

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

JUL 12 2007

By _____ 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 DECREES

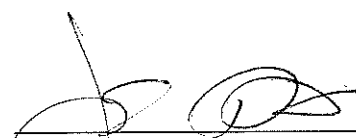
WATER RIGHT NOS.: 74-00269,
74-01589, 74-01593 and 74-01599

On April 17, 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.

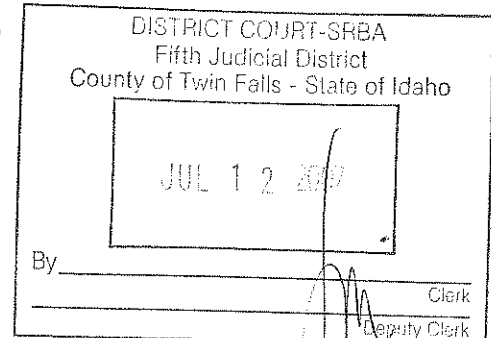
Therefore, IT IS ORDERED that the above-captioned water rights are hereby **decreed** as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 74-00269



NAME AND ADDRESS: BARBARA MC KINNEY
SAM P MC KINNEY
PO BOX 52
LEMHI, ID 83465

SOURCE: ZEPH CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 0.80 CFS

PRIORITY DATE: 06/01/1897

POINT OF DIVERSION: T17N R24E S15 SWSW Within Lemhi County

PURPOSE AND	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PERIOD OF USE:	Irrigation	03-15 TO 11-15	0.80 CFS

PLACE OF USE: Irrigation Within Lemhi County
T17N R24E S10 SWSW 5.6
S15 NWNW 21.0
26.6 Acres Total

This right authorizes the irrigation of 27.2 total acres.

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

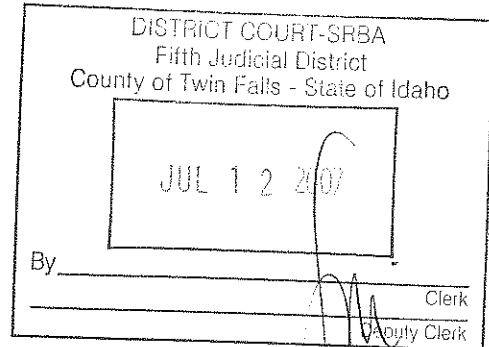
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 74-01589



NAME AND ADDRESS: BARBARA MC KINNEY
SAM P MC KINNEY
PO BOX 52
LEMHI, ID 83465

SOURCE: LEMHI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 3.48 CFS
405.00 AFY

1.17 cfs of this right is used for conveyance loss.

PRIORITY DATE: 05/04/1886

POINT OF DIVERSION: T17N R24E S24 NWNW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	3.48 CFS 405.00 AFY

PLACE OF USE:	Irrigation	Within Lemhi County
	T17N R24E S10	NESW 12.0 NESE 2.5 NWSE 32.0 SWSE 16.8 SESE 17.5 NENE 20.5 NWNE 8.4 SENE 6.0
	S15	
	115.7 Acres Total	

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

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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

In Re SRBA

Case No. 39576

Water Right 74-01593

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Apr-10-2007

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 74-01599

NAME AND ADDRESS: BARBARA MC KINNEY
PO BOX 52
LEMHI, ID 83465

SOURCE: ZEPH CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 0.54 CFS

PRIORITY DATE: 04/01/1922

POINT OF DIVERSION: T17N R24E S15 NWSW Within Lemhi County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 03-15 TO 11-15 0.54 CFS

PLACE OF USE: Irrigation Within Lemhi County
T17N R24E S10 NESW 5.0 NWSW 2.0
S15 NWNW 1.0 SWNW 6.0
14.0 Acres Total

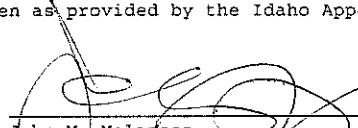
This right authorizes the irrigation of 13.7 total acres.
The use of water in T17N, R24E, S15, SWNW is limited to the
east-half of that place of use.
PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LANDS.

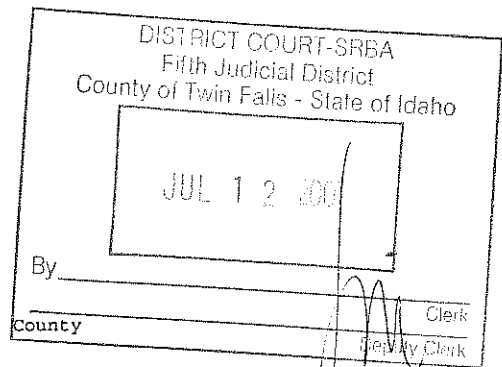
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John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



CERTIFICATE OF MAILING

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

UNITED STATES OF AMERICA

Represented by:

US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

BARBARA MC KINNEY
PO BOX 52
LEMHI, ID 83465
Phone: 208-768-2451

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

A handwritten signature in cursive script, reading "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".