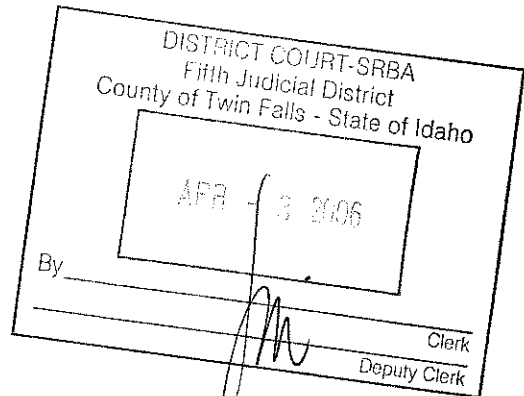




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

) ORDER OF PARTIAL DECREE

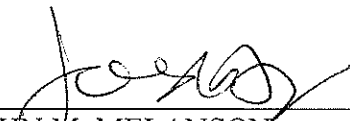
) For Water Right: 25-11218

On February 7, 2006, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. 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 Recommendation* and wholly adopts them as its own.

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

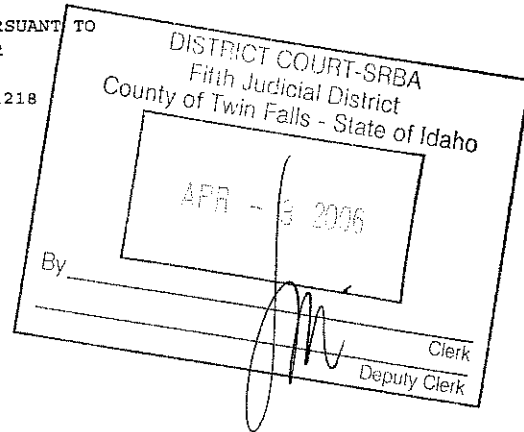
DATED March 30, 2006.


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 25-11218



NAME AND ADDRESS: COREY POOLE
3028 E 775 N
MENAN, ID 83434

KATHY POOLE
ROGER POOLE
3200 E 775 N
MENAN, ID 83434

SOURCE: EMIGRANT CREEK TRIBUTARY: SNAKE RIVER
QUANTITY: 5.66 CFS
PRIORITY DATE: 06/01/1888

In times of scarcity, this right shall be subordinate to all surface water rights diverted from the Snake River and its tributaries, with a priority date earlier than December 16, 1910, as adjudicated by the court in Rexburg Irrigation Company, et al. v. Teton Irrigation Canal Company, et al. (Sixth Judicial District, Fremont County, December 16, 1910), commonly known as the Rexburg Decree.

POINT OF DIVERSION: T05N R38E S19 LOT 4 (SWSWSW) Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	5.66 CFS

PLACE OF USE:	Irrigation	Within Jefferson County
T05N R37E S22	SESW 3.2	SWSE 2.4
LOT 5	(SWSE) 18.0	LOT 6 (SESE) 10.0
S26	SWNE 40.0	SENE 34.0
LOT 1	(SWNW) 6.9	LOT 2 (SENW) 35.0
LOT 5	(SENW) 0.2	
S27 LOT 1	(NWNE) 38.0	LOT 7 (SENE) 16.0
	SENE 5.2	NENW 2.9
LOT 2	(NENW) 26.0	LOT 3 (NWNW) 17.0
	SWNW 3.0	LOT 4 (SWNW) 38.0
	SENW 40.0	NESW 11.0
LOT 5	(NESW) 27.0	NWSW 29.0
LOT 5	(NWSW) 2.1	SESW 6.5
	NESE 0.3	
S28	NENE 2.0	SENE 10.0
	NESE 1.9	
425.6 Acres Total		

TRACT 39 IS WITHIN T05N R37E S27 NENW
TRACT 40 IS WITHIN T05N R37E S28 NENE
TRACT 40 IS WITHIN T05N R37E S28 SENE
TRACT 40 IS WITHIN T05N R37E S28 NESE
TRACT 41 IS WITHIN T05N R37E S27 SENE
TRACT 42 IS WITHIN T05N R37E S27 SWNW
TRACT 42 IS WITHIN T05N R37E S27 NESW
TRACT 42 IS WITHIN T05N R37E S27 NWSW
TRACT 42 IS WITHIN T05N R37E S27 SESW
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 425.6 ACRES IN A SINGLE IRRIGATION

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

SEASON. COMBINED RIGHT NOS.: 25-245, 25-11218, AND 25-11219.
PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LAND.

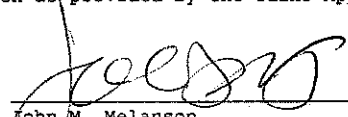
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Rights have also been claimed to water from Basin 01 for the same purpose of use at the same place of use described above, which will be included in a Directors Report to be filed at a later date. Any water rights recommended in the Basin 01 report for the same purpose of use at the same place of use described above will contain combined use limitations for this right and the Basin 01 rights.

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

2006 APR 03 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 25-11218

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 25-11218 was mailed
on April 03, 2006, with sufficient first-class postage prepaid
to the following:

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

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

COREY POOLE
3028 E 775 N
MENAN, ID 83434
Phone: 208-754-8512

KATHY POOLE
ROGER POOLE
3200 E 775 N
MENAN, ID 83434
Phone: 208-754-2338

CERTIFICATE OF MAILING

JULIE MURPHY
Chief Deputy Clerk

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04/03/06