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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
JAN 22 2009
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 DECREE

Subcase No. 47-04477
(Williams)

On October 29, 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

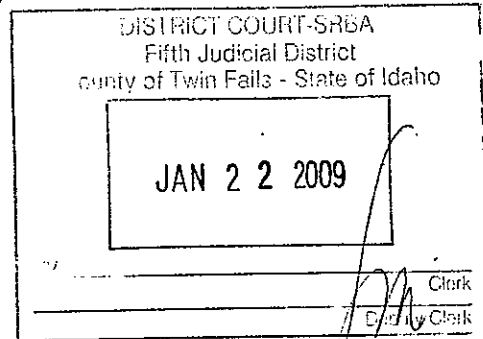
January 22, 2009

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 47-04477



NAME AND ADDRESS: W T WILLIAMS INC
C/O TOM WILLIAMS
2600 N 2991 E
TWIN FALLS, ID 83301

SOURCE: GROUND WATER

QUANTITY: 5.28 CFS
1190.10 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.68 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1700 AF. COMBINED RIGHT NOS. 47-4477 & 47-4478

PRIORITY DATE: 03/15/1960

POINT OF DIVERSION:	T12S R17E S16	SENENW Within Twin Falls County
		SWSWSE
	S26	NWSWNW (Rediversion)
	S35	NENESW (Rediversion)
	T13S R17E S11	NENWNE
		NENWNE (Injection)
		NWSWNE (Injection)
		NWSWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 09-15	5.28 CFS 1190.10 AFY

PLACE OF USE:	Irrigation	Within Twin Falls County	
	T12S R17E S09	SESW 23.0	SWSE 34.0
		SESE 34.0	
	S15	SWNE 33.0	SENE 25.0
		SWNW 30.0	SENW 38.0
		NESW 36.0	NWSW 41.0
		SWSW 40.0	SESW 36.0
		NESE 25.0	NWSE 25.0
	S16	NENE 40.0	NWNE 41.0
		SWNE 40.0	SENE 18.0
		NENW 41.0	NWNW 30.0
		SWNW 41.0	SENW 41.0
		NESW 40.0	SESW 20.0
		NWSE 23.0	SWSE 0.7
		SESE 9.8	
	S21	SENE 34.0	NESE 39.0
		SWSE 30.0	SESE 39.0
	S22	NENW 27.0	NWNW 35.0
		SWNW 41.0	SENW 35.0
		NESW 38.0	NWSW 41.0
		SWSW 41.0	SESW 35.0
		NWSE 9.9	SWSE 26.0
	S27	NWNE 40.0	SWNE 38.0
		SENE 13.0	NENW 41.0

PLACE OF USE (continued)

	NWNW 41.0	SNNW 31.0
	SENW 41.0	NWSW 6.3
	NESE 3.4	NWSE 3.3
S28	NENE 30.0	NWNE 25.0
1589.4	Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1257 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1257 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 47-4477, 47-4478, & 47-17170
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1282.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 47-4477, 47-4478, 47-12182, 47-12187, 47-4475, 47-2448 & 47-17170

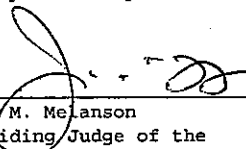
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of 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 JAN 22 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): 47-04477

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 47-04477 was mailed
on January 22, 2009, with sufficient first-class postage prepaid
to the following:

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

W T WILLIAMS INC
C/O TOM WILLIAMS
2600 N 2991 E
TWIN FALLS, ID 83301
Phone: 208-655-4226

WILLIAM J WILLIAMS
3094 N 3200 E
TWIN FALLS, ID 83301
Phone: 208-731-8106

JULIE MURPHY
Chief Deputy Clerk