

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

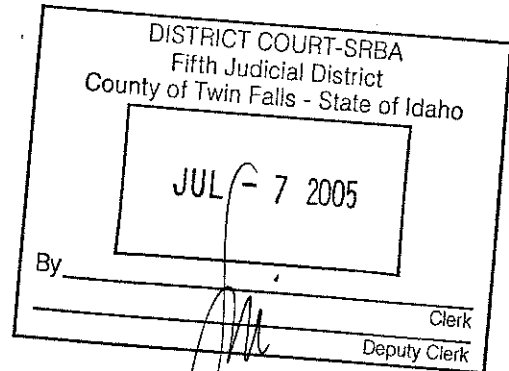
In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 29-00107B

NAME AND ADDRESS: COLLEEN L ANDRUS
JIM ANDRUS
KENNETH D ANDRUS
6948 E OLD OREGON TL RD
LAVA HOT SPRINGS, ID 83246

SOURCE: TOPONCE CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.60 CFS

PRIORITY DATE: 06/17/1902



THIS PRIORITY DATE IS MORE ACCURATELY DESCRIBED AS 6/17/1902
NOON.

POINT OF DIVERSION: T06S R38E S34 LOT 11 (SENESE) Within Caribou County
S35 LOT 12 (NENWSW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 09-15	0.60 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN
THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:	Irrigation	Within Caribou County
	T06S R38E S26 LOT 11 (NESW) 20.0	LOT 12 (NWSW) 37.0
	LOT 13 (SWSW) 39.0	
	S35 LOT 1 (NENE) 40.0	LOT 2 (NWNE) 41.0
	LOT 3 (NENW) 41.0	LOT 4 (NWNW) 40.0
	S36 LOT 2 (NWNE) 39.0	LOT 3 (NENW) 39.0
	LOT 4 (NWNW) 39.0	
	375.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 41 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

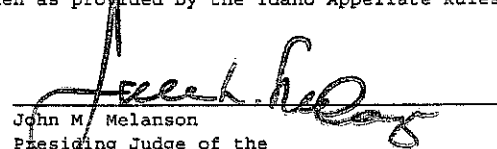
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 375 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 29-91B, 29-93B, 29-107B, 29-10327, 29-10329,
29-10330, 29-10331, 29-10332, 29-13231, AND 29-13232.

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

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

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Department of Water Resources

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

JUL - 7 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

Case No. 39576

ORDER OF PARTIAL DECREES

**SUBCASES: See Attached Exhibit A
(29-91B, ET AL.)**

On May 17, 2005, 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 March 7, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A - 29-91B, ET AL.

Subcase Nos:

29-00091B
29-00093B
29-00107B
29-10327
29-10329
29-10330
29-13231
29-13232

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on July 07, 2005, with sufficient first-class postage to the following:

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

COLLEEN L ANDRUS
JIM ANDRUS
KENNETH D ANDRUS
6948 E OLD OREGON TL RD
LAVA HOT SPRINGS, ID 83246
Phone: 208-776-5380

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