than April 12, 1994, that are not decreed
as enlargements pursuant to Section 42-1426, Idaho Code. As
between water rights decreed as enlargements pursuant to Section
42-1426, Idaho Code, the earlier priority right is the superior
right.

POINT OF DIVERSION: T07N R44E S27 SESWNE Within Teton County
NENENW
SESWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	4.11 CFS 1326.50 AFY

PLACE OF USE:	Irrigation	Within Teton County
	T07N R44E S21	SENE 11.0 SESE 39.0 SWSE 40.0
	S22	NENE 14.0 NWNE 12.0 SENE 21.0 SWNE 38.0 SENE 21.0 SWNW 23.0 SENE 32.0 NESW 32.0 NWSW 35.0 SWSW 40.0 SESW 40.0 NESE 24.0 NWSE 40.0 SWSE 40.0 SESE 22.0
	S27	NENE 36.0 NWNE 40.0 NENW 40.0 NWNW 40.0
	S28	NENE 40.0 NWNE 39.0 NENW 35.0 NWNW 12.0
	785.0 Acres Total	

Place of use does not include federal public lands.
The rights listed below are limited to the irrigation of a
combined total of 785 acres in a single irrigation season.
Combined Right Nos.:22-4185, 22-7019, 22-7171

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

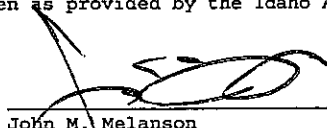
OTHER PROVISIONS (continued)

This right is based upon an enlargement of Right No. 22-7019 and 22-7171 pursuant to Section 42-1426, Idaho Code.

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 04 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): 22-04185

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 22-04185 was mailed
on June 04, 2009, with sufficient first-class postage prepaid
to the following:

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

USDI BUREAU OF RECLAMATION
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DENNIE K ARNOLD
JANET ARNOLD
1045 N HWY 32
FELT, ID 83424
Phone: 208-456-2873

JULIE MURPHY
Chief Deputy Clerk

CERTIFICATE OF MAILING

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06/04/09