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NOV 28 2006

DEPARTMENT OF
WATER RESOURCES

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

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
NOV 27 2006	
By _____	Clerk
_____	Deputy Clerk

)
) ORDER OF PARTIAL DECREES

) For water rights: 37-21750, 37-21751 &
) 37-21752

) and

) FINAL ORDER DISALLOWING
) WATER RIGHT CLAIM

) For water right claim: 37-01164J

On November 4, 2005, the Idaho Department of Water Resources (IDWR) filed its *Director's Report for Basin 37, Part 1, Reporting Area 16, Irrigation and Other Uses*, which included a recommendation for water right 37-01164J. No objections were filed to the recommendation. Subsequently, IDWR discovered that water right 37-01164J was previously split into three water rights now identified as 37-21750, 37-21751 and 37-21752. The split was never administratively processed and was therefore overlooked when the recommendation was prepared.

On August 7, 2006, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Report*, notifying the Court of the prior split and providing recommendations for water rights 37-21750, 37-21751 and 37-21752 to reflect correct ownership and use. The filing of the *Notice of Completed Administrative Proceeding and Amended Director's Report* appeared on the SRBA Docket Sheet for August 2006. No objections were filed to the three recommendations.

THEREFORE IT IS ORDERED and ADJUDGED that water right claims 37-21750, 37-21751 and 37-21752 be **decreed** as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

IT IS FURTHER ORDERED and ADJUDGED that water right claim 37-01164J is **disallowed with prejudice** and shall not be confirmed in any partial decree or in any final decree entered in the SRBA Case No. 39576, in whatever form that final decree may take or be styled.

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.

DATED November 27, 2006.



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
Case No. 39576) I.R.C.P. 54(b) FOR
)
) Water Right 37-21750

NAME AND ADDRESS: ALTA K HARRIS
DALE E HARRIS
1655 E 1600 S
GOODING, ID 83330

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.17 CFS

PRIORITY DATE: 04/20/1907

POINT OF DIVERSION: T03S R18E S09 NESE Within Lincoln County
T04S R18E S15 NWSE

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 Gooding County
	T05S R14E S26 NWNE 22.6	SWNE 24.0
	46.6 Acres Total	

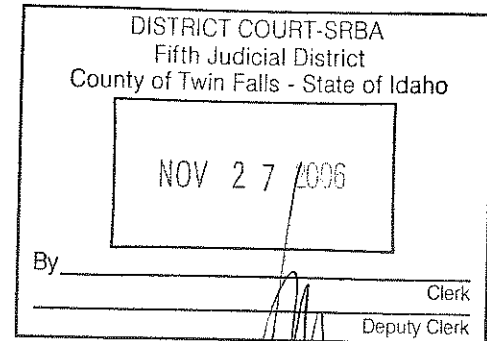
RIGHT NOS. 37-21747 AND 37-21750 ARE LIMITED TO THE IRRIGATION OF
31 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE
IRRIGATION SEASON.

RIGHT NOS. 37-11247, 37-21747 AND 37-21750 ARE LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 41 ACRES IN SINGLE IRRIGATION
SEASON.

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

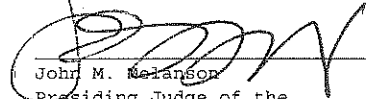
Delivery of this right is subject to the water exchange
provisions contained in Bureau of Reclamation contract no.
14-06-W-73, executed October 14, 1954, between the United States
of America and American Falls Reservoir District No. 2, as
supplemented by Bureau of Reclamation contract no.
14-06-100-6031, executed June 1, 1962, between and among the
United States of America, American Falls Reservoir District No.
2, and the Big Wood Canal Company.

