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NOV 28 2008

DEPARTMENT OF  
WATER RESOURCES

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

NOV 26 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 Right: 22-07005B  
)  
) ORDER OF PARTIAL DECREE  
)  
)  
)  
)  
)

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 recommendations for the above named water right. No objections were filed and the time period for filing objections has expired.

On January 29, 2007, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Report* notifying the Court of a change of address in the above 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 November 26, 2008.

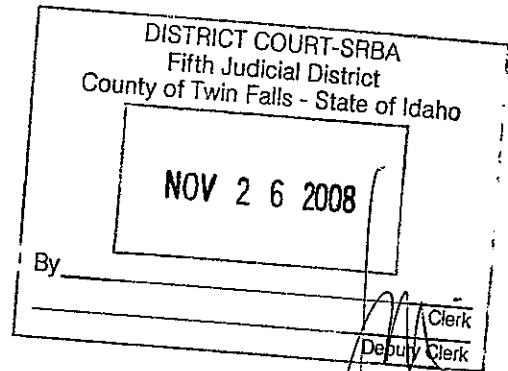
JOHN M. MELANSON  
Presiding Judge  
Snake River Basin Adjudication

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 22-07005B



NAME AND ADDRESS: SUMMERS FARM & RANCH INC  
C/O DANNY SUMMERS  
1500 S 3000 3  
SUGAR CITY, ID 83448

SOURCE: GROUND WATER

QUANTITY: 4.04 CFS  
1233.80 AFY

Right Nos. 22-7005B and 22-2260B are limited to a total combined  
diversion rate of 5.45 cfs and to a total combined annual  
diversion volume of 2313.3 AF.

PRIORITY DATE: 02/10/1968

POINT OF DIVERSION: T06N R41E S27 SESE Within Madison County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY                |
|-------------------------------|----------------|----------------|-------------------------|
|                               | Irrigation     | 04-01 TO 10-31 | 4.04 CFS<br>1233.80 AFY |

| PLACE OF USE:     | Irrigation                                                    | Within Madison County                                         |
|-------------------|---------------------------------------------------------------|---------------------------------------------------------------|
| T06N R41E S26     | NENW 40.0<br>SWNW 39.0<br>NESW 40.0<br>SWSW 39.0              | NWNW 38.0<br>SENW 39.0<br>NWSW 40.0<br>SESW 39.0              |
| S27               | NENE 40.0<br>SWNE 36.0<br>NESW 29.0<br>NESE 37.0<br>SWSE 39.0 | NWNE 38.0<br>SENE 39.0<br>SESW 30.0<br>NWSE 24.0<br>SESE 40.0 |
| S34               | NENE 38.0<br>NENW 10.0                                        | NWNE 35.0                                                     |
| S35               | NENW 38.0                                                     | NWNW 38.0                                                     |
| 825.0 Acres Total |                                                               |                                                               |

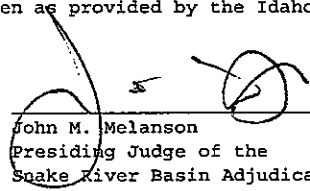
This right is limited to the irrigation of 440 acres within the  
place of use described above in a single irrigation season.  
Right Nos. 22-7005B and 22-2260B are limited to the irrigation  
of a combined total of 825 acres in a single irrigation season.

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.



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

2008 NOV 26 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): 22-07005B

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 22-07005B was mailed  
on November 26, 2008, with sufficient first-class postage prepaid  
to the following:

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

SUMMERS FARM & RANCH INC  
C/O DANNY SUMMERS  
1500 S 3000 3  
SUGAR CITY, ID 83448  
Phone: 208-356-3465

JULIE MUPRHY  
Chief Deputy Clerk