

DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED
2007 JUL 12 PM 4 15

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 DECREES

WATER RIGHT NOS.: 74-00332,
74-00333, 74-01565 and 74-07305
(McFarland Livestock Co., Inc.)

On April 25, 2007, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights. 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 wholly adopts them as its own.

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

DATED July 12, 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

DISTRICT COURT SRBA
TWIN FALLS CO IDAHO
FILED

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

2007 JUL 12 PM 4 15

Water Right 74-00332

NAME AND ADDRESS: MC FARLAND LIVESTOCK
COMPANY INC
C/O TEX J KAUER
PO BOX 50
LEMHI, ID 83465

SOURCE: BULL CREEK TRIBUTARY: SINKS

QUANTITY: 1.00 CFS

Use of this right with right no. 74-333 is limited to a total
combined diversion rate of 4.2 cfs.
The right holder shall maintain a measuring device and lockable
controlling works of a type approved by the Department in a
manner that will provide the watermaster suitable control of the
diversion.

PRIORITY DATE: 10/11/1909

POINT OF DIVERSION: T15N R27E S24 SENE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.00 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T15N R27E S14	SWSE 20.0 SESE 35.0
	S23	NENE 40.0 NWNE 40.0
		SWNE 33.0 NENW 34.0
		SENE 33.0
	235.0 Acres Total	

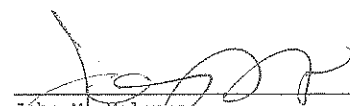
Use of this right with right no. 74-333 is limited to the
irrigation of a combined total of 235 acres in a single
irrigation season.
This right is limited to the irrigation of 75 acres within the
place of use described above in a single irrigation season.

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

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

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
2007 JUL 12 PM 4 15

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 74-00333

NAME AND ADDRESS: MC FARLAND LIVESTOCK
COMPANY INC
C/O TEX J KAUER
PO BOX 50
LEMHI, ID 83465

SOURCE: BULL CREEK TRIBUTARY: SINKS

QUANTITY: 3.20 CFS

Use of this right with right no. 74-332 is limited to a total
combined diversion rate of 4.2 cfs.
The right holder shall maintain a measuring device and lockable
controlling works of a type approved by the Department in a
manner that will provide the watermaster suitable control of the
diversion.

PRIORITY DATE: 01/18/1919

POINT OF DIVERSION: T15N R27E S24 SENE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	3.20 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T15N R27E S14	SWSE 20.0 SESE 35.0
	S23	NENE 40.0 NWNE 40.0
		SWNE 33.0 NENW 34.0
		SENE 33.0
	235.0 Acres Total	

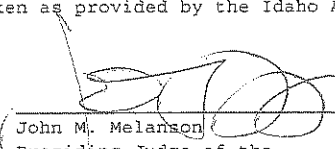
Use of this right with right no. 74-332 is limited to the
irrigation of a combined total of 235 acres in a single
irrigation season.
This right is limited to the irrigation of 160 acres within the
place of use described above in a single irrigation season.

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
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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

FILED

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b)

Water Right 74-01565

2007 JUL 12 PM 4 15

NAME AND ADDRESS: MC FARLAND LIVESTOCK
COMPANY INC
C/O TEX J KAUER
PO BOX 50
LEMHI, ID 83465

SOURCE: LEMHI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 3.97 CFS

PRIORITY DATE: 11/22/1987

POINT OF DIVERSION: T17N R24E S25 NENE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	3.97 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T17N R24E S14	NENE 5.0 NWNE 29.0 SWNE 19.0 SENE 37.0 NENW 3.0 NESE 31.0 NWSE 8.0
	132.0 Acres Total	

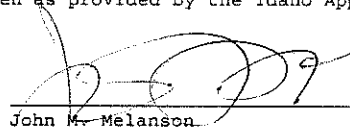
This right authorizes the irrigation of 132.2 total acres.
PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LANDS.

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

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John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

DISTRICT COURT - 2ADA
TWIN FALLS CO., IDAHO
FILED
2007 JUL 12 PM 4 15

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 74-07305

NAME AND ADDRESS: MC FARLAND LIVESTOCK
COMPANY INC
C/O TEX J KAUER
PO BOX 50
LEMHI, ID 83465

SOURCE: GROUNDWATER

QUANTITY: 0.59 CFS
288.00 AFY

Rights 74-01560, 75-02159 and 74-07305 when combined shall not exceed a total annual maximum diversion volume of 639.0 af at the field headgate, and the irrigation of 182.7 acres. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 06/07/1990

POINT OF DIVERSION: T16N R25E S08 SWNWNE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.59 CFS 288.00 AFY

PLACE OF USE:	Irrigation	Within Lemhi County
	T16N R25E S05	NESW 4.6 NWSE 15.0 SESE 35.0
	S08	NENE 34.0 NENW 7.1
	176.7 Acres Total	

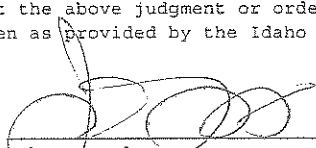
This right is limited to the irrigation of 150 acres within the place of use described above in a single irrigation season. PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LANDS.

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).

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John M. Melansen
Presiding Judge of the
Snake River Basin Adjudication

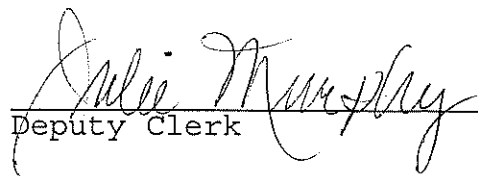
CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on July 12, 2007, with sufficient first-class postage to the following:

MC FARLAND LIVESTOCK
COMPANY INC
C/O TEX J KAUER
PO BOX 50
LEMHI, ID 83465
Phone: 208-768-2711

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

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. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".