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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

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Water Right: 63-03369A  
(Heida)

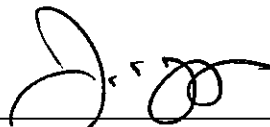
ORDER OF PARTIAL DECREE

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 18, 2007, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding* and *Amended Director's Report* notifying the Court of a substitution of party 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

January 23, 2009

  
JOHN M. MELANSON

Presiding Judge

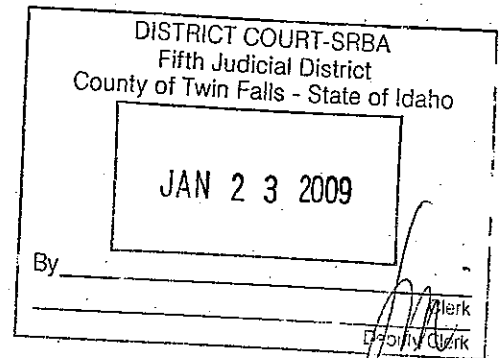
Snake River Basin Adjudication

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 63-03369A



NAME AND ADDRESS: DONALD E HEIDA  
8902 S SWAN FALLS RD  
KUNA, ID 83634

SOURCE: GROUND WATER

QUANTITY: 1.68 CFS  
585.00 AFY

Right Nos. 63-7532A and 63-3369A are limited to a total combined  
diversion rate of 3.96 cfs and to a total combined annual  
diversion volume of 891.0 AF.

PRIORITY DATE: 10/07/1963

POINT OF DIVERSION: T01N R01W S08 NWNW Within Ada County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|-------------------------------|----------------|----------------|------------------------|
|                               | Irrigation     | 03-15 TO 11-15 | 1.68 CFS<br>585.00 AFY |

The use of water for irrigation under this right may begin as  
early as March 1, provided other elements of the right are not  
exceeded. The use of water before March 15 under this remark is  
subordinate to all water rights having no subordinated early or  
late irrigation use and a priority date earlier than the date a  
partial decree is entered for this right.

| PLACE OF USE: | Irrigation        | Within Ada County                          |
|---------------|-------------------|--------------------------------------------|
|               | T01N R01W S08     | NWNW 40.0 SWNW 32.0<br>NESW 18.0 NWSW 40.0 |
|               | 130.0 Acres Total |                                            |

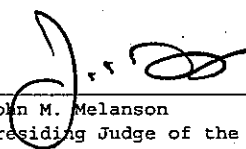
Right Nos. 63-7532A and 63-3369A are limited to the irrigation  
of a combined total of 198 acres in a single irrigation season.

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.

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John M. Melanson  
Presiding Judge of the  
Snake River Basin Adjudication

2009 JAN 23 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): 63-03369A

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 63-03369A was mailed  
on January 23, 2009, with sufficient first-class postage prepaid  
to the following:

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

DONALD E HEIDA  
8902 S SWAN FALLS RD  
KUNA, ID 83634

JULIE MURPHY  
Chief Deputy Clerk