

RECEIVED

MAY 14 2009

DEPARTMENT OF
WATER RESOURCES

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

MAY 13 2009

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

Clerk

Deputy Clerk

In Re SRBA

Case No. 39576

)
) Water Right Nos.: 37-00604F & 37-07775F
) (Martin / Tempel)
)

) ORDER OF PARTIAL DECREES
)
)

On February 21, 2007, the Idaho Department of Water Resources filed its *Director's Report for Basin 37, Part III, Reporting Area 16, for Irrigation and Other Water Rights*, which included recommendations for the above named water rights. No objections were filed and the time period for filing objections has expired.

On February 8, 2008, the Idaho Department of Water Resources filed an *Amended Notice of Completed Administrative Proceeding and Amended Director's Reports* notifying the Court of a change of address in each of the above named water rights. No objections were filed to the *Amended Director's Reports* and the time period for filing objections has expired.

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 13, 2009

JOHN M. MELANSON

Presiding Judge

Snake River Basin Adjudication

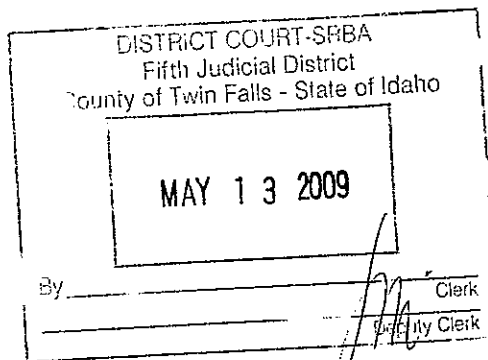
ORDER OF PARTIAL DECREE

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 37-00604F



NAME AND ADDRESS: ROXANNE L MARTIN
C/O KRISTI MARTIN
217 W D ST
SHOSHONE, ID 83352-5351

BRIAN W TEMPEL
309 GLENDALE RD
BELLEVUE, ID 83313

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.53 CFS

PRIORITY DATE: 06/03/1887

POINT OF DIVERSION: T01N R18E S12 NWSESW Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.53 CFS

PLACE OF USE: Irrigation Within Blaine County
T01N R18E S22 NESE 20.0
20.0 Acres Total

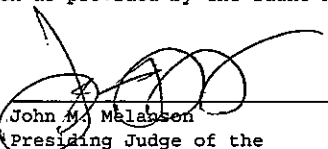
The rights listed below are limited to the irrigation of a
combined total of 20.0 acres in a single irrigation season.
Combined Right Nos.: 37-604F and 37-7775F.

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. Malansen
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 37-07775F

NAME AND ADDRESS: ROXANNE L MARTIN
C/O KRISTI MARTIN
217 W D ST
SHOSHONE, ID 83352-5351

BRIAN W TEMPEL
309 GLENDALE RD
BELLEVUE, ID 83313

SOURCE: GROUND WATER

QUANTITY: 0.40 CFS
70.00 AFY

PRIORITY DATE: 08/02/1988

POINT OF DIVERSION: T01N R18E S22 SESENE Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	0.40 CFS
			70.00 AFY

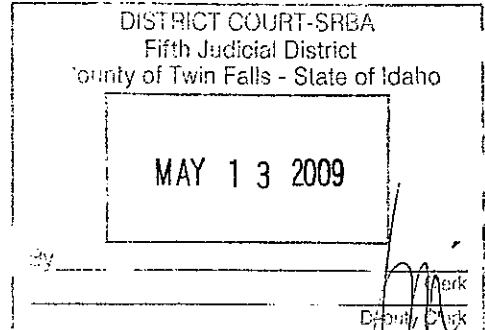
The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: Irrigation Within Blaine County
T01N R18E S22 NESE 20.0
20.0 Acres Total

The rights listed below are limited to the irrigation of a combined total of 20.0 acres in a single irrigation season. Combined Right Nos.: 37-604F and 37-7775F.

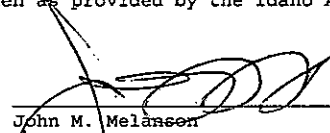
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on May 13, 2009, with sufficient first-class postage to the following:

ROXANNE L MARTIN
C/O KRISTI MARTIN
217 W D ST
SHOSHONE, ID 83352-5351

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

BRIAN W TEMPEL
309 GLENDALE RD
BELLEVUE, ID 83313
Phone: 208-788-6071

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