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MAY 18 2009

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 15 2009

Clerk
Deputy Clerk

In Re SRBA

Case No. 39576

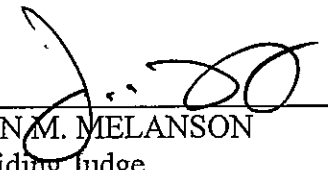
)
) ORDER OF PARTIAL DECREE
)
)
) For water right: 63-03165
)
)
)

On March 23, 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 an Aesthetic, Recreation, or Wildlife ("ARW") Purpose of Use. 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 15, 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)
)
Case No. 39576)
_____)

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

Water Right 63-03165

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

MAY 15 2009

By _____ Clerk
_____ Deputy Clerk

NAME AND ADDRESS: MEADOW CREEK HOMEOWNERS ASSN
C/O AMI
PO BOX 5714
BOISE, ID 83705

SOURCE: UNNAMED DRAIN TRIBUTARY: BOISE RIVER

QUANTITY: 2.50 CFS
40.00 APY

PRIORITY DATE: 08/11/1959

POINT OF DIVERSION: T04N R01E S24 LOT 4 (NWSW) Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Aesthetic	03-15 TO 11-15	2.50 CFS
	Aesthetic Storage	03-15 TO 11-15	40.00 APY
	Diversion to Storage	03-15 TO 11-15	2.50 CFS

PLACE OF USE:	Aesthetic	Within Ada County
	T04N R01E S24 LOT 4 (NWSW)	
	Aesthetic Storage	Within Ada County
	T04N R01E S24 LOT 4 (NWSW)	

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 15 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): 63-03165

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 63-03165 was mailed
on May 15, 2009, with sufficient first-class postage prepaid
to the following:

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

MEADOW CREEK HOMEOWNERS ASSN

Represented by:
CHARLES L. HONSINGER
455 S THIRD ST
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

JULIE MURPHY
Chief Deputy Clerk

CERTIFICATE OF MAILING

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05/15/09