

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

By _____ Clerk
Deputy Clerk

In Re SRBA

Case No. 39576

)
) Water Rights: 67-02365,
) 67-07281 & 67-07292
) (Cada)
)
) 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 recommendations for the above named water rights. No objections were filed and the time period for filing objections has expired.

On September 5, 2008, the Idaho Department of Water Resources filed an *Amended Notice of Completed Administrative Proceeding and Amended Director's Reports* notifying the Court of a substitution of party in each of the above named water rights. 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 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 67-02365

DISTRICT COURT-SRBA. Fifth Judicial District County of Twin Falls - State of Idaho	
NOV 17 2008	
By _____	Clerk Deputy Clerk

NAME AND ADDRESS: D WAYNE CADA
JODY M CADA
23250 CADA LN
CALDWELL, ID 83607

SOURCE: UNNAMED STREAM TRIBUTARY: TENNISON CREEK

QUANTITY: 2.00 CFS
506.40 AFY

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 67-7281 AND 67-7292 SHALL
PROVIDE NO MORE THAN .02 CFS PER ACRE, NOR MORE THAN 4.0 AFA PER
ACRE AT THE FIELD HEADGATE FOR IRRIGATION OF THE LANDS ABOVE.

PRIORITY DATE: 09/26/1966

POINT OF DIVERSION: T11N R02W S02 LOT 2 (SENNNE) Within Washington County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 10-31	2.00 CFS 506.40 AFY
	Stockwater	01-01 TO 12-31	0.16 CFS 8.60 AFY

PLACE OF USE:	Irrigation		Within Washington County
	T11N R02W S01 LOT 4	(NWNW) 0.1	SWNW 32.0
		SENW 3.2	NESW 16.0
		NWSW 16.0	SESW 7.7
		NWSE 1.7	SWSE 2.6
	S02 LOT 1	(NENE) 2.8	LOT 2 (NWNE) 1.5
		SWNE 8.0	SENE 34.0
		NESE 1.0	
	126.6 Acres Total		
	Stockwater		Within Washington County
	T11N R02W S01	SWNW	NESW
		NWSW	SWSW
	S02	NENE	LOT 2 (NWNE)
		SWNE	SENE

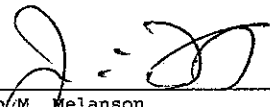
RIGHT NOS. 67-2365, 67-7281 AND 67-7292 ARE LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 126.6 ACRES IN A SINGLE
IRRIGATION SEASON.

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

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 67-07281

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

NOV 17 2008

By _____

Deputy Clerk

NAME AND ADDRESS: D WAYNE CADA
JODY M CADA
23250 CADA LN
CALDWELL, ID 83607

SOURCE: UNNAMED STREAM TRIBUTARY: TENNISON CREEK

QUANTITY: 75.00 AFY

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 67-2365 AND 67-7292
SHALL PROVIDE NO MORE THAN 0.02 CFS PER ACRE, NOR MORE THAN
4.0 AF/ACRE.

RIGHT NOS. 67-7281 AND 67-7292 ARE LIMITED TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 90.0 AF.

PRIORITY DATE: 07/23/1976

POINT OF DIVERSION: T11N R02W S02 LOT 2 (SEWNNE) Within Washington County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation from Storage	03-15 TO 10-31	75.00 AFY
Irrigation Storage	01-01 TO 12-31	75.00 AFY
Stockwater from Storage	01-01 TO 12-31	2.70 AFY
Stockwater Storage	01-01 TO 12-31	2.70 AFY

PLACE OF USE:

Irrigation Storage		Within Washington County
T11N R02W S02 LOT 1 (NENE)	LOT 2 (NWNE)	
SWNE	SENE	

Irrigation from Storage		Within Washington County
T11N R02W S01 LOT 4 (NWNW) 0.1		SWNW 32.0
SENW 3.2		NESW 16.0
NWSW 16.0		SESW 7.7
NWSE 1.7		SWSE 2.6
S02 LOT 1 (NENE) 2.8	LOT 2 (NWNE) 1.5	
SWNE 8.0	SENE 34.0	
NESE 1.0		

