

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
NOV 16 2006	
By _____	Clerk
_____	Deputy Clerk

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

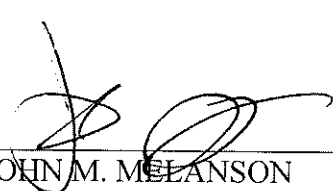
In Re SRBA	)	ORDER OF PARTIAL DECREES
	)	
Case No. 39576	)	SUBCASES: 41-07030 & 41-07034
	)	
	)	
	)	
	)	

On September 21, 2006, an *Order Granting Motions to Alter or Amend and Amended Special Master Report* was filed for the above-captioned water rights. No Challenges were filed to the *Amended Special Master Report* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order I*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Amended Special Masters 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 Nov. 15, 2006.

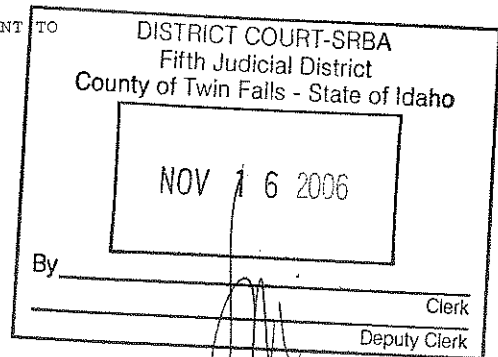


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 41-07030



NAME AND ADDRESS: TIMOTHY P DEEG
2957 DEEG ROAD
AMERICAN FALLS, ID 83211

SOURCE: GROUNDWATER

QUANTITY: 1.40 CFS
441.00 AFY

RIGHTS 41-7030, 41-7034, 41-7071, 41-7076 AND 41-7081 WHEN
COMBINED FOR IRRIGATION SHALL NOT EXCEED A TOTAL DIVERSION RATE
OF 10.02 CFS.
THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO
MORE THAN .02 CFS PER ACRE NOR MORE THAN 4.0 AFA PER ACRE AT THE
FIELD HEADGATE FOR IRRIGATION OF THE LANDS ABOVE.

PRIORITY DATE: 01/02/1978

POINT OF DIVERSION: T09S R31E S06 SWSE Within Power County
SWSE
SWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.40 CFS 441.00 AFY

PLACE OF USE:	Irrigation	Within Power County
T09S R30E S01	NENE 40.0 SWNE 40.0 NESW 40.0 NESE 40.0 SWSE 40.0	NWNE 40.0 SENE 40.0 SESW 40.0 NWSE 40.0 SESE 31.0
S12	NWNE 40.0 NENW 40.0 NESW 40.0 NWSE 40.0	SWNE 40.0 SENW 40.0 SESW 40.0 SWSE 40.0
R31E S06	NWNW 21.0 NESW 36.0 SWSW 18.0 NESE 40.0 SWSE 33.0	SWNW 22.0 NWSW 22.0 SESW 30.0 NWSE 38.0 SESE 40.0
1011.0 Acres Total		

RIGHT 41-7030 IS LIMITED TO THE IRRIGATION OF 126.0 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
RIGHTS 41-7030, 41-7034, 41-7071, 41-7076 AND 41-7081 ARE
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 814.3 ACRES IN
A SINGLE IRRIGATION SEASON.

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

AFTER SPECIFIC NOTIFICATION BY THE DEPARTMENT, THE RIGHT HOLDER
SHALL RECORD THE QUANTITY OF WATER DIVERTED OR SHALL ENTER INTO
AN AGREEMENT WITH THE DEPARTMENT TO DETERMINE THE AMOUNT OF WATER
DIVERTED FROM POWER RECORDS AND SHALL ANNUALLY REPORT THE
INFORMATION TO THE DEPARTMENT. THE RIGHT HOLDER SHALL PROVIDE A
MEANS OF MEASUREMENT ACCEPTABLE TO THE DEPARTMENT FROM ALL

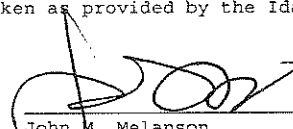
OTHER PROVISIONS (continued)

AUTHORIZED POINTS OF DIVERSION WHICH WILL ALLOW DETERMINATION OF
THE TOTAL RATE OF DIVERSION.

