

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 63-08312

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

MAY 20 2009

By

Clerk

Deputy Clerk

NAME AND ADDRESS:

CITY OF NAMPA
411 3RD ST S
NAMPA, ID 83651

SOURCE:

GROUND WATER

QUANTITY:

0.50 CFS
112.50 AFY

This right, when combined with other rights shall provide no more
than .02 cfs per acre.

PRIORITY DATE:

05/24/1976

POINT OF DIVERSION:

T03N R02W S15

NESW Within Canyon County

S17

SWSE

S20

NWSE

S21

NESE

SENE

NESE

NESE

S22

SENE

NENW

SWSW

SESW

NESE

NESE

S23

SWNW

SENW

NWSW

SWSW

SWSW

SWSE

S26

NWSW

S27

SWNE

SENE

NENW

SWNW

SENW

S28

NWNE

S34

NENE

NWNE

NWNW

This water right is part of the non-potable water delivery
system for the City of Nampa.

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

Municipal

PERIOD OF USE

04-15 TO 10-15

QUANTITY

0.50 CFS

112.50 AFY

The use of water under this right may begin as
early as March 1 and may continue to as late as November 15,
provided other elements of the right are not exceeded. The use
of water before April 15 and after October 15 under this remark
is subordinate to all water rights having no subordinated early
or late irrigation use and a priority date earlier than the date
a partial decree is entered for this right.

PLACE OF USE:

Place of use is within the service area of the City of Nampa, municipal water supply system as provided for under Idaho Law.

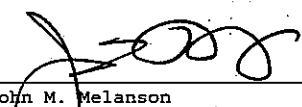
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right at the Morgan Well located in T3N, R2W, Sec. 20, NESE.

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

RECEIVED

MAY 21 2009

Department of Water Resources
Adjudication Bureau

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
MAY 20 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 DECREES

Subcases: See Attached Exhibit A
(City of Nampa – Total of 12 Subcases)

On January 30, 2009, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights. 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 wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water rights are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED May 20, 2009.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A - CITY OF NAMPA

Subcase Nos:

63-02449
63-02450
63-02484
63-02780
63-02787
63-02943
63-05257
63-07003
63-07708
63-08312
63-09853
63-09889

(Subcase list: NAMPA)
2/02/09

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on May 20, 2009, with sufficient first-class postage to the following:

CITY OF NAMPA

Represented by:

JOHN M MARSHALL

601 W BANNOCK ST

PO BOX 2720

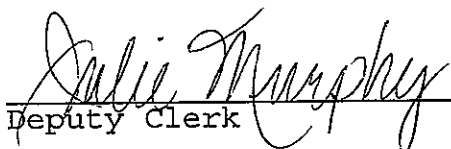
BOISE, ID 83701-2720

Phone: 208-388-1200

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line.