

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 45-00166B

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

MAY 16 2008

NAME AND ADDRESS:

DEAN H KOYLE
MARILYN J KOYLE
1044 S 175 E
BURLEY, ID 83318

SOURCE:

WILLOW CREEK TRIBUTARY: SINKS

QUANTITY:

1.60 CFS

The amount of water diverted under the following water rights may not exceed 50% or one half of the stream flow of Willow Creek. Combined Right Nos.: 45-166A, 45-166B, 45-167A, 45-167B, 45-11928, 45-13421, 45-13623, 45-13631, & 45-13632. The amount of water diverted under this water right and right 45-13623 may not exceed 12.5% or 1/8 of the stream flow of Willow Creek at the point of diversion described below at any given time.

PRIORITY DATE: 11/23/1881

POINT OF DIVERSION: T12S R23E S26 SWNESE Within Cassia County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.60 CFS

PLACE OF USE:

	Irrigation	Within Cassia County
T12S R23E S03	NWSW 20.0	SWSW 30.0
S04	SESE 19.0	
S09	NENE 20.0	SENE 20.0
	NESE 15.0	
S10	NWNW 17.0	SWNW 31.0
	NWSW 35.0	
S15	NWNW 33.0	
240.0 Acres Total		

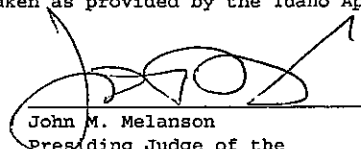
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 240 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-166B, 45-4264, & 45-13623.

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

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MAY 19 2008

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAY 16 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

ORDER OF PARTIAL DECREES

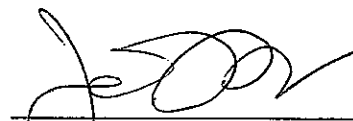
Subcases: See Attached Exhibit A
(Lambert/King/Koyle)

On March 12, 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 May 16, 2008.



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A (LAMBERT/KING/KOYLE)

Subcase Nos:

45-00166A

45-00166B

45-13421

45-13623

45-13631

45-13632

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on May 16, 2008, with sufficient first-class postage to the following:

LAMBERT PRODUCE CO INC
C/O CORY KING
203 E 1100 S
BURLEY, ID 83318
Phone: 208-678-2668

LAMBERT PRODUCE INC
PO BOX 793
BLACKFOOT, ID 83221

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

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