

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

NOV 17 2008

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Clerk

Deputy Clerk

In Re SRBA

Case No. 39576

Subcase No.: 67-11304C

(Shumway)

ORDER OF PARTIAL DECREE

On December 22, 2006, the Idaho Department of Water Resources filed a *Director's Report, Basin 67, Reporting Area 19, for Irrigation and Other Water Rights*, which included a recommendation for the above-captioned water right. On June 29, 2007, the Idaho Department of Water Resources filed an *Amended Director's Report* notifying the Court of a change in the source and point of diversion elements for the above-captioned water right. No objections were filed to the *Amended Director's Report* and the time for filing objections has now expired.

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

DATED

November 17, 2008

JOHN M. MELANSON

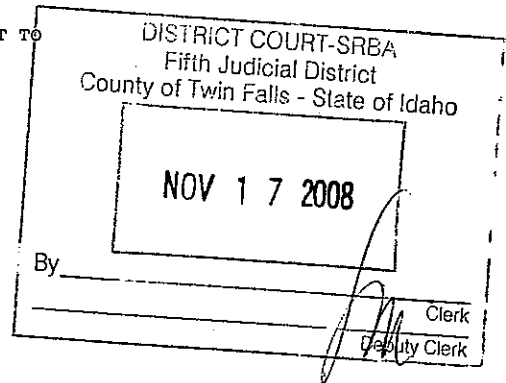
Presiding Judge

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 67-11304C



NAME AND ADDRESS: ELSIE B SHUMWAY
STEVEN R SHUMWAY
HWY 95 BOX 2405
COUNCIL, ID 83612

SOURCE: FORT HALL CREEK TRIBUTARY: WEISER RIVER

QUANTITY: 0.091 CFS

PRIORITY DATE: 05/01/1882

POINT OF DIVERSION: T17N R01W S10 NENWSW (Rediversion) Within Adams County
S23 NWNWSW

Water diverted under this right is exchanged by injecting water diverted under this right into the Farmers Canal and diverting an equal amount from the Weiser River at the point of rediversion described above.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.091 CFS

PLACE OF USE:	Irrigation	Within Adams County
	T17N R01W S22 NENE 7.8	SENE 7.8
	15.6 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 15.6 acres in a single irrigation season. Combined Right Nos.: 67-375C and 67-11304C. This right is limited to the irrigation of 7.3 acres within the place of use described above in a single irrigation season.

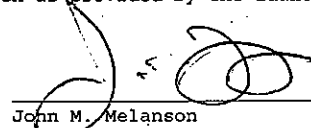
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

DIVERSION OF WATER UNDER THIS RIGHT IS LIMITED TO THOSE TIMES WHEN WATER FROM FORT HALL CREEK IS AVAILABLE FOR DIVERSION UNDER THE PRIORITY OF THIS 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 17 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

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CERTIFICATE OF MAILING

Water Right(s): 67-11304C

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 67-11304C was mailed
on November 17, 2008, with sufficient first-class postage prepaid
to the following:

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

ELSIE B SHUMWAY
STEVEN R SHUMWAY
HWY 95 BOX 2405
COUNCIL, ID 83612
Phone: 208-253-4409

JULIE MURPHY
Chief Deputy Clerk