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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
FEB 19 2009	
_____ Clerk	_____ 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 DECREES

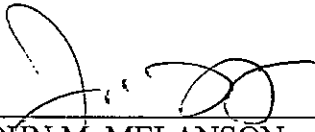
Subcases: 75-14516 & 75-14517
(Smith)

On December 23, 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 February 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 75-14516

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

FEB 19 2009

NAME AND ADDRESS: KORD S SMITH
MARY ANN H SMITH
781 CEDAR RIDGE DR
IDAHO FALLS, ID 83404

SOURCE: TOWER CREEK TRIBUTARY: SALMON CREEK

QUANTITY: 0.41 CFS

PRIORITY DATE: 06/29/1899

POINT OF DIVERSION: T23N R22E S04 NENW Within Lemhi County
T24N R22E S33 NENW
SWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.41 CFS

PLACE OF USE: Irrigation Within Lemhi County

T23N R22E S04	NENW 2.8	SENEW 15.0
	NESW 4.1	
21.9 Acres Total		

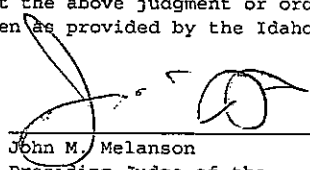
Place of use does not include federal public lands.
Right nos. 75-14516 and 75-14517 are limited to the irrigation of
a combined total of 21.9 acres in a single irrigation season.

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 75-14517

NAME AND ADDRESS: KORD S SMITH
MARY ANN H SMITH
781 CEDAR RIDGE DR
IDAHO FALLS, ID 83404

SOURCE: TOWER CREEK TRIBUTARY: SALMON CREEK

QUANTITY: 0.15 CFS

PRIORITY DATE: 12/10/1909

POINT OF DIVERSION: T23N R22E S04 NENW Within Lemhi County
T24N R22E S33 NENW
SWSE

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-01 TO 10-31 0.15 CFS

PLACE OF USE: Irrigation Within Lemhi County
T23N R22E S04 NENW 2.8
NESW 4.1
21.9 Acres Total

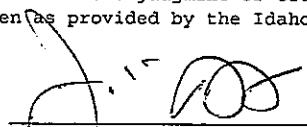
Place of use does not include federal public lands.
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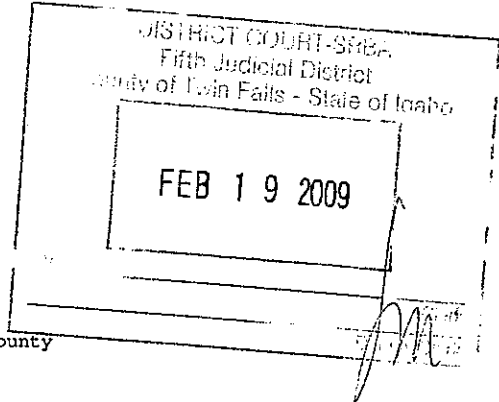
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John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



CERTIFICATE OF MAILING

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

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

KORD S SMITH
MARY ANN H SMITH
781 CEDAR RIDGE DR
IDAHO FALLS, ID 83404

ORDER

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Deputy Clerk