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FEB 04 2009

DEPARTMENT OF
WATER RESOURCES

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

FEB - 3 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

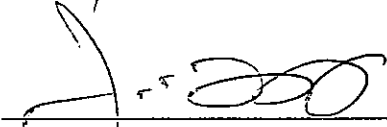
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) Water Right: 63-04777
) (McKinley)
)
)

) 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 recommendation for the above named water right. On June 25, 2007, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding* and *Amended Director's Report* notifying the Court of a change of address for named water right. 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 February 3, 2009.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

ORDER OF PARTIAL DECREE

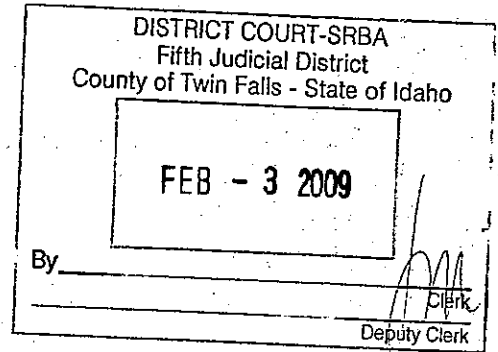
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 63-04777



NAME AND ADDRESS:

HELEN C MC KINLEY
WILLIAM R MC KINLEY
1130 N ALLUMBAUGH ST APT 232
BOISE, ID 83704

SOURCE:

GROUND WATER

QUANTITY:

0.19 CFS
1.20 AFY

The quantity of water under this right for domestic and
stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE:

01/01/1955.

POINT OF DIVERSION:

T04N R03W S36 NWSW Within Canyon County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Stockwater	01-01 TO 12-31	0.03 CFS
Commercial	01-01 TO 12-31	0.10 CFS
		1.20 AFY
Domestic	01-01 TO 12-31	0.06 CFS

Domestic use is for 2 homes.

PLACE OF USE:

Stockwater		Within Canyon County
T04N R03W S36	NWSW	
Commercial		Within Canyon County
T04N R03W S36	NWSW	
Domestic		Within Canyon County
T04N R03W S36	NWSW	

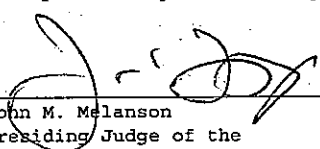
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for domestic
use and stockwater use is not a determination of historical
beneficial use.

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 FEB 03 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): 63-04777

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 63-04777 was mailed
on February 03, 2009, with sufficient first-class postage prepaid
to the following:

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

HELEN C MC KINLEY
WILLIAM R MC KINLEY
1130 N ALLUMBAUGH ST APT 232
BOISE, ID 83704

JULIE MURPHY
Chief Deputy Clerk