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MAY 13 2009

DEPARTMENT OF  
WATER RESOURCES

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

MAY 12 2009

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

By \_\_\_\_\_ Clerk  
Deputy Clerk

In Re SRBA

Case No. 39576

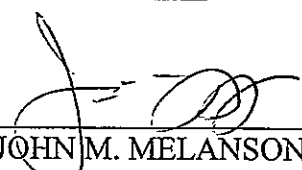
)  
) Water Right: 47-17105  
) (Johnson)  
)  
) ORDER OF PARTIAL DECREE  
)  
)

On February 2, 2007, the Idaho Department of Water Resources filed its *Director's Report for Basin 47, Part I, Reporting Area 12, for Irrigation and Other Water Rights*, which included recommendation for the above named water right.

On February 23, 2007, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Report* notifying the Court of a change of address for named water right. No objections were filed to the *Amended Director's Report* and the time period for filing objections has expired.

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 12, 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 47-17105

NAME AND ADDRESS: EDWARD A JOHNSON  
JANICE JOHNSON  
12828 W LA SALLE ST #100  
BOISE, ID 83713

SOURCE: UNNAMED STREAM TRIBUTARY: SALMON FALLS CREEK By

QUANTITY: 0.68 CFS  
160.00 AFY

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands described.  
Water shall not be diverted under this right when flows in the Snake River are below established minimum flow amounts at any of the following locations: Weiser, 4750 cfs; Johnson Bar, 5000 cfs; Lime Point 13,000 cfs.  
The total instantaneous diversion of water from all points of diversion under Right 47-17150 shall not exceed 0.68 cfs, nor a total combined annual volume of 160 af.

PRIORITY DATE: 12/16/1963

POINT OF DIVERSION: T08S R14E S31 SWNESE Within Twin Falls County  
S32 SENWNW

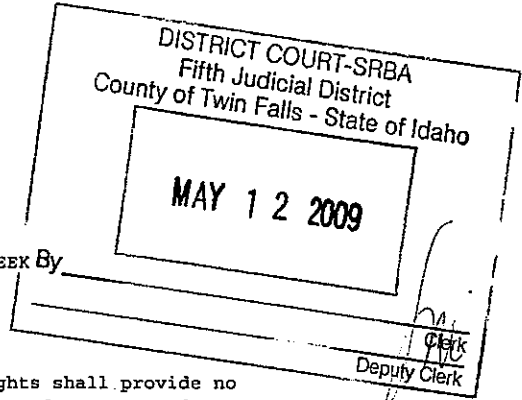
| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|----------------------------|----------------|----------------|------------------------|
|                            | Irrigation     | 03-15 TO 11-15 | 0.68 CFS<br>160.00 AFY |

| PLACE OF USE: | Irrigation                        | Within Twin Falls County |
|---------------|-----------------------------------|--------------------------|
|               | T08S R14E S32<br>40.0 Acres Total | NENW 8.0<br>NWNW 32.0    |

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

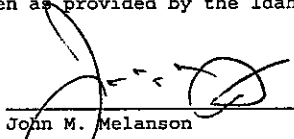
In relation to water rights from the Snake River, the date of priority for this right is December 16, 1963. In relation to other water rights on Salmon Falls Creek and its tributaries, the date of priority for this right is advanced to March 10, 2003, except that the priority date shall be December 16, 1963, when (1) all rights from the Snake River and its tributaries upstream from Govt. Lot 2 (SE1/4NE1/4) of Sec. 16, T7S, R13E, that are junior to any other rights from Salmon Falls Creek and its tributaries have been curtailed to supply senior priority rights on the Snake River; and (2) all junior rights on Salmon Falls Creek and its tributaries also have been curtailed to supply senior priority rights on the Snake River.

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 12 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) : 47-17105

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 47-17105 was mailed  
on May 12, 2009, with sufficient first-class postage prepaid  
to the following:

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

EDWARD A JOHNSON  
JANICE JOHNSON  
12828 W LA SALLE ST #100  
BOISE, ID 83713  
Phone: 208-377-4104

JULIE MURPHY  
Chief Deputy Clerk