

RECEIVED

MAY 05 2008
DEPARTMENT OF
WATER RESOURCES

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

MAY 2 2008

By _____

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 DECREE FOR
) UNCONTESTED WATER RIGHT CLAIMS

) For water rights: 63-32969 and 63-32970
)
)
)

) ORDER DISALLOWING WATER RIGHT
) CLAIM BASED ON SPLIT
)
)

) For water right claim: 63-32301
)

The *Director's Report for Basin 63 Part III, Irrigation and Other, Reporting Area 13* was filed December 19, 2006, and included a recommendation for the above-captioned water right claim. No objections were filed. Following a review of the uncontested recommendation for the claim, clerical error was discovered and the matter was set for a hearing on September 16, 2008, in conjunction with the hearing on the other uncontested claims. On March 4, 2008, a *Notice of Completed Administrative Proceeding (NCAP)* and *Amended Director's Reports* were filed notifying the Court that the claim had been split administratively into 63-32969 and 63-32970. The *Amended Director's Reports* corrected the clerical error. No objections were filed to the *Amended Director's Reports* and the time period for filing objections has expired.

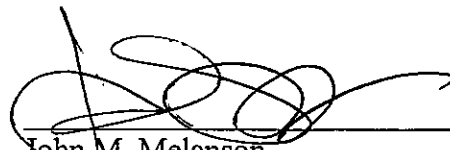
THEREFORE, IT IS ORDERED that water rights **63-32969 and 63-32970** are hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

IT IS FURTHER ORDERED AND ADJUDGED that water light claim 63-32301 is ordered disallowed and shall not be confirmed in any partial decree or in any final decree entered in the SRBA, Case No. 39576, in whatever form that final decree may take or be styled.

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

Dated: May 1, 2008

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a solid horizontal line.

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 63-32969

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

MAY 2 2008

By _____

Clerk

By Clerk

NAME AND ADDRESS: LARRY WILLIAMS
MARIANNE WILLIAMS
914 HOUSTON RD
BOISE, ID 83706

SOURCE: GROUND WATER

QUANTITY: 0.34 CFS
130.58 AFY

Right Nos. 63-32967, 63-32968, 63-32969 and 63-32970 are limited
to a total combined diversion rate of 1.26 cfs and to a total
combined annual diversion volume of 495 AF.

PRIORITY DATE: 03/11/1968

POINT OF DIVERSION: T02N R03W S24 SENWNW Within Canyon County
SWNESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-15	0.34 CFS 130.58 AFY

The use of water for irrigation under this right may begin as
early as March 1 and may continue to as late as November 15,
provided other elements of the right are not exceeded. The use
of water before April 1 and after October 15 under this remark
is subordinate to all water rights having no subordinated early
or late irrigation use and a priority date earlier than the date
a partial decree is entered for this right.

PLACE OF USE: Irrigation Within Canyon County
T02N R03W S24 NENW 38.0
38.0 Acres Total

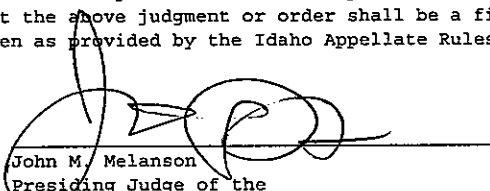
Right Nos. 63-32967, 63-32968, 63-32969 and 63-32970 are limited
to the irrigation of a combined total of 113 acres in a single
irrigation season.

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.

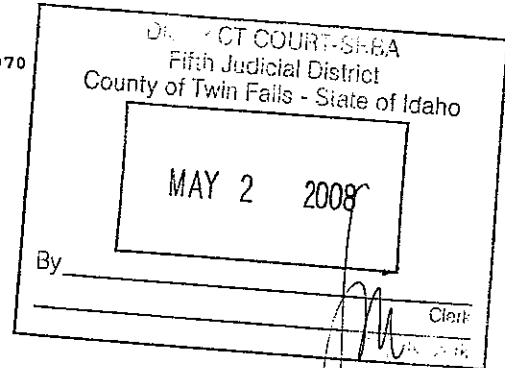


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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 63-32970



NAME AND ADDRESS: DEERSKY RANCH HOMEOWNERS
ASSN
8830 DEERSKY RANCH TRAIL
NAMPA, ID 83686

SOURCE: GROUND WATER

QUANTITY: 0.66 CFS
257.72 AFY

Right Nos. 63-32967, 63-32968, 63-32969 and 63-32970 are limited
to a total combined diversion rate of 1.26 cfs and to a total
combined annual diversion volume of 495 AF.

PRIORITY DATE: 03/11/1968

POINT OF DIVERSION: T02N R03W S24 SENWNW Within Canyon County
SWNESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-15	0.66 CFS 257.72 AFY

The use of water for irrigation under this right may begin as
early as March 1 and may continue to as late as November 15,
provided other elements of the right are not exceeded. The use
of water before April 1 and after October 15 under this remark
is subordinate to all water rights having no subordinated early
or late irrigation use and a priority date earlier than the date
a partial decree is entered for this right.

PLACE OF USE:	Irrigation	Within Canyon County
	T02N R03W S24	SENW 35.0 NESW 40.0
	75.0 Acres Total	

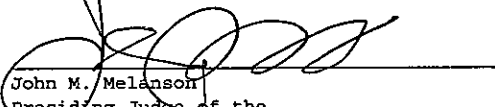
Right Nos. 63-32967, 63-32968, 63-32969 and 63-32970 are limited
to the irrigation of a combined total of 113 acres in a single
irrigation season.

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE FOR UNCONTESTED WATER RIGHT CLAIMS AND ORDER DISALLOWING WATER RIGHT CLAIM BASED ON SPLIT was mailed on May 02, 2008, with sufficient first-class postage to the following:

DEERSKY RANCH HOMEOWNERS
ASSN
8830 DEERSKY RANCH TRAIL
NAMPA, ID 83686

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

LARRY WILLIAMS
MARIANNE WILLIAMS
914 HOUSTON RD
BOISE, ID 83706
Phone: 208-880-7367