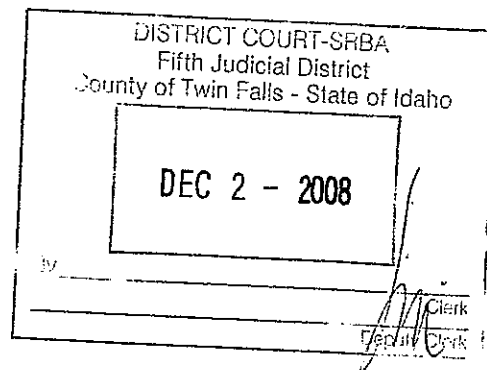


RECEIVED

DEC 03 2008

DEPARTMENT OF
WATER RESOURCES



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

) For Water Right: 63-32355
) (Thornton)
)

On September 11, 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 December 2, 2008.



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 63-32355

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

DEC 2 - 2008

NAME AND ADDRESS: LAVAR K THORNTON
2800 S TEN MILE RD
KUNA, ID 83634

LAYNE THORNTON
3224 SWAN FALLS RD
KUNA, ID 83634

SOURCE: GROUND WATER

QUANTITY: 1.12 CFS

The rights listed below are limited to a total combined
diversion rate of 8.60 cfs and to a total combined annual
diversion volume of 3620.6 AF. Combined Right Nos.: 63-3280,
63-3368, 63-7933, 63-7993 and 63-32355.

PRIORITY DATE: 03/01/1987

This water right is subordinate to all water rights with a
priority date earlier than April 12, 1994, that are not decreed
as enlargements pursuant to Section 42-1426, Idaho Code. As
between water rights decreed as enlargements pursuant to Section
42-1426, Idaho Code, the earlier priority right is the superior
right.

POINT OF DIVERSION: T01N R01E S06 SWNE Within Ada County
S07 NWNW
R01W S01 SENE
NWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	1.12 CFS

PLACE OF USE:	Irrigation	Within Ada County	
	T01N R01E S06 LOT 1 (NENE)24.0	LOT 2 (NWNE)13.0	
		SWNE 39.0	SENE 38.0
	LOT 3 (NENW) 1.0	LOT 4 (NWNW)26.0	
	LOT 5 (SWNW)35.0	SENE 26.0	
		NESW 37.0	SESW 37.0
	S07 NENW 39.0	LOT 1 (NWNW)38.0	
	R01W S01 LOT 1 (NENE)40.0	LOT 2 (NWNE)40.0	
		SWNE 40.0	LOT 5 (SENE)40.0
	LOT 3 (NENW)40.0	LOT 4 (NWNW)40.0	
		SWNW 40.0	SENE 40.0
	LOT 6 (NESE)40.0		NWSE 40.0
		SWSE 39.0	LOT 7 (SESE)40.0
	T02N R01E S31 SWSW 22.5		
	R01W S36 SWSW 39.0		SESW 40.5
		SWSE 33.3	SESE 36.8
	1004.1 Acres Total		

THIS RIGHT IS FOR AN ENLARGEMENT OF 125.3 ACRES WITHIN THE
PLACE OF USE DESCRIBED FOR THIS RIGHT AND IS LIMITED TO THE
IRRIGATION OF 125.3 ACRES WITHIN THE PLACE OF USE DESCRIBED
ABOVE.

USE OF THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

A COMBINED TOTAL OF 960.3 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 63-3280, 63-3368, 63-7933, 63-7993 AND
63-32355.

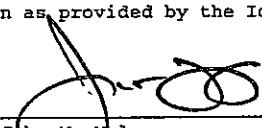
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is based upon an enlargement of Right Nos. 63-3280,
63-3368, 63-7933, and 63-7993 pursuant to Section 42-1426,
Idaho Code.

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

2008 DEC 02 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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 63-32355

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 63-32355 was mailed
on December 02, 2008, with sufficient first-class postage prepaid
to the following:

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

LAVAR K THORNTON
2800 S TEN MILE RD
KUNA, ID 83634
Phone: 208-922-5779

LAYNE THORNTON
3224 SWAN FALLS RD
KUNA, ID 83634
Phone: 208-922-4658

JULIE MURPHY
Chief Deputy Clerk