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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN 29 2009	
By _____	Clerk
_____	Deputy 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	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right: 63-12312
	)	(City of Boise)
_____	)	

On October 30, 2008, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. 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 Recommendation* and wholly adopts them as its own.

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 January 29, 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 63-12312

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN 29 2009	
By _____	Clerk
	Deputy Clerk

NAME AND ADDRESS: CITY OF BOISE
PUBLIC WORKS DEPT
PO BOX 500
BOISE, ID 83701-0500

SOURCE: GROUND WATER TRIBUTARY: BOISE RIVER

QUANTITY: 0.87 CFS
628.70 AFY

PRIORITY DATE: 02/15/1996

POINT OF DIVERSION: T04N R01E S22 NWSW Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE Industrial	PERIOD OF USE 01-01 TO 12-31	QUANTITY 0.87 CFS 628.70 AFY
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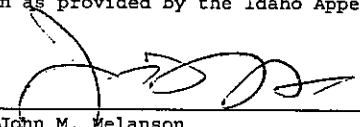
PLACE OF USE: Industrial Within Ada County
T04N R01E S22 NWSW

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

Use of water under this right shall be non-consumptive.
Should the use of the water on this right reduce the quality of
water available to prior water rights and make it unusable to
satisfy the prior appropriations, the right holder shall cease
diversion under this right.
Use of water under this right shall comply with applicable
water quality standards of the Department of Environmental
Quality.
Industrial use is for a biosolids dewatering facility.
After specific notification by the department, the right holder
shall enter into an agreement to annually report to the
department the amount water diverted under this 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 JAN 29 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): 63-12312

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 63-12312 was mailed
on January 29, 2009, with sufficient first-class postage prepaid
to the following:

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

CITY OF BOISE

Represented by:

ERIKA E MALMEN

251 EAST FRONT ST STE 400

BOISE, ID 83702-7310

Phone: 208-343-3434

JULIE MURPHY
Chief Deputy Clerk

CERTIFICATE OF MAILING

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01/29/09