

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

AMENDED

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 65-02943K

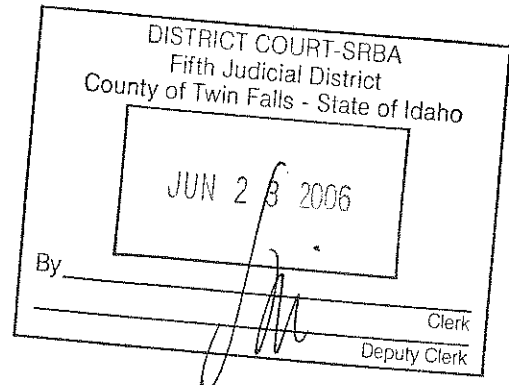
NAME AND ADDRESS: D JOHN CAREY
TERESA CAREY
C/O STEVEN J MILLEMAN ATT
PO BOX 1066
MC CALL, ID 83638

SOURCE: JUG CREEK TRIBUTARY: LOUIE CREEK

QUANTITY: 106.90 AFY

PRIORITY DATE: 12/31/1949

POINT OF DIVERSION: T17N R04E S05 LOT 3 (NENW) Within Valley County



PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation from Storage	04-15 TO 10-15	106.90 AFY
	Irrigation Storage	01-01 TO 12-31	106.90 AFY

PLACE OF USE:	Irrigation from Storage	Within Valley County
	T17N R03E S01	NWSW 40.0
		SESW 40.0
	S12	SWSE 40.0
	200.0 Acres Total	

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 192 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS. 65-02967E, 65-02934C.

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

BASIN 65 GENERAL PROVISIONS NO 3, THE SEPARATE STREAMS GENERAL
PROVISION, DOES NOT APPLY TO APPROPRIATIONS OF WATER AFTER
OCTOBER 18, 1977.

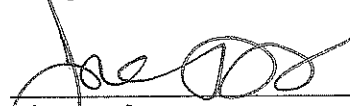
THIS WATER RIGHT SHALL BE ADMINISTERED AS BEING FROM A
SEPARATE SOURCE PURSUANT TO BASIN 65 GENERAL PROVISIONS NO 3. IF
THE HOLDER OF THIS RIGHT SEEKS TO CHANGE THE RIGHT PURSUANT TO
IDAHO CODE SEC 42-222 OR SUCCESSOR STATUTE, NOTHING IN THIS
GENERAL PROVISION SHALL PRECLUDE ANY OTHER PERSON OR ENTITY FROM
DEMONSTRATING THAT SUCH CHANGE IN USE WOULD CAUSE INJURY TO ITS
WATER RIGHT OR FROM RECEIVING ANY RELIEF PROVIDED BY LAW IN THE
EVENT OF INJURY.

WATER EXCHANGED WITH ROSEBERRY IRRIGATION DISTRICT.

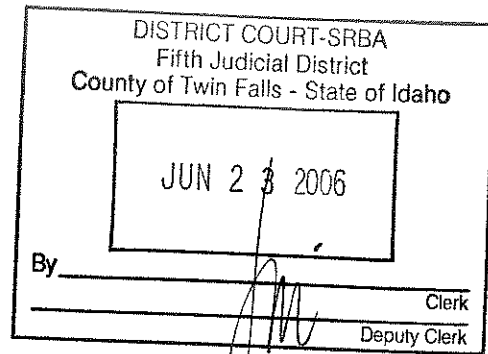
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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

) ORDER OF AMENDED PARTIAL DECREES
)
)
)
)
)
)
)

SUBCASES: See Attached Exhibit A

On March 27, 2006, a *Special Master's Recommendation Re: Motion to Amend Partial Decree* was filed for the above-captioned water rights. No Challenges were filed to the *Special Master's Recommendation Re: Motion to Amend Partial Decree* 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 Recommendation Re: Motion to Amend Partial Decree* 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)*. The previously issued *Partial Decrees* are replaced and superseded thereby.

DATED June 23, 2006.



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A (BASIN 65 AMENDED PARTIALS)

Subcase Nos:

65-02513
65-02916
65-02934C
65-02943J
65-02943K
65-02943P
65-05678

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF AMENDED PARTIAL DECREES was mailed on June 23, 2006, with sufficient first-class postage to the following:

BOULDER IRRIGATION CO
D JOHN CAREY
JEANNE BRITTINGHAM
PHYLLIS HUFFMAN MD
T SCHENCK REMSEN
TERESA CAREY
WILLEY FAMILY TRUST

Represented by:
BRIAN L. MC MAHAN
PO BOX 1066
MC CALL, ID 83638
Phone: 208-634-7641

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".