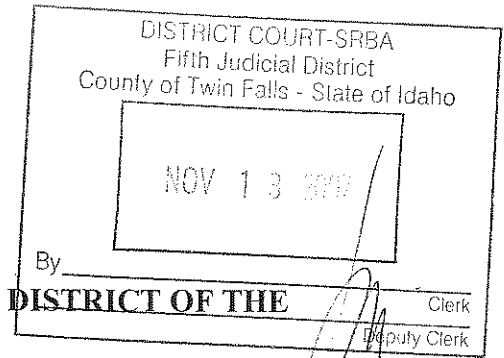


RECEIVED

NOV 15 2007

Department of Water Resources
Adjudication Bureau



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: 63-03368
	)	
	)	

On August 27, 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 Nov. 13, 2007.

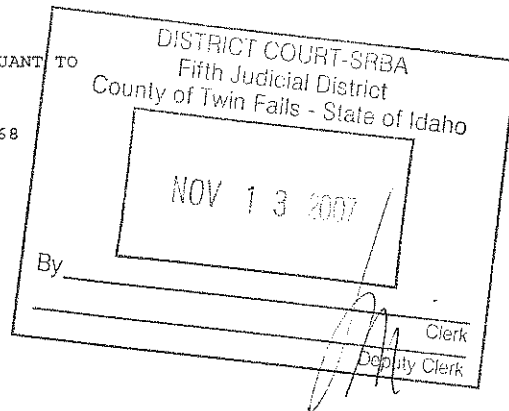


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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 63-03368



NAME AND ADDRESS: LAVAR K THORNTON
2800 S TEN MILE RD
KUNA, ID 83634

SOURCE: GROUND WATER

QUANTITY: 4.60 CFS
1687.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 63-3280 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.6 CFS.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 8.6 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 3620.6 AF. COMBINED RIGHT NOS.: 63-3280,
63-3368, 63-7933, AND 63-7993 AND 63-32355.

PRIORITY DATE: 09/17/1963

POINT OF DIVERSION: T01N R01E S06 SWNE Within Ada County
S07 LOT 1 (NWNW)
R01W S01 LOT 4 (NWNW)
LOT 5 (SENE)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	4.60 CFS 1687.50 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT
EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS
SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY
IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A
PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:	Irrigation	Within Ada County
	T01N R01E S06 LOT 1 (NENE) 24.0	LOT 2 (NWNW) 13.0
	SWNE 39.0	SENE 38.0
	LOT 3 (NENW) 1.0	LOT 4 (NWNW) 26.0
	LOT 5 (SWNW) 35.0	SENE 26.0
	NESW 37.0	SESW 37.0
	S07 NENW 39.0	LOT 1 (NWNW) 38.0
	R01W S01 LOT 1 (NENE) 40.0	LOT 2 (NWNW) 40.0
	SWNE 40.0	LOT 5 (SENE) 40.0
	LOT 3 (NENW) 40.0	LOT 4 (NWNW) 40.0
	SWNW 40.0	SENE 40.0
	LOT 6 (NESE) 40.0	NWSE 40.0
	SWSE 39.0	LOT 7 (SESE) 40.0
	T02N R01W S31 SWSW 22.5	
	S36 SWSW 39.0	SESW 40.5
	SWSE 33.3	SESE 36.8
	1004.1 Acres Total	

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 960.3 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 63-3280, 63-3368, 63-7933, AND 63-7993 AND
63-32355.

RIGHT NO. 63-3368 IS LIMITED TO THE IRRIGATION OF 375 ACRES

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

PLACE OF USE (continued)

WITHIN THE PLACE OF USE DESCRIBED ABOVE 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 NOV 13 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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 63-03368

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 63-03368 was mailed
on November 13, 2007, with sufficient first-class postage prepaid
to the following:

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

LAVAR K THORNTON
2800 S TEN MILE RD
KUNA, ID 83634
Phone: 208-922-5779

JULIE MURPHY
Chief Deputy Clerk