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MAR 23 2009

DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

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

MAR 20 2009

By

Clerk

Deputy Clerk

In Re SRBA

Case No. 39576

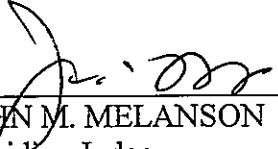
)
) ORDER OF PARTIAL DECREE
)
)
) For water right: 63-22904
)
)
)

On May 7, 2007, a *Special Master's Report and Recommendation* was issued 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. The above-captioned water right was recommended with one of the Purposes of Use being Aesthetic, Recreation, or Wildlife ("ARW"). This right was withheld from decree because of pending objections in the SRBA regarding the ARW Purpose of Use. The objections involving the ARW Purpose of Use were ultimately designated as Basin-Wide Issue 14. On February 25, 2009, the Court approved an amended decree resolving Basin-Wide Issue 14. Therefore, the Court finds it is now appropriate to issue the *Partial Decree* for the above-captioned right.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, 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 20, 2009



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

In Re SRBA

Case No. 39576

Water Right 63-22904

NAME AND ADDRESS: LAKEWOOD HOMEOWNERS ASSN
NO 6 & NO 7
2611 STONEY FORK WAY
BOISE, ID 83706

QUANTITY: 0.33 CFS
188.20 AFY

POINT OF DIVERSION: T03N R02E S23 SESWSE Within Ada County

PLACE OF USE:	Irrigation	Within Ada County
	T03N R02E S23	SWSE 3.0
	3.0 Acres Total	
	Aesthetic	Within Ada County
	T03N R02E S23	SWSE

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).

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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May-03-2007

2009 MAR 20 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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 63-22904

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 63-22904 was mailed
on March 20, 2009, with sufficient first-class postage prepaid
to the following:

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

LAKEWOOD HOMEOWNERS ASSN
NO 6 & NO 7
2611 STONEY FORK WAY
BOISE, ID 83706
Phone: 208-342-7278

RICHARD E O'HARA
167 FALL DR
BOISE, ID 83706
Phone: 208-331-8400

JULIE MURPHY
Chief Deputy Clerk