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DEC 13 2007

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
DEC 11 2007	
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 DECREE

) For Water Right: 37-00059M

On September 28, 2007, 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 September 11, 2007.

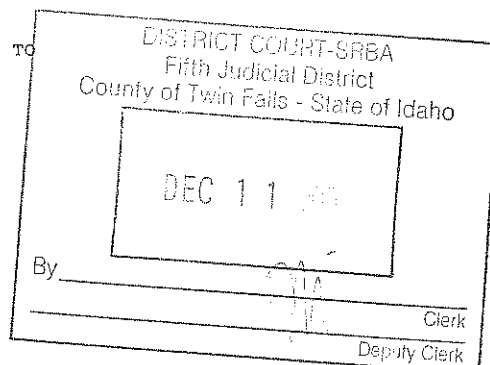


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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 37-00059M



NAME AND ADDRESS: KAREN A ARKOOSH
WILLIAM ARKOOSH
2005 US HWY 26
GOODING, ID 83330

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

WATER IS DIVERTED FROM THE BIG WOOD RIVER INTO THE RICHFIELD
CANAL, INJECTED IN THE JIM BYRNS SLOUGH THAT FLOWS INTO THE
LITTLE WOOD RIVER AND REDIVERTED FROM THE LITTLE WOOD RIVER.

QUANTITY: 2.304 CFS

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO
MORE THAN 4.0 AFA PER ACRE AT THE FIELD HEADGATE FOR IRRIGATION
OF THE LANDS ABOVE.

THIS RIGHT IS SUBJECT TO A 27% CONVEYANCE LOSS; 1.68 CFS MAY BE
REDIVERTED FROM THE LITTLE WOOD RIVER.

RIGHTS 37-59M, 37-327, AND 37-329 WHEN COMBINED SHALL NOT
EXCEED A TOTAL DIVERSION RATE OF 5.88 CFS FROM THE LITTLE WOOD
RIVER.

PRIORITY DATE: 05/27/1899

POINT OF DIVERSION:	T02S R18E S30	SENE	Within Lincoln County
	T03S R19E S19	NENE	(Injection)
	T04S R19E S25	NWSE	(Injection)
	T05S R16E S26	NENE	(Rediversion)
		NWNE	(Rediversion)
	S27	NENW	(Rediversion)

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.304 CFS

PLACE OF USE:	Irrigation	Within Lincoln County
	T05S R16E S21	SESE 15.0
	S22	SWSW 8.8
	S26	NENE 17.0
		SWNE 20.0
		NWNW 31.0
		SENE 13.8
	S27	NENE 11.0
		NENW 24.0
	S28	NENE 20.0
	245.0 Acres Total	

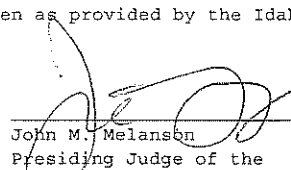
RIGHT NOS. 37-59M, 37-327 AND 37-329 ARE LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 245 ACRES IN A SINGLE
IRRIGATION SEASON.

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

2007 DEC 11 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): 37-00059M

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 37-00059M was mailed
on December 11, 2007, with sufficient first-class postage prepaid
to the following:

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

KAREN A ARKOOSH
WILLIAM ARKOOSH
2005 US HWY 26
GOODING, ID 83330

JULIE MURPHY
Chief Deputy Clerk