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DEC 15 2008

Department of Water Resources
Adjudication Bureau

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

DEC 10 2008

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

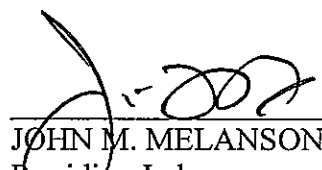
)
) Water Rights: 67-14841 & 67-14842
)
) ORDER OF PARTIAL DECREES
)
)
)

On December 22, 2006, the Idaho Department of Water Resources filed its *Director's Report for Basin 67, Reporting Area 19, for Irrigation and Other Water Rights*, which included a recommendation for water right 67-14101.

On April 10, 2007, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Reports* notifying the Court that water right 67-14101 had been split into water rights 67-14841 and 67-14842. No objections were filed to the *Amended Director's Reports* and the time period for filing objections has expired.

Therefore, IT IS ORDERED that the above-captioned water rights be decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED December 10, 2008.



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

ORDER OF PARTIAL DECREES

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 67-14841

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

DEC 10 2008

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: CAPURRO FAMILY TRUST
1041 MANN CREEK RD
WEISER, ID 83672

SOURCE: MANN CREEK TRIBUTARY: WEISER RIVER

QUANTITY: 0.62 CFS

This right shall receive 100% of its decreed amount until the natural flow of the waters of Mann Creek shall decrease so that all rights cannot receive 100%, at which time this right and other various decreed rights, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), shall be cut to 70% of the said amounts, beginning with the latest right and proceeding to the earliest right in the order of priority.
The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
Right Nos. 67-14841 and 67-14842 are limited to a total combined diversion rate for stockwater purposes of 0.02 cfs.

PRIORITY DATE: 06/01/1881

This right is a Primary Right, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), and, as such, irrespective of priority, is senior to all other rights that have not been identified as a Primary Right on Mann Creek.

POINT OF DIVERSION: T12N R05W S24 SESESE Within Washington County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.62 CFS
	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE: Irrigation
T11N R04W S07 SENE 18.5 Within Washington County
31.0 Acres Total NESE 12.5

Stockwater
T11N R04W S07 SENE Within Washington County
NESE

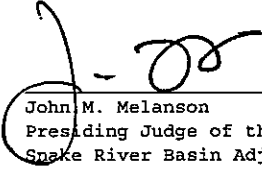
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for 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

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 67-14842

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

DEC 10 2008

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: SUSAN L PRITCHARD
THOMAS E PRITCHARD
1050 MANN CREEK RD
WEISER, ID 83672

SOURCE: MANN CREEK TRIBUTARY: WEISER RIVER

QUANTITY: 0.09 CFS

This right shall receive 100% of its decreed amount until the natural flow of the waters of Mann Creek shall decrease so that all rights cannot receive 100%, at which time this right and other various decreed rights, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), shall be cut to 70% of the said amounts, beginning with the latest right and proceeding to the earliest right in the order of priority.

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

Right Nos. 67-14841 and 67-14842 are limited to a total combined diversion rate for stockwater purposes of 0.02 cfs.

PRIORITY DATE: 06/01/1881

This right is a Primary Right, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), and, as such, irrespective of priority, is senior to all other rights that have not been identified as a Primary Right on Mann Creek.

POINT OF DIVERSION: T12N R05W S24 SESESE Within Washington County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.09 CFS
	Stockwater	01-01 TO 12-31	0.01 CFS

PLACE OF USE: Irrigation Within Washington County
T11N R04W S07 SENE 4.5
4.5 Acres Total

Stockwater Within Washington County
T11N R04W S07 SENE

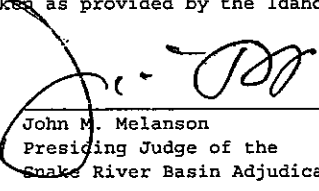
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for 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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on December 10, 2008, with sufficient first-class postage to the following:

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

CAPURRO FAMILY TRUST
1041 MANN CREEK RD
WEISER, ID 83672

SUSAN L PRITCHARD
THOMAS E PRITCHARD
1050 MANN CREEK RD
WEISER, ID 83672