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APR 17 2008

DEPARTMENT OF
WATER RESOURCES

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

APR 16 2008

By _____

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 DECREE

) For Water Right: 77-02121

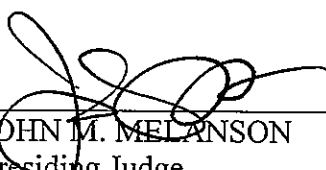
On February 4, 2008, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

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

April 16, 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 77-02121

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

APR 16 2008

By

Clerk

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE, ID 83707

SOURCE: WEST FORK CHAMBERLAIN CREEK TRIBUTARY: CHAMBERLAIN CREEK
HOTZEL CREEK TRIBUTARY: CHAMBERLAIN CREEK
GAME CREEK TRIBUTARY: WEST FORK CHAMBERLAIN CREEK

QUANTITY: 8.15 CFS
1171.20 AFY

This right when combined with all other rights shall provide no
more than .02 cfs per acre nor more than 3.0 afa per acre for
irrigation of the lands above.

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

PRIORITY DATE: 10/14/1954

POINT OF DIVERSION: T23N R10E S02 SWNE Within Idaho County
T24N R10E S25 SWSW
S26 NWSE
NWNE
S36 NENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-31	8.15 CFS 1170.00 AFY
	Domestic	01-01 TO 12-31	0.08 CFS 1.20 AFY
	Stockwater	01-01 TO 12-31	0.02 CFS

Domestic use is for 2 homes.

PLACE OF USE:	Irrigation	Within Idaho County
	T23N R10E S02 NENE 4.0	NWNE 6.0
	T24N R10E S25 SWSW 21.0	SESW 23.0
	SWSE 22.0	SESE 1.0
	S26 SWNE 4.0	SWNW 1.0
	SENE 21.0	NESW 38.0
	NWSW 11.0	SESW 1.0
	NESE 3.0	NWSE 34.0
	SWSE 31.0	SESE 28.0
	S35 NENE 0.5	SESW 0.5
	NESE 14.0	SWSE 31.0
	SESE 34.0	
	S36 NENE 0.5	NWNE 2.5
	NENW 2.5	NWNW 2.6
	SWNW 26.0	SENE 2.6
	NWSW 23.0	SWSW 1.3
	390.0 Acres Total	
	Stockwater	Within Idaho County
	Same as Irrigation	
	Domestic	Within Idaho County

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

PLACE OF USE (continued)

T24N R10E S26	NESW
S36	SWSW

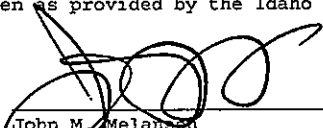
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

PROPERTY IS KNOWN AS HOMESTEAD ENTRY SURVEY NOS. 344, 699 & 711.
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 APR 16 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): 77-02121

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 77-02121 was mailed
on April 16, 2008, with sufficient first-class postage prepaid
to the following:

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

STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE, ID 83707
Phone: 208-334-3700

JULIE MURPHY
Chief Deputy Clerk