

DEPARTMENT OF
WATER RESOURCES

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

FEB 28 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

AMENDED

In Re SRBA)
)
Case No. 39576)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 61-00349

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

FEB 28 2008

By _____ Clerk

Deputy Clerk

NAME AND ADDRESS: PITCHFORK RANCH LLC
C/O CHUCK HILL
PO BOX 1607
BELLEVUE, WA 98009

SOURCE: KING HILL CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 1.20 CFS
240.00 AFY

RIGHTS 61-349, 61-353, 61-356, 61-357, 61-2242, 61-2243,
61-7231, 37-20344, AND A PORTION OF RIGHT 37-4112, HELD BY
KING HILL IRRIGATION DISTRICT, SHALL NOT EXCEED A TOTAL ANNUAL
MAXIMUM FIELD HEADGATE VOLUME OF 3,488.0 AF.

RIGHTS 61-349, 61-353, 61-356 AND 61-357 WHEN COMBINED SHALL
NOT EXCEED A TOTAL DIVERSION RATE OF 12.10 CFS AT THE POINT OF
DIVERSION FROM KING HILL CREEK.

RIGHTS 61-349, 61-353, 61-356 AND 61-357 WHEN COMBINED SHALL
NOT EXCEED A TOTAL ANNUAL MAXIMUM FIELD HEADGATE VOLUME OF
1,744.0 AF AT THE FIELD HEADGATE.

RIGHTS 61-349, 61-353, AND 61-356 WHEN COMBINED SHALL NOT
EXCEED A TOTAL DIVERSION RATE OF 8.72 CFS.

RIGHTS 61-349, 61-353, 61-356, 61-357, 61-2242, 61-2243,
61-7231 AND 37-20344 WHEN COMBINED SHALL NOT EXCEED A TOTAL
ANNUAL MAXIMUM FIELD HEADGATE VOLUME OF 2,855.0 AF.

PRIORITY DATE: 04/01/1876

POINT OF DIVERSION: T04S R10E S26 NWNWSW Within Elmore County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.20 CFS 240.00 AFY

PLACE OF USE:	Irrigation	Within Elmore County
	T05S R10E S01 LOT 1	(NENE) 36.0 LOT 2 (NWNE) 35.0
		SWNE 28.0 SENE 40.0
		NESE 37.0 NWSE 4.0
		SESE 9.0
	S12	NENE 4.0
	R11E S05	NESW 27.0 NWSW 25.0
		SWSW 40.0 SESW 28.0
	S06 LOT 2	(NWNE) 34.0 SWNE 22.0
		SENE 14.0 LOT 3 (NENW) 38.0
	LOT 4	(NWNW) 29.0 LOT 5 (SWNW) 31.0
		SENW 40.0 NESW 40.0
	LOT 6	(NWSW) 31.0 LOT 7 (SWSW) 20.0
		SESW 26.0 NESE 34.0
		NWSE 38.0 SWSE 23.0
		SESE 32.0
	S07	NENE 6.0 LOT 4 (SWNE) 8.0
		SENE 17.0 NENW 14.0
	LOT 1	(NWNW) 17.0 LOT 5 (NESE) 4.0
	S08	NWNW 17.0 SWNW 5.0
	LOT 1	(NWSW) 8.0
	861.0 Acres Total	

PLACE OF USE (continued)

RIGHTS 61-349, 61-353, 61-356, 61-357, 61-2242, 61-2243, 61-7231 AND 37-20344 WHEN COMBINED SHALL NOT EXCEED THE IRRIGATION OF 667.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE.

RIGHT 61-349 IS LIMITED TO THE IRRIGATION OF 60.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

RIGHTS 61-349, 61-353, 61-356, AND 61-357 WHEN COMBINED SHALL NOT EXCEED THE IRRIGATION OF 436 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

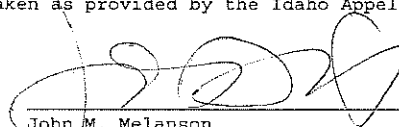
RIGHTS 61-349, 61-353, 61-356, 61-357, 61-2242, 61-2243, 61-7231, 37-20344, AND A PORTION OF RIGHT 37-4112, HELD BY KING HILL IRRIGATION DISTRICT, SHALL NOT EXCEED THE IRRIGATION OF 825.2 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE.

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 AMENDED PARTIAL DECREE; I.R.C.P. 60(A) was mailed on February 28, 2008, with sufficient first-class postage to the following:

JAMES P SPECK
PITCHFORK RANCH LLC

Represented by:
JAMES P. SPECK
SPECK & AANESTAD
120 EAST AVENUE
PO BOX 987
KETCHUM, ID 83340
Phone: 208-726-4421

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

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line.