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MAR 24 2009
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAR 23 2009	
by _____	Clerk
by _____	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

) ORDER OF PARTIAL DECREE

) Subcase No. 21-07084

) (Dean Schwendiman & Sons Inc)

On November 7, 2008, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order I*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report and Recommendation* and wholly adopts them as its own.

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 23, 2009

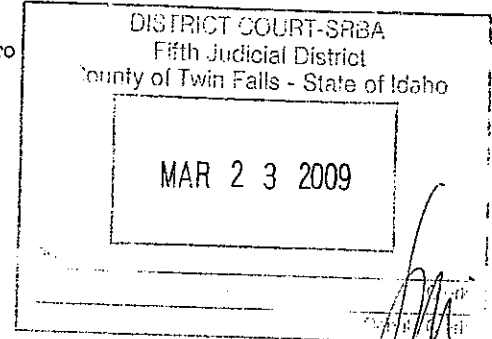


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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 21-07084



NAME AND ADDRESS: DEAN SCHWENDIMAN & SONS INC
PO BOX 57
NEWDALE, ID 83436

SOURCE: GROUND WATER

QUANTITY: 6.00 CFS
1105.00 AFY

The rights listed below are limited to a total combined diversion
rate of 10.11 cfs and to a total combined annual diversion
volume of 2849.6 AF. Combined Right Nos.: 21-7084, 22-2193,
22-7020, and 22-12543.

PRIORITY DATE: 04/14/1976

POINT OF DIVERSION: T08N R42E S30 NENE Within Fremont County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	6.00 CFS 1105.00 AFY

PLACE OF USE:	Irrigation	Within Fremont County
T07N R41E S12	NENE 38.0 SWNE 40.0 SENE 37.0 SESW 39.0 NWSE 40.0 SESE 39.0	NWNE 40.0 SENE 40.0 NESW 40.0 NESE 40.0 SWSE 39.0
R42E S05 LOT 1	(NENE) 38.0 SWNE 38.0	LOT 2 (NWNE) 39.0 SENE 39.0
LOT 3	(NENW) 38.0 SWNW 37.0	LOT 4 (NWNW) 38.0 SENE 37.0
S07	NENE 39.0 SWNE 40.0 NENW 40.0	NWNE 40.0 SENE 40.0 (NWNW) 36.0
LOT 2	(SWNW) 36.0 NESW 40.0 NESE 36.0	LOT 1 (NWNW) 36.0 SENE 40.0 LOT 3 (NWSW) 37.0 NWSE 40.0
S08	SWNE 40.0 NENW 40.0 SWNW 40.0 NESW 40.0 NESE 40.0	SENE 40.0 NWNW 39.0 SENE 40.0 NWSW 37.0 NWSE 40.0
S09	SWNW 40.0 NESW 40.0	SENE 33.0 NWSW 40.0
T08N R42E S32	SWSW 37.0 SWSE 35.0	SESE 35.0 SESE 31.0
1887.0 Acres Total		

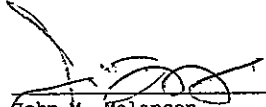
This right is limited to the irrigation of 442 acres within the
place of use described above in a single irrigation season.
The rights listed below are limited to the irrigation of a
combined total of 1887.0 acres in a single irrigation season.
Combined Right Nos.: 21-7084, 22-2193, 22-7020, and 22-12543.

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 MAR 23 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): 21-07084

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 21-07084 was mailed
on March 23, 2009, with sufficient first-class postage prepaid
to the following:

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

DEAN SCHWENDIMAN & SONS INC
Represented by:
ROBERT L HARRIS
1000 RIVERWALK DR, STE 200
PO BOX 50130
IDAHO FALLS, ID 83405
Phone: 208-523-0620

DEAN SCHWENDIMAN & SONS INC
PO BOX 57
NEWDALE, ID 83436
Phone: 208-458-4314

JULIE MURPHY
Chief Deputy Clerk