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 41-07034

NAME AND ADDRESS: TIMOTHY P DEEG
2597 DEEG ROAD
AMERICAN FALLS, ID 83211

SOURCE: GROUNDWATER

QUANTITY: 1.82 CFS
364.00 AFY

RIGHTS 41-7030, 41-7071, 41-7076 AND 41-7081 WHEN COMBINED FOR
IRRIGATION SHALL NOT EXCEED A TOTAL DIVERSION RATE OF 10.02 CFS.
THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO
MORE THAN .02 CFS PER ACRE NOR MORE THAN 4.0 AFA PER ACRE AT THE
FIELD HEADGATE FOR IRRIGATION OF THE LANDS ABOVE.

PRIORITY DATE: 04/07/1978

POINT OF DIVERSION: T09S R31E S06 SWSE Within Power County
SWSE
SWSE

PURPOSE AND

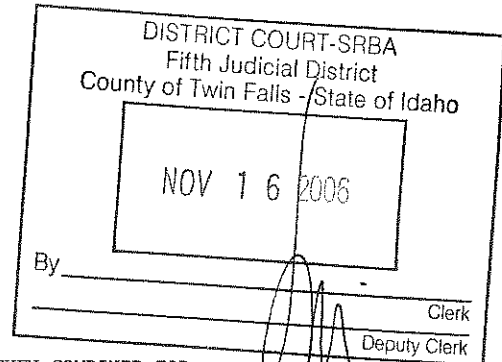
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.82 CFS
			364.00 AFY

PLACE OF USE:	Irrigation	Within Power County
	T09S R30E S01	NENE 40.0
		SWNE 40.0
		NESW 40.0
		NESE 40.0
		SWSE 40.0
	S12	NWNE 40.0
		NENW 40.0
		NESW 40.0
		NWSE 40.0
	R31E S06	NWNW 21.0
		NESW 36.0
		SWSW 18.0
		NESE 40.0
		SWSE 33.0
		SESE 40.0
	1011.0 Acres Total	

RIGHT 41-7034 IS LIMITED TO THE IRRIGATION OF 91.0 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
RIGHTS 41-7030, 41-7034, 41-7071, 41-7076 AND 41-7081 ARE LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 814.3 ACRES IN A SINGLE
IRRIGATION SEASON.

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

AFTER SPECIFIC NOTIFICATION BY THE DEPARTMENT, THE RIGHT HOLDER
SHALL RECORD THE QUANTITY OF WATER DIVERTED OR SHALL ENTER INTO
AN AGREEMENT WITH THE DEPARTMENT TO DETERMINE THE AMOUNT OF WATER
DIVERTED FROM POWER RECORDS AND SHALL ANNUALLY REPORT THE
INFORMATION TO THE DEPARTMENT. THE RIGHT HOLDER SHALL PROVIDE A
MEANS OF MEASUREMENT ACCEPTABLE TO THE DEPARTMENT FROM ALL
AUTHORIZED POINTS OF DIVERSION WHICH WILL ALLOW DETERMINATION OF



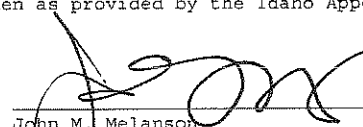
OTHER PROVISIONS (continued)

THE TOTAL RATE OF DIVERSION.

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on November 16, 2006, with sufficient first-class postage to the following:

TIMOTHY P DEEG

Represented by:

KENT W FOSTER

1000 RIVERWALK DR, STE 200

PO BOX 50130

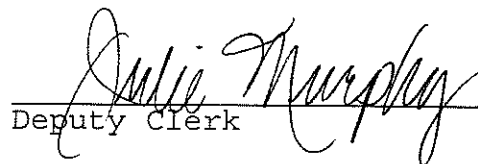
IDAHO FALLS, ID 83405

Phone: 208-523-0620

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 fluid and stylized.