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DEPARTMENT OF
WATER RESOURCES

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

MAY 29 2009

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: 37-02706
)
)
)

On January 22, 2007 a *Special Master's Report and Recommendation* was issued 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. 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.

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

May 29, 2009

[Signature]
JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

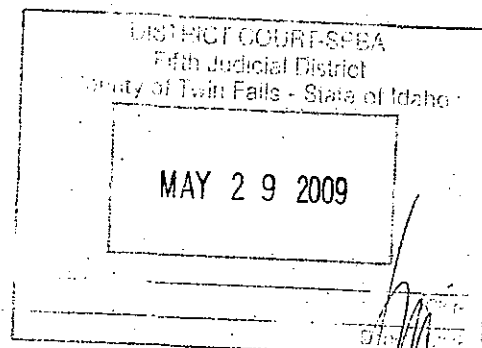
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 37-02706



NAME AND ADDRESS: SPRING COVE RANCH INC
283 E SPRING COVE RD
BLISS, ID 83314

SOURCE: CLOVER CREEK TRIBUTARY: SNAKE RIVER
WASTE WATER TRIBUTARY: CLOVER CREEK

QUANTITY: 1.84 CFS
180.00 AFY

PRIORITY DATE: 04/27/1965

POINT OF DIVERSION: T05S R12E S21 SESW Within Gooding County
SESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	180.00 AFY
	Irrigation from Storage	03-15 TO 11-15	180.00 AFY
	Wildlife Storage	01-01 TO 12-31	180.00 AFY
	Diversion to Storage	01-01 TO 12-31	1.84 CFS

PLACE OF USE: Irrigation from Storage Within Gooding County
T05S R12E S21 NESW 12.0 NWSW 31.0
SWSW 1.5 SESW 0.5
45.0 Acres Total

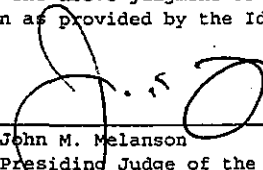
Wildlife Storage Within Gooding County
T05S R12E S21 NESW SESW

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): 37-02706

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 37-02706 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

DANIEL BUTLER
SPRING COVE RANCH INC
283 E SPRING COVE RD
BLISS, ID 83314
Phone: 208-352-4202

JULIE MURPHY
Chief Deputy Clerk