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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
OCT 21 2008	
_____ 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

ORDER OF PARTIAL DECREES

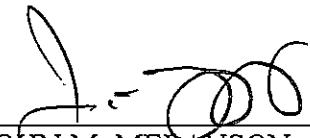
Subcases: 74-15752 & 74-15753
(Mc Farland Livestock Co Inc)

On August 26, 2008, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water rights are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED October 24, 2008.

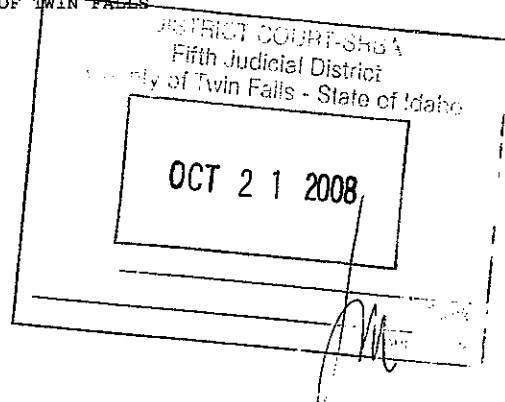


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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 74-15752



NAME AND ADDRESS: MC FARLAND LIVESTOCK CO INC
C/O TEX KAUER
PO BOX 50
LEMHI, ID 83465

SOURCE: HAWLEY CREEK TRIBUTARY: EIGHTEENMILE CREEK

PRIOR TO THE DIVERSION AND USE OF WATER UNDER TRANSFER 73531
APPROVAL, THE RIGHT HOLDER SHALL COMPLY WITH ALL FISH SCREENING
AND/OR FISH PASSAGE REQUIREMENTS OF THE IDAHO DEPARTMENT OF
FISH AND GAME.

QUANTITY: 0.68 CFS

THE RIGHT HOLDER SHALL MAINTAIN A MEASURING DEVICE AND LOCKABLE
CONTROLLING WORKS OF A TYPE APPROVED BY THE DEPARTMENT IN A
MANNER THAT WILL PROVIDE THE WATERMASTER SUITABLE CONTROL OF THE
DIVERSION(S).
THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO
MORE THAN 3.5 AFA PER ACRE AT THE FIELD HEADGATE FOR IRRIGATION
OF THE LANDS ABOVE.

PRIORITY DATE: 04/01/1879

POINT OF DIVERSION: T15N R27E S03 SENE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.68 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T16N R27E S29	SWSW 31.0
	S30	SESW 25.0 SWSE 33.0
		SESE 31.0
	S31	NENE 31.0 NWNE 25.0
		NENW 18.2 NWNW 31.0
	225.2 Acres Total	

USE OF THIS RIGHT WITH RIGHT NOS. 74-25, 74-28 AND 74-15753 IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 225.2 ACRES IN
A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 188 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

USE OF WATER UNDER THIS RIGHT WILL BE REGULATED BY A WATERMASTER
WITH RESPONSIBILITY FOR THE DISTRIBUTION OF WATER AMONG
APPROPRIATORS WITHIN A WATER DISTRICT. AT THE TIME OF THIS
APPROVAL, THIS WATER RIGHT IS WITHIN STATE WATER DISTRICT NO.
74W.

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY
TRANSFER 73531 WITHIN ONE YEAR OF 02-02-2008.
FAILURE OF THE RIGHT HOLDER TO COMPLY WITH THE CONDITIONS OF
TRANSFER 73531 IS CAUSE FOR THE DIRECTOR TO RESCIND APPROVAL
OF THE TRANSFER.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT

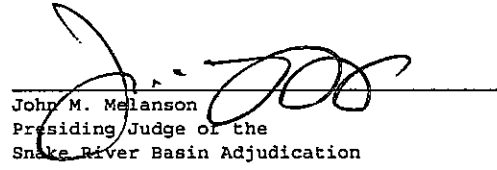
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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

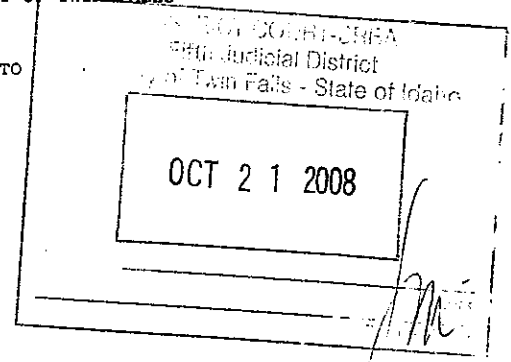
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 74-15753



NAME AND ADDRESS: MC FARLAND LIVESTOCK CO INC
C/O TEX KAUER
PO BOX 50
LEMHI, ID 83465

SOURCE: HAWLEY CREEK TRIBUTARY: EIGHTEENMILE CREEK

PRIOR TO THE DIVERSION AND USE OF WATER UNDER TRANSFER 73531
APPROVAL, THE RIGHT HOLDER SHALL COMPLY WITH ALL FISH SCREENING
AND/OR FISH PASSAGE REQUIREMENTS OF THE IDAHO DEPARTMENT OF
FISH AND GAME.

QUANTITY: 0.02 CFS

THE RIGHT HOLDER SHALL MAINTAIN A MEASURING DEVICE AND LOCKABLE
CONTROLLING WORKS OF A TYPE APPROVED BY THE DEPARTMENT IN A
MANNER THAT WILL PROVIDE THE WATERMASTER SUITABLE CONTROL OF THE
DIVERSION(S).
THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO
MORE THAN 3.5 AFA PER ACRE AT THE FIELD HEADGATE FOR IRRIGATION
OF THE LANDS ABOVE.

PRIORITY DATE: 04/01/1879

POINT OF DIVERSION: T15N R27E S03 SENE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.02 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T16N R27E S29	SWSW 31.0
	S30	SESW 25.0 SWSE 33.0
		SESE 31.0
	S31	NENE 31.0 NWNE 25.0
		NENW 18.2 NWNW 31.0
	225.2 Acres Total	

USE OF THIS RIGHT WITH RIGHT NOS. 74-25, 74-28 AND 74-15752 IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 225.2 ACRES IN
A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 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:

USE OF WATER UNDER THIS RIGHT WILL BE REGULATED BY A WATERMASTER
WITH RESPONSIBILITY FOR THE DISTRIBUTION OF WATER AMONG
APPROPRIATORS WITHIN A WATER DISTRICT. AT THE TIME OF THIS
APPROVAL, THIS WATER RIGHT IS WITHIN STATE WATER DISTRICT NO.
74W.

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY
TRANSFER 73531 WITHIN ONE YEAR OF 02-02-2008.
FAILURE OF THE RIGHT HOLDER TO COMPLY WITH THE CONDITIONS OF
TRANSFER 73531 IS CAUSE FOR THE DIRECTOR TO RESCIND APPROVAL
OF THE TRANSFER.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT

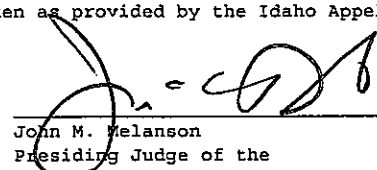
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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 October 21, 2008, with sufficient first-class postage to the following:

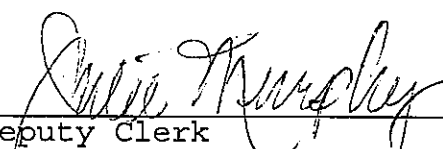
MC FARLAND LIVESTOCK CO INC
C/O TEX KAUER
PO BOX 50
LEMHI, ID 83465

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

ORDER

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Deputy Clerk