

**DEPARTMENT OF
WATER RESOURCES**

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____
2009 MAY 12 AM 11 10

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

Water Right Nos.: See Attached Exhibit A (CARNEY)

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 May 2, 2007, the Idaho Department of Water Resources filed an *Amended Notice of Completed Administrative Proceeding* and *Amended Director's Reports* notifying the Court of a substitution of party 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

JOHN M. MELANSON
Residing Judge
Snake River Basin Adjudication

EXHIBIT A - CARNEY

Subcase Nos:

37-00758
37-00760
37-00761A
37-00763
37-00764
37-01163

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
TWIN FALLS CO., IDAHO
FILED
2009 MAY 12 AM 11 10

In Re SRBA)
Case No. 39576)

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

Water Right 37-00758

NAME AND ADDRESS: BARBARA CARNEY
GARY CARNEY
225 N 1250 W
PAUL, ID 83347

PAUL CARNEY
POLLY CARNEY
291 S 2800 E
PAUL, ID 83347

SOURCE: EAST FORK FISH CREEK TRIBUTARY: FISH CREEK
QUANTITY: 2.00 CFS
PRIORITY DATE: 06/01/1884
POINT OF DIVERSION: T01N R22E S01 NENWSW Within Blaine County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-15 TO 10-31 2.00 CFS

PLACE OF USE: Irrigation Within Blaine County
T01N R22E S02 SWSE 22.0 SESE 1.0
S11 NENE 32.0 NWNE 40.0
NENW 26.0
121.0 Acres Total

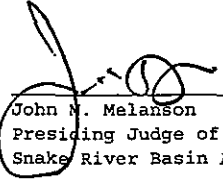
The rights listed below are limited to the irrigation of a
combined total of 270 acres in a single irrigation season.
Combined Right Nos.: 37-758, 37-760, 37-761A, 37-763, 37-764,
37-1163, and 37-2578.

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

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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
TWIN FALLS CO., IDAHO
FILED

2009 MAY 12 AM 11 10

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-00763

NAME AND ADDRESS: BARBARA J CARNEY
GARY CARNEY
225 N 1250 W
PAUL, ID 83347

PAUL CARNEY
POLLY CARNEY
291 S 2800 E
PAUL, ID 83347

SOURCE: FISH CREEK TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 0.80 CFS

PRIORITY DATE: 06/01/1887

POINT OF DIVERSION: T01N R22E S02 NESWSE Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.80 CFS

PLACE OF USE:	Irrigation	Within Blaine County
	T01N R22E S11	SENW 38.0
	NENW 25.0	
	NESW 17.0	
	80.0 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 270 acres in a single irrigation season. Combined Right Nos.: 37-758, 37-760, 37-761A, 37-763, 37-764, 37-1163, and 37-2578.

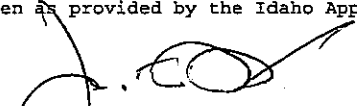
The rights listed below are limited to the irrigation of a combined total of 80 acres in a single irrigation season. Combined Right Nos.: 37-760 and 37-763.

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)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54 (b) FOR
Water Right 37-00764

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED
2009 MAY 12 AM 11 10

NAME AND ADDRESS: BARBARA J CARNEY
GARY CARNEY
225 N 1250 W
PAUL, ID 83347

PAUL CARNEY
POLLY CARNEY
291 S 2800 E
PAUL, ID 83347

SOURCE: EAST FORK FISH CREEK TRIBUTARY: FISH CREEK
QUANTITY: 0.60 CFS
PRIORITY DATE: 06/01/1890
POINT OF DIVERSION: T01N R22E S01 NENWSW Within Blaine County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-15 TO 10-31 0.60 CFS

PLACE OF USE: Irrigation Within Blaine County
T01N R22E S01 SWSW 14.0
S12 NWNW 13.0
27.0 Acres Total

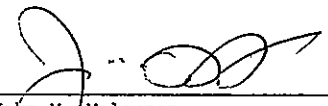
The rights listed below are limited to the irrigation of a
combined total of 270 acres in a single irrigation season.
Combined Right Nos.: 37-758, 37-760, 37-761A, 37-763, 37-764,
37-1163, and 37-2578.

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

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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
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In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
_____) Water Right 37-01163

NAME AND ADDRESS: BARBARA J CARNEY
GARY CARNEY
225 N 1250 W
PAUL, ID 83347

PAUL CARNEY
POLLY CARNEY
291 S 2800 E
PAUL, ID 83347

SOURCE: FISH CREEK TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 1.56 CFS

PRIORITY DATE: 05/01/1923

POINT OF DIVERSION: T01N R22E S02 NESWSE Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	1.56 CFS

PLACE OF USE:	Irrigation		Within Blaine County
	T01N R22E S02	SESW 15.0	SWSE 36.0
		SESE 12.0	
	S11	NENE 27.0	NWNE 40.0
	130.0 Acres Total		

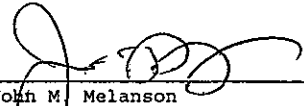
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John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on May 12, 2009, with sufficient first-class postage to the following:

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

BARBARA CARNEY
BARBARA J CARNEY
GARY CARNEY
225 N 1250 W
PAUL, ID 83347

PAUL CARNEY
POLLY CARNEY
291 S 2800 E
PAUL, ID 83347