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DEPARTMENT OF  
WATER RESOURCES

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

MAY 11 2009

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

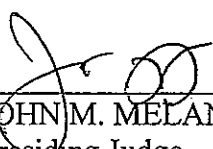
)  
) **Water Right: 02-10320**  
) **(Doherty)**  
)  
) **ORDER OF PARTIAL DECREE**  
)  
)

On December 29, 2006, the Idaho Department of Water Resources filed its *Director's Report for Basin 02, Part I, Reporting Area 20, for Irrigation and Other Water Rights*, which included recommendation for the above named water right.

On August 6, 2008, 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  
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 02-10320

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

MAY 11 2009

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

NAME AND ADDRESS: MARY J DOHERTY  
THOMAS J DOHERTY  
11801 GOOD DAY RD  
MELBA, ID 83641

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.07 CFS  
17.00 AFY

Right Nos. 2-7189A, 2-10319, 2-10320, and 2-10321 are limited to  
a total combined annual diversion volume of 505 AF.  
This right when combined with all other rights shall provide no  
more than 0.02 cfs per acre nor more than 4.5 afa per acre at  
the field headgate for irrigation of the lands above.

PRIORITY DATE: 03/11/1975

POINT OF DIVERSION: T01S R02W S20 LOT 2 (NWNE ) Within Owyhee County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY              |
|-------------------------------|----------------|----------------|-----------------------|
|                               | Irrigation     | 03-15 TO 11-15 | 0.07 CFS<br>17.00 AFY |

The use of water for irrigation under this right may begin as  
early as March 1 and may continue to as late as November 15,  
provided other elements of the right are not exceeded. The use  
of water before March 15 and after November 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.

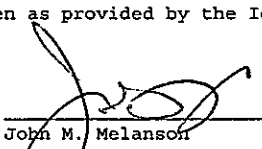
PLACE OF USE: Irrigation Within Owyhee County  
T01S R02W S20 LOT 2 (NWNE) 3.4  
3.4 Acres Total

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.

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

