

RECEIVED
MAY 16 2008
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAY 15 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	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right: 21-11147
	)	
_____	)	

On March 31, 2008, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. 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 Recommendation* and wholly adopts them as its own.

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

DATED May 15, 2008



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

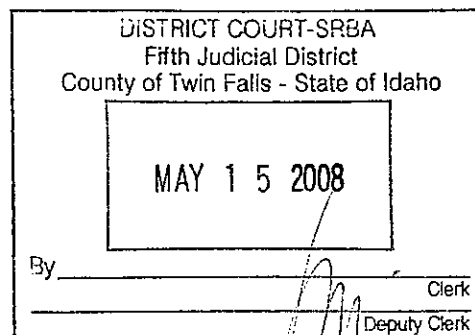
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 21-11147

NAME AND ADDRESS: LOLA C RIGBY
RAY W RIGBY
2131 N 3000 W
REXBURG, ID 83440

HAROLD L RIGBY
VAUDYS J RIGBY
2234 W 2000 N
REXBURG, ID 83440

ALDEN L RIGBY
ALICE M RIGBY
3156 W 3000 N
REXBURG, ID 83440



SOURCE: CANYON CREEK TRIBUTARY: HENRYS FORK
ENGET CREEK TRIBUTARY: HENRYS FORK
JONES CREEK TRIBUTARY: HENRYS FORK
SPRING TRIBUTARY: JONES CREEK

QUANTITY: 6.12 CFS

The quantity of water under this right for stockwater use shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 06/01/1900

POINT OF DIVERSION: T14N R44E S05 NESWNE Within Fremont County
SENWSE
S08 NESWNW
SESENW
LOT 1 (SENWSW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	6.12 CFS
	Stockwater	04-01 TO 11-01	0.23 CFS

PLACE OF USE:	Irrigation	Within Fremont County
T14N R44E S05	SWNE 25.0	NESW 38.0
	NWSW 26.0	SWSW 35.0
	SESW 40.0	NESE 6.0
	NWSE 39.0	SWSE 40.0
	SESE 32.0	
S08	NENE 30.0	NWNE 35.0
	NENW 37.0	NWNW 30.0
	SWNW 32.0	SENW 35.0
LOT 1	(NWSW) 30.0	
510.0 Acres Total		

Stockwater	Within Fremont County	
T14N R44E S05	SWNE	NESW
	NWSW	SWSW
	SESW	NESE
	NWSE	SWSE
	SESE	
S08	NENE	NWNE
	NENW	NWNW

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PLACE OF USE (continued)

R443 S00 LOT 1 SWNW
(NWSW)

Right Nos. 21-11146 and 21-11147 are limited to the irrigation of a combined total of 510 acres in a single irrigation season.

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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 MAY 15 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

)
)
)
)

CERTIFICATE OF MAILING

Water Right(s): 21-11147

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 21-11147 was mailed
on May 15, 2008, with sufficient first-class postage prepaid
to the following:

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

ALDEN L RIGBY
ALICE M RIGBY
HAROLD L RIGBY
LOLA C RIGBY
RAY W RIGBY
VAUDYS J RIGBY

Represented by:
RAY W. RIGBY
25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

JULIE MURPHY
Chief Deputy Clerk