126.6 Acres Total

Stockwater Storage		Within Washington County
T11N R02W S02 LOT 1 (NENE)	LOT 2 (NWNE)	
SWNE	SENE	

Stockwater from Storage		Within Washington County
T11N R02W S01 LOT 4 (NWNW)		SWNW
SENW		NESW
NWSW		SESW
NWSE		SWSE
S02 LOT 1 (NENE)	LOT 2 (NWNE)	
SWNE	SENE	
NESE		

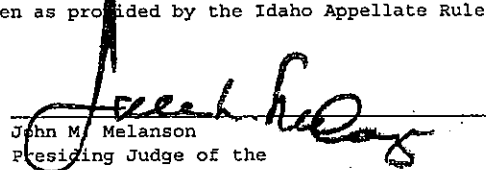
RIGHT NOS. 67-2365, 67-7292 AND 67-7281 ARE LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 126.6 ACRES IN A SINGLE
IRRIGATION SEASON.

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

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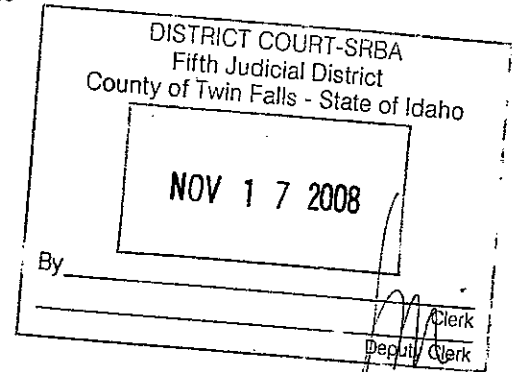

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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 67-07292



NAME AND ADDRESS: D WAYNE CADA
JODY M CADA
23250 CADA LN
CALDWELL, ID 83607

SOURCE: UNNAMED STREAM TRIBUTARY: TENNISON CREEK

QUANTITY: 0.90 CFS
90.00 AFY

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 67-2365 AND 67-7281 SHALL
PROVIDE NO MORE THAN .02 CFS PER ACRE, NOR MORE THAN 4.0 AF/ACRE.

PRIORITY DATE: 10/18/1976

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: T11N R02W S01 NENESW Within Washington County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	90.00 AFY
	Irrigation from Storage	04-01 TO 10-31	90.00 AFY
	Diversion to Storage	12-01 TO 05-01	0.90 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT
EXCEEDED. THE USE OF WATER BEFORE APRIL 1 UNDER THIS REMARK
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY
IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A
PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:	Irrigation Storage	Within Washington County
	T11N R02W S02 LOT 1 (NENE) SWNE	LOT 2 (NWNE) SENE
	Irrigation from Storage	Within Washington County
	T11N R02W S01 LOT 4 (NWNW) 0.1 SENE 3.2 NWSW 16.0 NWSE 1.7	SWNW 32.0 NESW 16.0 SESW 7.7 SWSE 2.6
	S02 LOT 1 (NENE) 2.8 SWNE 8.0 NESE 1.0	LOT 2 (NWNE) 1.5 SENE 34.0
	126.6 Acres Total	

RIGHT NOS. 67-2365, 67-7281 and 67-7292 ARE LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 126.6 ACRES IN A SINGLE
IRRIGATION SEASON.

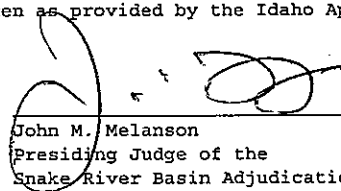
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 126.6 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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
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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 17, 2008, with sufficient first-class postage to the following:

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

D WAYNE CADA
JODY M CADA
23250 CADA LN
CALDWELL, ID 83607

ORDER

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Deputy Clerk