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DEPARTMENT OF
WATER RESOURCES

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

MAY 29 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

Case No. 39576

)
) ORDER OF PARTIAL DECREE
)
)
) For water right: 63-09633
)
)

The above-captioned water right was recommended with one of the Purposes of Use being Aesthetic, Recreation, or Wildlife ("ARW"). This right was withheld from decree because of pending objections in the SRBA regarding the ARW Purpose of Use. The objections involving the ARW Purpose of Use were ultimately designated as Basin-Wide Issue 14. On February 25, 2009, the Court approved an amended decree resolving Basin-Wide Issue 14. Therefore, the Court finds it is now appropriate to issue the *Partial Decree* for the above-captioned right.

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

May 29, 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 63-09633

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

MAY 29 2009

By _____
Clerk
Deputy Clerk

NAME AND ADDRESS: NGP REALTY SUB LP
2951 28TH ST
SANTA MONICA, CA 90405

SOURCE: UNNAMED DRAIN TRIBUTARY: BOISE RIVER

QUANTITY: 3.00 CFS
2170.00 AFY

PRIORITY DATE: 10/06/1980

POINT OF DIVERSION: T04N R02E S30 LOT 1 (SWSE) Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Aesthetic	01-01 TO 12-31	3.00 CFS 2170.00 AFY

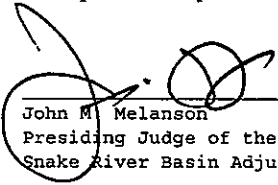
PLACE OF USE:	Aesthetic	Within Ada County
	T04N R02E S30	NENW
	LOT 5	SENW
	(NWNW)	
	NWSE	

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 MAY 29 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): 63-09633

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 63-09633 was mailed
on May 29, 2009, with sufficient first-class postage prepaid
to the following:

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

NGP REALTY SUB LP
2951 28TH ST
SANTA MONICA, CA 90405
Phone: 310-664-3107

JULIE MURPHY
Chief Deputy Clerk