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MAR 31 2009

DEPARTMENT OF
WATER RESOURCES

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

MAR 30 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: 75-00028A

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(Perry)

)

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ORDER OF PARTIAL DECREE

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On January 11, 2007, the Idaho Department of Water Resources filed its *Director's Report for Basin 75, Part I, Reporting Area 23, for Irrigation and Other Water Rights*, which included recommendation for the above named water right.

On March 10, 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

March 30, 2009

JOHN M. MELANSON

Presiding Judge

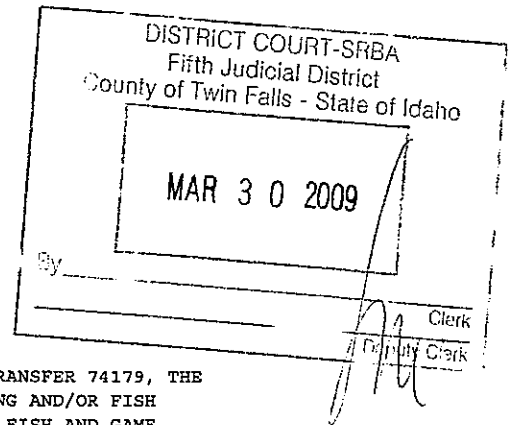
Snake River Basin Adjudication

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 75-00028A



NAME AND ADDRESS: JERRY PERRY
VIRGINIA PERRY
37 LOVERS LN
SALMON, ID 83467-5156

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

PRIOR TO THE DIVERSION AND USE OF WATER UNDER TRANSFER 74179, THE
RIGHT HOLDER SHALL COMPLY WITH ALL FISH SCREENING AND/OR FISH
PASSAGE REQUIREMENTS OF THE IDAHO DEPARTMENT OF FISH AND GAME.

QUANTITY: 0.60 CFS

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO
MORE THAN 3.5 AFA PER ACRE AT THE FIELD HEADGATE FOR IRRIGATION
OF THE LANDS HEREIN.
THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL
NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 04/01/1894

POINT OF DIVERSION: T20N R22E S06 LOT 14 (SESE) Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.60 CFS
	Stockwater	04-01 TO 10-31	0.02 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T21N R22E S18	NENW 15.0
	15.0 Acres Total	
	Stockwater	Within Lemhi County
	Same as Irrigation	

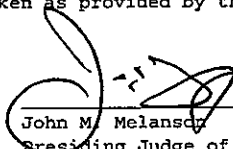
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for
stockwater use is not a determination of historical beneficial
use.

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 MAR 30 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

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CERTIFICATE OF MAILING

Water Right(s): 75-00028A

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 75-00028A was mailed
on March 30, 2009, with sufficient first-class postage prepaid
to the following:

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

JERRY PERRY
VIRGINIA PERRY
37 LOVERS LN
SALMON, ID 83467-5156
Phone: 208-756-3166

JULIE MURPHY
Chief Deputy Clerk