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DEPARTMENT OF
WATER RESOURCES

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

MAR 12 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

)
) **ORDER OF PARTIAL DECREE**
)
)
) **For water right: 22-00164**
)
)

On December 22, 2006, the Idaho Department of Water Resources ("IDWR") filed its *Director's Report for Basin 22, Part II, Reporting Area 17, for Irrigation and Other Water Rights*, which included recommendations for water right 22-02565.

On November 10, 2008, IDWR filed a *Notice of Completed Administrative Proceeding and Amended Director's Report*, notifying the Court of a change of address and transfer for the above-captioned right. No objections were filed to the *Amended Director's Report* and the time period for filing objections has 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.

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)**.

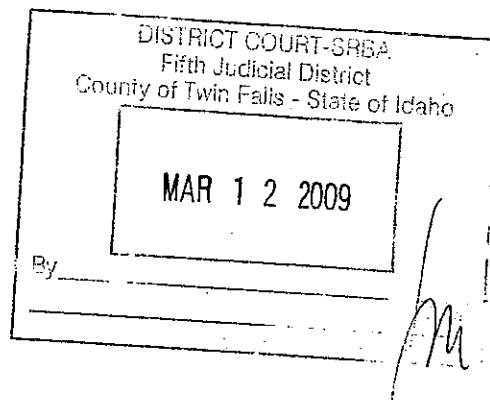
DATED March 12, 2009.



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 22-00164



NAME AND ADDRESS: CRYSTAL SPRINGS LAND & CATTLE
CO INC
339 E 600 S #1306
SALT LAKE CITY, UT 84111

SOURCE: SPRINGS TRIBUTARY: TETON RIVER
UNNAMED STREAM TRIBUTARY: TETON CREEK

QUANTITY: 1.40 CFS

THE 10 PONDS ESTABLISHED BY THE STORAGE OF WATER UNDER THIS
RIGHT SHALL NOT EXCEED A TOTAL CAPACITY OF 17.1 ACRE FEET OR A
TOTAL SURFACE AREA OF 3.1 ACRES.

THIS RIGHT AUTHORIZED THE DIVERSION OF AN ANNUAL TOTAL OF
24.1 AF TO BE USED FOR A PORTION OF THE INITIAL FILLING OF THE
10 PONDS AND FOR THE REPLACEMENT OF LOSSES CAUSED BY SEEPAGE AND
EVAPORATION FROM THE PONDS.

PRIORITY DATE: 06/01/1899

POINT OF DIVERSION: T04N R45E S02 LOT 4 (NENWNW) Within Teton County
LOT 4 (NENWNW)
S03 LOT 1 (NWNENE)
T05N R45E S35 SESWSW
SESWSW
SESWSW
SWSESW
SWSESW
SESESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	1.27 CFS
	Diversion to Storage	04-15 TO 10-31	0.13 CFS
	Wildlife Storage	01-01 TO 12-31	24.10 AFY
	Recreation Storage	01-01 TO 12-31	24.10 AFY

PLACE OF USE:	Irrigation	Within Teton County
	T04N R45E S02 LOT 4 (NWNW) 35.9	
	S03 LOT 1 (NENE) 19.0	
	T05N R45E S35 SWSW 33.2	SESW 21.9
	110.0 Acres Total	
	Wildlife Storage	Within Teton County
	T04N R45E S02 LOT 4 (NWNW)	
	S03 LOT 1 (NENE)	
	T05N R45E S35 SWSW	SESW
	Recreation Storage	Within Teton County
	T04N R45E S02 LOT 4 (NWNW)	
	S03 LOT 1 (NENE)	
	T05N R45E S35 SWSW	SESW

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

THE APPROVED TRANSFER 73946 REDEFINES ALL OF THE ELEMENTS OF
THIS WATER RIGHT, AND THE NEW USE OF WATER AUTHORIZED BY APPROVED
TRANSFER 73946 SHALL CONSTITUTE THE FULL EXTENT OF THE RIGHT.

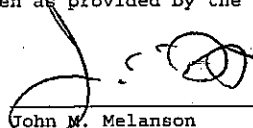
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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 12 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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 22-00164

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 22-00164 was mailed
on March 12, 2009, with sufficient first-class postage prepaid
to the following:

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

CRYSTAL SPRINGS LAND & CATTLE
CO INC
339 E 600 S #1306
SALT LAKE CITY, UT 84111
Phone: 801-809-5000

JULIE MURPHY
Chief Deputy Clerk