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DEPARTMENT OF
WATER RESOURCES

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

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

MAY 29 2009

Clerk

Deputy Clerk

In Re SRBA

Case No. 39576

)
) ORDER OF PARTIAL DECREE
)
)
) For water right: 01-4007
)
)

On December 20, 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

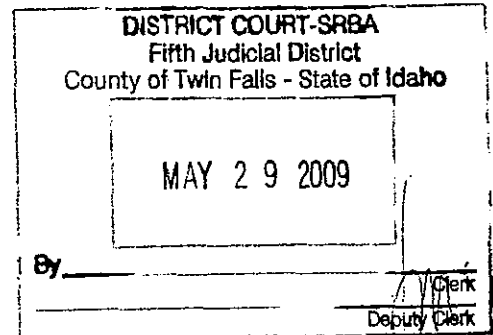
JOHN M. MELANSON

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 01-04007



NAME AND ADDRESS: CITY OF BLACKFOOT
157 N BROADWAY
BLACKFOOT, ID 83221

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2.80 CFS
464.00 AFY

PRIORITY DATE: 06/01/1962

POINT OF DIVERSION: T02S R35E S27 NESW Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Recreation Storage	04-01 TO 10-31	464.00 AFY
	Diversion to Storage	04-01 TO 10-31	2.80 CFS

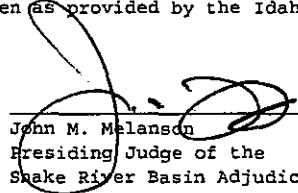
PLACE OF USE:	Recreation Storage	Within Bingham County
	T02S R35E S27 LOT 15 (SWSW)	SWSW
	SES	LOT 15 (SES)
	LOT 18 (SES)	
	S33 SENE	NESE
	LOT 10 (NESE)	
	S34 NWN	LOT 11 (NWN)
	LOT 6 (NWN)	LOT 7 (SWN)
	SWN	LOT 11 (SWN)
	LOT 7 (NWS)	NWS

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): 01-04007

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 01-04007 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

CITY OF BLACKFOOT
157 N BROADWAY
BLACKFOOT, ID 83221
Phone: 208-785-8688

JULIE MURPHY
Chief Deputy Clerk