

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 75-14525

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN 23 2009	
By _____	Clerk
_____	Clerk

NAME AND ADDRESS: GORDEN R KIRSCHENMANN
PO BOX 551
RIRIE, ID 83467-5147

SOURCE: NORTH FORK SALMON RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 0.04 CFS

PRIORITY DATE: 04/01/1908

POINT OF DIVERSION: T25N R21E S28 SWNW Within Lemhi County
S33 SWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.04 CFS

PLACE OF USE: Irrigation Within Lemhi County

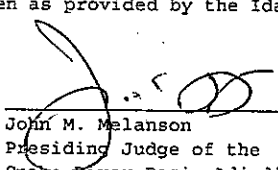
T24N R21E S04	NENW	1.8
T25N R21E S33	SESW	0.1
1.9 Acres Total		

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

RECEIVED

JAN 26 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN 23 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

Case No. 39576

ORDER OF PARTIAL DECREES

Subcases: See Attached Exhibit A
(Cummings/Auen/Walker/Meyers/Holden/
Kirschenmann)

On November 5, 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 January 23, 2009.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A (CUMMINGS, ET AL.)

Subcase Nos:

75-14468
75-14469
75-14470
75-14471
75-14474
75-14524
75-14525

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on January 23, 2009, with sufficient first-class postage to the following:

GORDEN R KIRSCHENMANN
MOUNTAIN K CUTLERY
2322 US HWY 93 N
NORTH FORK, ID 83466

MICHAEL CUMMINGS
PO BOX 132
NORTH FORK, ID 83466

CHARLES M MEYERS
DARCI A MEYERS
MELVIN J MEYERS
PO BOX 1571
SALMON, ID 83467

JON CUMMINGS
NANCY CUMMINGS
PO BOX 202
NORTH FORK, ID 83466

GORDEN R KIRSCHENMANN
PO BOX 551
RIRIE, ID 83467-5147

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

SHIRLEY A WALKER
20 CHERRY HILL LN
NORTH FORK, ID 83466

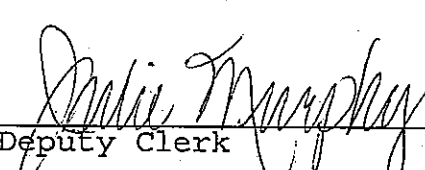
SHERRI S AUEN
22 AVENIDA ANDRA
PALM DESERT, CA 92260

CHERYL BLACKBURN HOLDEN
2362 HWY 93 N
PO BOX 96
NORTH FORK, ID 83466

ORDER

Page 1 1/23/09

FILE COPY FOR 00337


Deputy Clerk