

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

NOV - 5 2007

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

By _____
Clerk
Deputy Clerk

In Re SRBA

Case No. 39576

Water Rights: 74-00865,
74-00866 and 74-00867

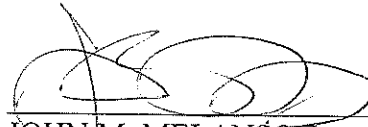
ORDER OF PARTIAL DECREES

On January 23, 2006, the Idaho Department of Water Resources filed its *Director's Report for Basin 74, Reporting Area 23, for Irrigation and Other Water Rights*, which included recommendations for the above-captioned water rights.

On September 18, 2006, the Idaho Department of Water Resources filed *Notices of Completed Administrative Proceeding and Amended Director's Reports* notifying the Court of a substitution of party for the above-captioned water rights. No objections were filed to the *Amended Director's Reports* and the time period for filing objections has expired.

Therefore, IT IS ORDERED that the above-captioned water rights be decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED Nov. 5, 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 74-00865

NAME AND ADDRESS: WALTER BRUCE WHITSON
PO BOX 22
LEMHI, ID 83465-0022

SOURCE: LAKE CREEK TRIBUTARY: BASIN CREEK

QUANTITY: 73.10 AFY

PRIORITY DATE: 04/01/1932

POINT OF DIVERSION: T17N R23E S09 SENE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	73.10 AFY
	Irrigation from Storage	03-15 TO 11-15	73.10 AFY

PLACE OF USE: Irrigation from Storage Within Lemhi County

T17N R23E S04	NESE 10.4	NWSE 3.2
	SWSE 1.9	SESE 1.2
16.7 Acres Total		

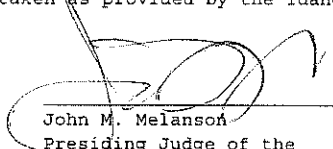
USE OF THIS RIGHT WITH RIGHT NO. 74-866 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 16.7 ACRES IN A SINGLE
IRRIGATION SEASON.

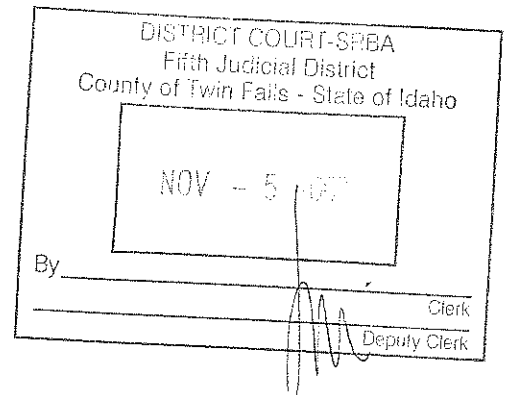
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 74-00866

NAME AND ADDRESS: WALTER BRUCE WHITSON
PO BOX 22
LEMHI, ID 83465-0022

SOURCE: LAKE CREEK TRIBUTARY: BASIN CREEK

QUANTITY: 0.34 CFS

PRIORITY DATE: 08/27/1920

POINT OF DIVERSION: T17N R23E S04 SWSE Within Lemhi County
SWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.34 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T17N R23E S04	NESE 10.4 NWSE 3.2 SWSE 1.9 SESE 1.2
	16.7 Acres Total	

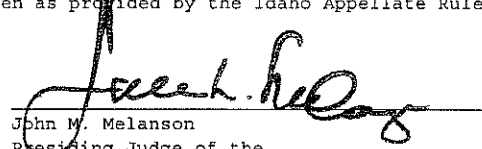
USE OF THIS RIGHT WITH RIGHT NO. 74-865 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 16.7 ACRES IN A SINGLE
IRRIGATION SEASON.

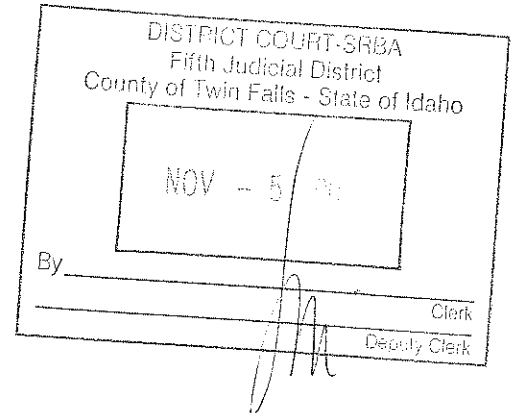
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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John M. Melanson
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Snake River Basin Adjudication



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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 74-00867

NAME AND ADDRESS: WALTER BRUCE WHITSON
PO BOX 22
LEMHI, ID 83465-0022

SOURCE: BASIN CREEK TRIBUTARY: HAYDEN CREEK

QUANTITY: 0.17 CFS

PRIORITY DATE: 08/13/1920

POINT OF DIVERSION: T17N R23E S03 SWNW Within Lemhi County
LOT 2 (NWNE)
LOT 3 (NENW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.17 CFS

PLACE OF USE: Irrigation Within Lemhi County

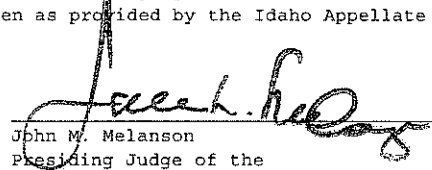
T17N R23E S03 LOT 1 (NENE) 0.3	LOT 2 (NWNE) 3.2
LOT 3 (NENW) 3.1	
T18N R23E S35 SESW 1.9	
8.5 Acres Total	

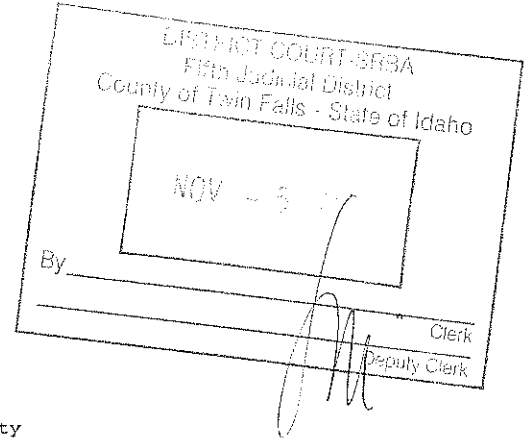
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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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 DECREES was mailed on November 05, 2007, with sufficient first-class postage to the following:

WALTER BRUCE WHITSON
PO BOX 22
LEMHI, ID 83465-0022

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.