

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

OCT 27 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

Case No. 39576

ORDER OF PARTIAL DECREES

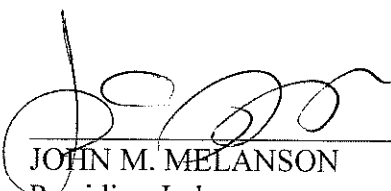
SUBCASES: 84-04294A & 84-04294B

On August 30, 2006, 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 October 26, 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 84-04294B

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

OCT 27 2006

By _____ Clerk
_____ Deputy Clerk

NAME AND ADDRESS: LEO C MOON
7524 SHOREFRONT RD
PORT WORTH, TX 76135

SOURCE: UNNAMED STREAM TRIBUTARY: CLEARWATER RIVER

QUANTITY: 0.02 CFS

The quantity of water under this right and 84-4294A shall not
exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1945

POINT OF DIVERSION: T34N R03E S26 NESWNE (Instream Beginning Point) Within Idaho County
SWSWNE (Instream Ending Point)
NWSENE (Instream Beginning Point)
SWSENE (Instream Ending Point)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

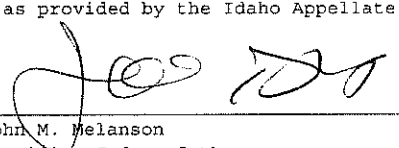
PLACE OF USE: Stockwater Within Idaho County
T34N R03E S26 SWNE SENE

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

The quantity of water decreed for this water right is not a
determination of historical beneficial use.
USE OF THIS RIGHT WITH RIGHT NO. 84-04294A IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.02 CFS FOR STOCKWATER PURPOSES.
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 84-04294A

NAME AND ADDRESS: LEO C MOON
4208 SHORE FRONT DR
FORT WORTH, TX 76135

SOURCE: SPRING TRIBUTARY: CLEARWATER RIVER

QUANTITY: 0.04 CFS

The quantity of water under this right and 84-4294B
exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1945

POINT OF DIVERSION: T34N R03E S26 NESWNE Within Idaho County
NWSENE

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS
	Domestic	01-01 TO 12-31	0.04 CFS

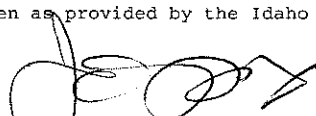
PLACE OF USE:	Stockwater		Within Idaho County
	T34N R03E S26	SWNE	SENE
	Domestic		Within Idaho County
	T34N R03E S26	SWNE	SENE

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

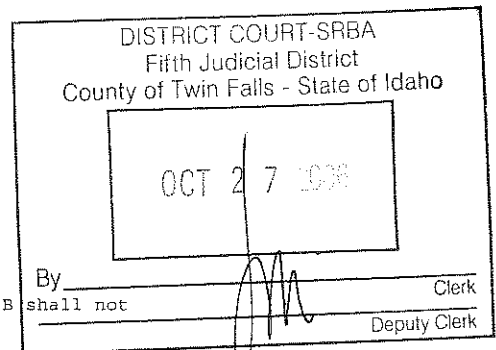
The quantity of water decreed for this water right is not a
determination of historical beneficial use.
USE OF THIS RIGHT WITH RIGHT NO. 84-04294B IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.02 CFS FOR STOCKWATER PURPOSES.
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
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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 October 27, 2006, with sufficient first-class postage to the following:

LEO C MOON

Represented by:
JOSEPHINE P. BEEMAN
409 WEST JEFFERSON STREET
BOISE, ID 83702
Phone: 208-331-0950

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

LEO C MOON
7524 SHOREFRONT RD
FORT WORTH, TX 76135

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