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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

For Water Rights: 63-03173 and 63-07140

A *Special Master's Report and Findings of Fact and Conclusions of Law* was issued for the above-captioned water rights on February 9, 2009. On February 26, 2009, the Court was contacted by the Idaho Department of Water Resources, regarding the addition of the following remark to the Purpose of Use and Period of Use elements for these rights:

The use of water for irrigation of this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 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.

The Court finds this omission to be the result of a clerical error. A hearing was held on this matter on May 19, 2009 and no party appeared in opposition to the Court's proposed action in correcting the error.

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

DATED: May 20, 2009

John M. Melanson
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 63-03173

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

MAY 20 2009

By

Clerk

Deputy Clerk

NAME AND ADDRESS: LITTLE CATTLE CO
PO BOX 205
EMMETT, ID 83617

SOURCE: GROUND WATER

QUANTITY: 1.78 CFS
495.00 AFY

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation.

The total instantaneous diversion of water from all points of diversion under combined Right Nos. 63-03173, 63-07140 and 63-18509 shall not exceed 3.28 cfs.

PRIORITY DATE: 12/30/1959

POINT OF DIVERSION: T05N R01W S19 NESW Within Ada County
LOT 3 (NWSW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.78 CFS 495.00 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 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:	Irrigation	Within ADA & CANYON County
	T05N R01W S19	NWNE 4.0 SWNE 1.0
		NENW 16.0 LOT 1 (NWNW) 1.0
	LOT 2 (SNNW) 27.0	SENW 24.0
	NESW 2.0	LOT 3 (NWSW) 36.0
	LOT 4 (SWSW) 5.0	
	R02W S24	SENE 10.0 NESW 1.0
		SESW 5.0 NESE 39.0
		NWSE 22.0 SWSE 36.0
		SESE 23.0
	252.0 Acres Total	

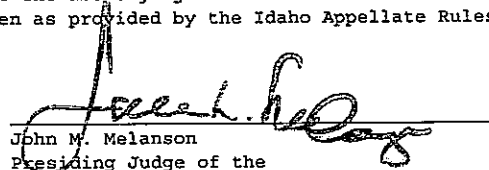
Right No. 63-03173 is limited to the irrigation of 110 acres in the place of use described above in a single irrigation season.

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

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 63-07140

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

MAY 20 2009

By

Clerk

Deputy Clerk

NAME AND ADDRESS: LITTLE CATTLE CO
PO BOX 205
EMMETT, ID 83617

SOURCE: GROUND WATER

QUANTITY: 2.21 CFS
850.50 AFY

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation.

The total instantaneous diversion of water from all points of diversion under combined Right Nos. 63-03173, 63-07140 and 63-18509 shall not exceed 3.28 cfs.

PRIORITY DATE: 09/05/1968

POINT OF DIVERSION: T05N R01W S19 NESW Within Ada County
LOT 3 (NWSW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.21 CFS 850.50 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 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:	Irrigation	Within ADA & CANYON County
	T05N R01W S19	NWNE 4.0 SWNE 1.0
		NENW 16.0 LOT 1 (NWNW) 1.0
	LOT 2 (SWNW) 27.0	SENE 24.0
	NESW 2.0 LOT 3 (NWSW) 36.0	
	LOT 4 (SWSW) 5.0	
	R02W S24	SENE 10.0 NESW 1.0
		SESW 5.0 NESE 39.0
		NWSE 22.0 SWSE 36.0
		SESE 23.0
	252.0 Acres Total	

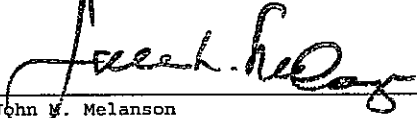
Right No. 63-07140 is limited to the irrigation of 189 acres in the place of use described above in a single irrigation season.

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 W. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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:

LITTLE CATTLE CO
PO BOX 205
EMMETT, ID 83617
Phone: 208-365-4611

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

ORDER

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FILE COPY FOR 01790

Deputy Clerk

A handwritten signature in cursive script, appearing to read "Emily Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".