

RECEIVED

DEC 01 2008

DEPARTMENT OF
WATER RESOURCES

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

NOV 28 2008

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: 22-13795 and 22-13796

)
) ORDER OF PARTIAL DECREES
)
)
)
)

On December 22, 2006, the Idaho Department of Water Resources filed its *Director's Report for Basin 22, Part II, Reporting Area 17, for Irrigation and Other Water Rights*, which included a recommendation for water right 22-13216.

On December 3, 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 22-13216 had been split into water rights 22-13795 and 22-13796. 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 November 28, 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 22-13795

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

NOV 28 2008

NAME AND ADDRESS: DORIS SYLVIA MOSS FAMILY TRUST
196 N 275 E
DRIGGS, ID 83422

SOURCE: TETON CREEK TRIBUTARY: TETON RIVER

QUANTITY: 0.24 CFS

The quantity of water diverted under this water right shall be
from the portion awarded to Wyoming and deducted there from as
set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D.
Wy. Feb. 4, 1941).

PRIORITY DATE: 04/15/1941

POINT OF DIVERSION: T05N R46E S20 LOT 2 (SWSE) Within Teton County

The point of diversion for this water right is in Wyoming, T44N,
R118W, Sec. 20 SESESE, 6PM. The point of diversion shown above is
where the conveyance system enters Idaho.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.24 CFS

PLACE OF USE:	Irrigation	Within Teton County
	T05N R46E S29 LOT 1 (NWNE)12.0	NENW 3.2
	15.2 Acres Total	

The rights listed below are limited to the irrigation of a
combined total of 15.2 acres in a single irrigation season.
Combined Right Nos.: 22-13793 & 22-13795.

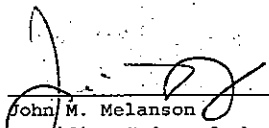
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This water right is subject to the delivery provisions contained
in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4,
1941) ("Roxana decree"). Nothing in this Partial Decree is
intended to relieve or alter the state of Idaho nor the state of
Wyoming from their obligations contained in the Roxana decree.

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 22-13796

NAME AND ADDRESS: TARGHEE HILL ESTATES LLC
1777 SUN PEAK DR
PARK CITY, UT 84098

SOURCE: TETON CREEK TRIBUTARY: TETON RIVER

QUANTITY: 0.48 CFS

The quantity of water diverted under this water right shall be
from the portion awarded to Wyoming and deducted there from as
set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D.
Wy. Feb. 4, 1941).

PRIORITY DATE: 04/15/1941

POINT OF DIVERSION: T05N R46E S20 LOT 2 (SWSE) Within Teton County

The point of diversion for this water right is in Wyoming, T44N,
R118W, Sec. 20 SESESE, 6PM. The point of diversion shown above is
where the conveyance system enters Idaho.

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Irrigation

PERIOD OF USE
04-15 TO 10-31

QUANTITY
0.48 CFS

PLACE OF USE:

Irrigation

Within Teton County

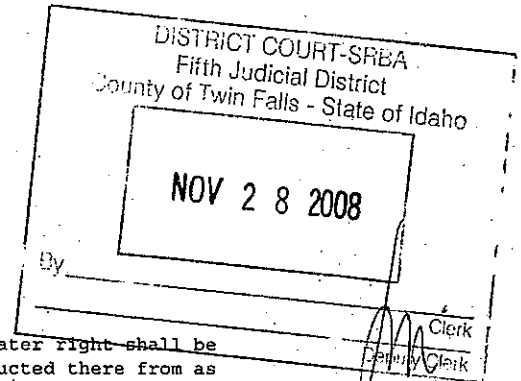
T05N R46E S20	SESW 4.0	LOT 4	(SWSE) 5.0
S29 LOT 1	(NWNE) 9.0		NENW 12.0
30.0 Acres Total			

The rights listed below are limited to the irrigation of a
combined total of 30 acres in a single irrigation season.
Combined Right Nos.: 22-13794 & 22-13796.

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

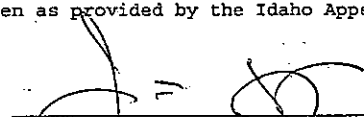
This water right is subject to the delivery provisions contained
in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4,
1941) ("Roxana decree"). Nothing in this Partial Decree is
intended to relieve or alter the state of Idaho nor the state of
Wyoming from their obligations contained in the Roxana decree.

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 November 28, 2008, with sufficient first-class postage to the following:

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

TARGHEE HILL ESTATES LLC
1777 SUN PEAK DR
PARK CITY, UT 84098

DORIS SYLVIA MOSS FAMILY TRUST
196 N 275 E
DRIGGS, ID 83422