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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 19 2009

By

Clerk
Deputy Clerk

In Re SRBA

Case No. 39576

)
) Water Right: 63-33027

) (Montierth/Victor/Meyers)

)
) ORDER OF PARTIAL DECREE
)
)
)

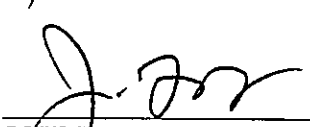
On December 19, 2006, the Idaho Department of Water Resources filed its *Director's Report for Basin 63, Part III, Reporting Area 13, for Irrigation and Other Water Rights*, which included recommendations for water right 63-07142.

On August 20, 2007, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Report* notifying the Court that water right 63-07142 had been split into water rights 63-32823 and 63-32824. No objections were filed to the *Amended Director's Report* and the time period for filing objections has expired. On August 24, 2008 a *Notice of Completed Administrative Proceeding and Amended Director's Report* was filed notifying the Court that water right 63-32823 had been split into water rights 63-33027 and 63-33028. 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 19, 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 63-33027

NAME AND ADDRESS: DOLLIE MONTIERTH
RT 1
KUNA, ID 83634

RODNEY K MONTIERTH
RT 1 BOX 156
KUNA, ID 83634

RUBY C VICTOR
W NOLAN VICTOR
1528 ADDISON AVE E
TWIN FALLS, ID 83301

DARLENE E MONTIERTH
2409 W KUNA CAVE RD
KUNA, ID 83634

KATHI L MEYERS
ROBERT J MEYERS
3921 N 3300 E
TWIN FALLS, ID 83301

HERBERT R MONTIERTH JR
6312 S ZITHER AVE
BOISE, ID 83709

EDWARD RAY MONTIERTH
SUSAN L MONTIERTH
825 HEARTLAND DR
NAMPA, ID 83686

SOURCE: GROUND WATER

QUANTITY: 0.21 CFS
112.50 AFY

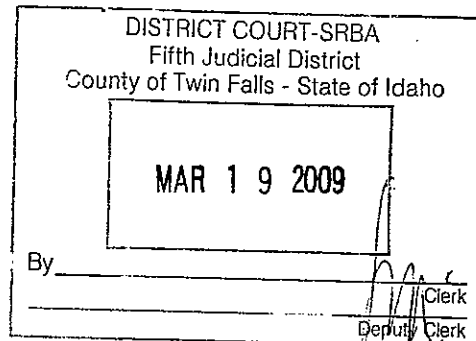
This right when combined with Right Nos. 63-33025, 63-33026, and
63-33028 shall provide no more than .02 cfs per acre.

PRIORITY DATE: 08/26/1968

POINT OF DIVERSION: T05N R01W S31 LOT 2 (NWSWNW) Within Ada County
R02W S25 NENWSE Within Canyon County
SEnw
SWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.21 CFS 112.50 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 April 1 and after October 31 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.



SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

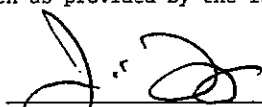
PLACE OF USE:	Irrigation		Within Canyon County
	T05N R02W S25	SWNE 1.0	NESW 2.0
		SWSW 22.0	
	25.0 Acres Total		

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.



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

2009 MAR 19 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): 63-33027

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 63-33027 was mailed
on March 19, 2009, with sufficient first-class postage prepaid
to the following:

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

DOLLIE MONTIERTH
RT 1
KUNA, ID 83634

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RUBY C VICTOR
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JULIE MURPHY
Chief Deputy Clerk