

RECEIVED

JUL 13 2005
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUL 11 2005	
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

Water Right: 45-10454

Case No. 39576

ORDER OF PARTIAL DECREE

On September 7, 2004, the Idaho Department of Water Resources filed its *Director's Report for Basin 45, Reporting Area 10, For Irrigation and Other Water Rights*, which included recommendations for the above named water right. No objections were filed and the time period for filing objections has expired.

On January 7, 2005, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Report* notifying the Court of a change in the point of diversion in the above named water right. No objections were filed to the *Amended Director's Report* and the time period for filing objections has expired.

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 July 7, 2005.



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 45-10454

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUL 1/1 2005	
By _____	Clerk
_____	Deputy Clerk

NAME AND ADDRESS: SHOULDER 3 RANCHES INC
PO BOX 218
OAKLEY, ID 83346

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS
14.60 AFY

The quantity of water under this right shall not exceed 13,000
gallons per day.

After specific notification by the Department, the right holder
shall record the quantity of water diverted and shall annually
report the information to the Department.

The right holder shall maintain a totalizing measuring device of
a type approved by the Department as a part of the diverting
works.

Prior to diversion of water under this approval, the right
holder shall provide a means of measurement acceptable to the
Department from all authorized points of diversion which will
allow determination of the total rate of diversion.

The total instantaneous diversion of water from all points of
diversion under Rights 45-2434B, 45-10454, and 45-12909B shall
not exceed 0.36 cfs, nor a total combined annual volume of
98.6 af.

PRIORITY DATE: 01/01/1955

POINT OF DIVERSION: T13S R22E S31 SWSWSE Within Cassia County
S32 SWNWSW

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.04 CFS
			14.60 AFY

Prior to the diversion and use of water under this approval,
the right holder shall comply with applicable county zoning
and use ordinances.

Prior to the diversion and use of water under this approval, the
right holder shall comply with applicable water quality standards
of the Department of Environmental Quality.

PLACE OF USE: Stockwater Within Cassia County
T13S R22E S31 SWSE
T14S R22E S06 LOT 2 (NWNE) SWNE

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.

The right holder shall accomplish the change authorized by
transfer 71275 by December 2, 2005.

Failure of the right holder to comply with the conditions of this
transfer is cause for the Director to rescind approval of the
transfer.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT

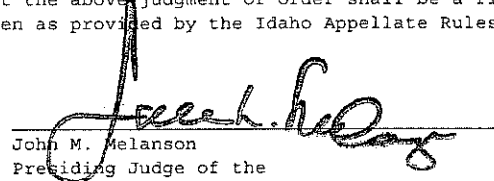
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

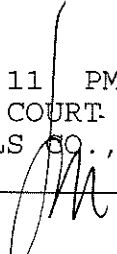
OTHER PROVISIONS (continued)

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

2005 JUL 11 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)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 45-10454

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 45-10454 was mailed
on July 11, 2005, with sufficient first-class postage prepaid
to the following:

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

SHOULDER 3 RANCHES INC
PO BOX 218
OAKLEY, ID 83346
Phone: 208-862-3377

JULIE MURPHY
Chief Deputy Clerk