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MAY 12 2009

DEPARTMENT OF  
WATER RESOURCES

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

MAY 11 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

)  
) Water Right: 37-02578  
) (Carney)  
)  
) ORDER OF PARTIAL DECREE  
)  
)

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 recommendation for the above named water right.

On February 23, 2009, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Report* notifying the Court of a transfer 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 11, 2009

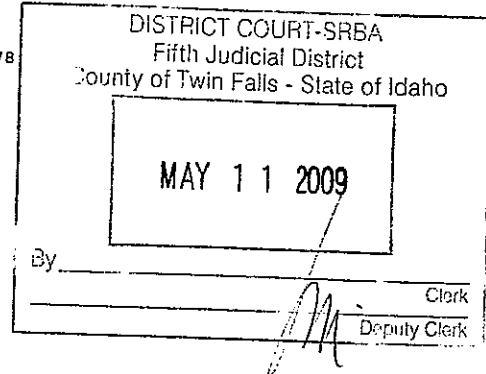
  
JOHN M. MELANSON  
Residing Judge  
Snake River Basin Adjudication

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 37-02578



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: GROUND WATER

QUANTITY: 2.74 CFS  
850.50 AFY

PRIORITY DATE: 08/30/1955

POINT OF DIVERSION: T01N R22E S01 SWSW Within Blaine County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|----------------------------|----------------|----------------|------------------------|
|                            | Irrigation     | 04-15 TO 10-31 | 2.74 CFS<br>850.50 AFY |

| PLACE OF USE: | Irrigation        | Within Blaine County |
|---------------|-------------------|----------------------|
|               | T01N R22E S01     | SWSW 13.0            |
|               | S02               | SWSE 24.0 SESE 40.0  |
|               | S11               | NENE 32.0 NWN 40.0   |
|               |                   | NENW 26.0 SENW 38.0  |
|               |                   | NESW 17.0            |
|               | S12               | NWNW 13.0            |
|               | 243.0 Acres Total |                      |

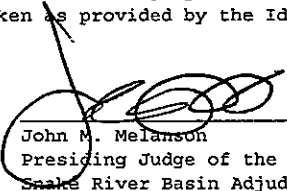
The rights listed below are limited to the irrigation of a combined total of 270 acres in a single irrigation season. Combined Right Nos.: 37-758, 37-760, 37-761A, 37-763, 37-764, 37-1163, and 37-2578.

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

2009 MAY 11 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): 37-02578

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 37-02578 was mailed  
on May 11, 2009, with sufficient first-class postage prepaid  
to the following:

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

BARBARA J CARNEY  
GARY CARNEY  
225 N 1250 W  
PAUL, ID 83347  
Phone: 208-438-5348

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

JULIE MURPHY  
Chief Deputy Clerk

CERTIFICATE OF MAILING

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05/11/09