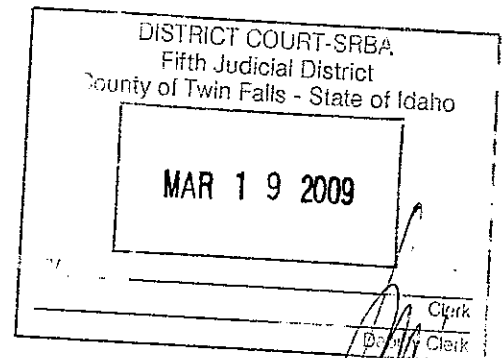


RECEIVED
MAR 20 2009
DEPARTMENT OF
WATER RESOURCES



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

In Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREES

Subcases: 67-00070, 67-00072 & 67-00376
(Shumway)

On December 10, 2008, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights. 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 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water rights are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

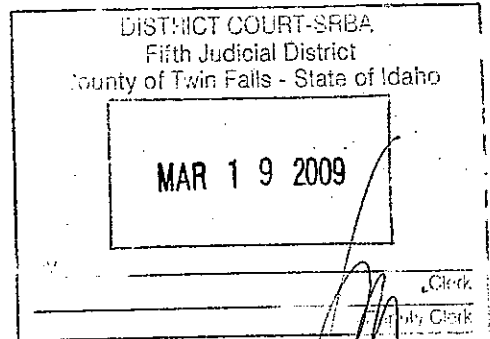
DATED March 19, 2009.


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 67-00070



NAME AND ADDRESS: ELSIE B SHUMWAY
STEVEN R SHUMWAY
HWY 95 BOX 2405
COUNCIL, ID 83612

SOURCE: WEISER RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.70 CFS

PRIORITY DATE: 06/01/1902

POINT OF DIVERSION: T17N R01W S04 LOT 1 (SWNE) Within Adams County
S23 SWSNE (Injection)
NWNWSW (Rediversion)

Water under this right may be injected into Fort Hall Creek at the POD shown above and re-diverted from Fort Hall Creek to the place of use from the point of diversion show above, but the water right may be exercised directly from the diversion from the Weiser River.

Water under this right may be re-diverted from Fort Hall Creek only when such water is injected into Fort Hall Creek.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.70 CFS

PLACE OF USE:	Irrigation		Within Adams County
	T17N R01W S23	NESW 6.9	NWSW 30.0
		SWSW 30.0	SESW 3.9
	S26	NENW 26.0	NWNW 36.0
	132.8 Acres Total		

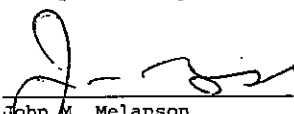
The rights listed below are limited to the irrigation of a combined total of 132.8 acres in a single irrigation season. Combined Right Nos.: 67-70, 67-72, and 67-376. This right is limited to the irrigation of 56.0 acres within the place of use described above in a single irrigation season.

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.



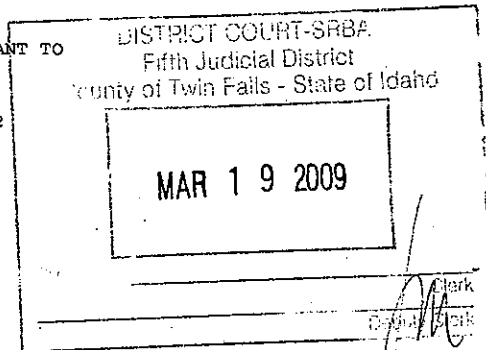
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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 67-00072



NAME AND ADDRESS: ELSIE B SHUMWAY
STEVEN R SHUMWAY
HWY 95 BOX 2405
COUNCIL, ID 83612

SOURCE: WEISER RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.76 CFS

PRIORITY DATE: 05/01/1906

POINT OF DIVERSION: T17N R01W S04 LOT 1 (SWNE) Within Adams County
S23 SWSWNE (Injection)
NWNWSW (Rediversion)

Water under this right may be injected into Fort Hall Creek at the POD shown above and re-diverted from Fort Hall Creek to the place of use from the point of diversion show above, but the water right may be exercised directly from the diversion from the Weiser River.

Water under this right may be re-diverted from Fort Hall Creek only when such water is injected into Fort Hall Creek.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.76 CFS

PLACE OF USE:	Irrigation	Within Adams County
	T17N R01W S23	NESW 6.9 NWSW 30.0
		SWSW 30.0 SESW 3.9
	S26	NENW 26.0 NWNW 36.0
	132.8 Acres Total	

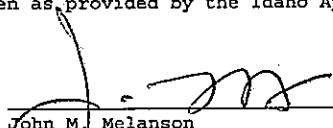
The rights listed below are limited to the irrigation of a combined total of 132.8 acres in a single irrigation season. Combined Right Nos.: 67-70, 67-72, and 67-376. This right is limited to the irrigation of 60.8 acres within the place of use described above in a single irrigation season.

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

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 67-00376

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

MAR 19 2009

NAME AND ADDRESS: STEVEN R SHUMWAY
HWY 95 BOX 2405
COUNCIL, ID 83612

SOURCE: FORT HALL CREEK TRIBUTARY: WEISER RIVER

QUANTITY: 0.20 CFS

PRIORITY DATE: 07/19/1893

POINT OF DIVERSION: T17N R01W S23 SWSEW Within Adams County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.20 CFS

PLACE OF USE:	Irrigation	Within Adams County
	T17N R01W S23	NESW 6.9 NWSW 30.0
	S26	SESW 3.9 NWNW 36.0
	132.8 Acres Total	

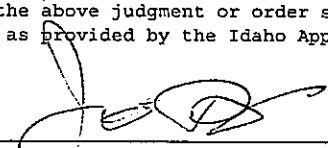
The rights listed below are limited to the irrigation of a combined total of 132.8 acres in a single irrigation season. Combined Right Nos.: 67-70, 67-72, and 67-376. This right is limited to the irrigation of 16.0 acres within the place of use described above in a single irrigation season.

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on March 19, 2009, with sufficient first-class postage to the following:

ELSIE B SHUMWAY
STEVEN R SHUMWAY
HWY 95 BOX 2405
COUNCIL, ID 83612
Phone: 208-253-4409

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

ORDER

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Deputy Clerk