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 37-21751

NAME AND ADDRESS: AMALIA LAGUNAS
FRANCISCO LAGUNAS
1667 E 1600 S
GOODING, ID 83330-5054

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.025 CFS

PRIORITY DATE: 04/20/1907

POINT OF DIVERSION: T03S R18E S09 NESE Within Lincoln County
T04S R18E S15 NWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.025 CFS

PLACE OF USE: Irrigation Within Gooding County
T05S R14E S26 NWNE 6.7
6.7 Acres Total

RIGHT NOS. 37-21748 AND 37-21751 ARE LIMITED TO THE IRRIGATION OF
4.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE
IRRIGATION SEASON.

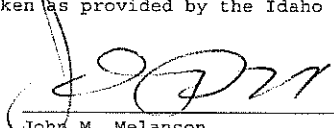
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

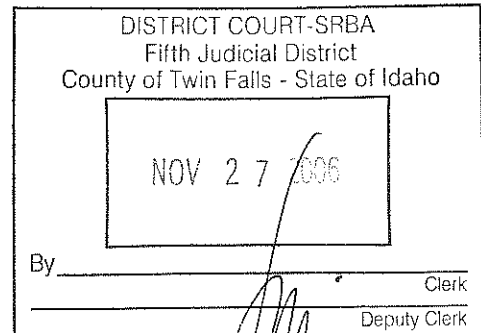
Delivery of this right is subject to the water exchange provisions contained in Bureau of Reclamation contract no. 14-06-W-73, executed October 14, 1954, between the United States of America and American Falls Reservoir District No. 2, as supplemented by Bureau of Reclamation contract no. 14-06-100-6031, executed June 1, 1962, between and among the United States of America, American Falls Reservoir District No. 2, and the Big Wood Canal Company.

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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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 37-21752

NAME AND ADDRESS: ALFREDO CRUZ
JUANA LAGUNAS
2210 CALIFORNIA ST #21
GOODING, ID 83330

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.025 CFS

PRIORITY DATE: 04/20/1907

POINT OF DIVERSION: T03S R18E S09 NESE Within Lincoln County
T04S R18E S15 NWSE

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.025 CFS

PLACE OF USE: Irrigation Within Gooding County
T05S R14E S26 NWNE 6.7
6.7 Acres Total

RIGHT NOS. 37-21749 AND 37-21752 ARE LIMITED TO THE IRRIGATION OF
4.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE
IRRIGATION SEASON.

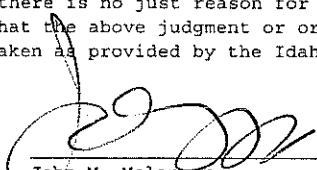
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

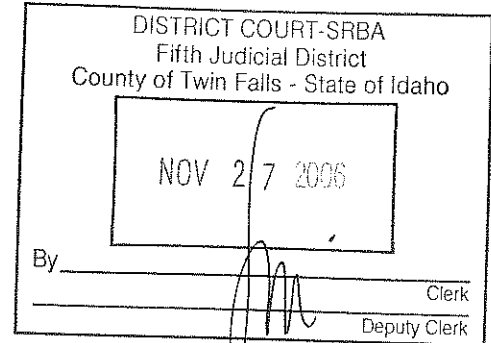
Delivery of this right is subject to the water exchange
provisions contained in Bureau of Reclamation contract no.
14-06-W-73, executed October 14, 1954, between the United States
of America and American Falls Reservoir District No. 2, as
supplemented by Bureau of Reclamation contract no.
14-06-100-6031, executed June 1, 1962, between and among the
United States of America, American Falls Reservoir District No.
2, and the Big Wood Canal Company.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
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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



CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES AND FINAL ORDER DISALLOWING WATER RIGHT CLAIM was mailed on November 27, 2006, with sufficient first-class postage to the following:

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

ALTA K HARRIS
DALE E HARRIS
1655 E 1600 S
GOODING, ID 83330
Phone: 208-934-5154

AMALIA LAGUNAS
FRANCISCO LAGUNAS
1667 E 1600 S
GOODING, ID 83330-5054

ALFREDO CRUZ
JUANA LAGUNAS
2210 CALIFORNIA ST #21
GOODING, ID 83330

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line.