

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

NOV 17 2008

By _____ Clerk

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Fifth Judicial Dis
Twin Falls - St.

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

In Re SRBA

Case No. 39576

)
) Subcase No.: 67-00375B
) (McAlvain)
)
) 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 67-00375B

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

NOV 17 2008

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: DOUG MC ALVAIN
SERENA E MC ALVAIN
PO BOX 488
COUNCIL, ID 83612

SOURCE: FORT HALL CREEK TRIBUTARY: WEISER RIVER

QUANTITY: 0.046 CFS

PRIORITY DATE: 06/01/1911

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
Irrigation

PERIOD OF USE
03-15 TO 11-15

QUANTITY
0.046 CFS

PLACE OF USE:

Irrigation

T17N R01W S15 SESE 6.9
6.9 Acres Total

Within Adams County

The rights listed below are limited to the irrigation of a
combined total of 6.9 acres in a single irrigation season.
Combined Right Nos.: 67-375C and 67-11304C.
This right is limited to the irrigation of 3.7 acres within the
place of use described above in a single irrigation season.

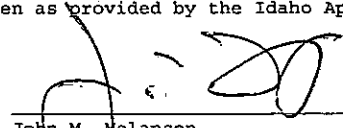
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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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)
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)
CERTIFICATE OF MAILING

Water Right(s) : 67-00375B

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 67-00375B 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

DOUG MC ALVAIN
SERENA E MC ALVAIN
PO BOX 488
COUNCIL, ID 83612
Phone: 208-253-4340

JULIE MURPHY
Chief Deputy Clerk