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JUN 30 2005
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
JUN 29 2005
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

Water Right: 45-13820 & 45-13821

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 rights. No objections were filed and the time period for filing objections has expired.

On May 5, 2005, the Idaho Department of Water Resources filed *Notices of Completed Administrative Proceeding and Amended Director's Reports* notifying the Court of a change in ownership, point of diversion and place of use in the above named water rights. No objections were filed to the *Amended Director's Reports* and the time period for filing objections has expired.

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

DATED June 28, 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 45-13820

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

JUN 29 2005

NAME AND ADDRESS: DANIEL C WALTON
26 N 500 E
RUPERT, ID 83350

SOURCE: GROUND WATER

QUANTITY: 9.24 CFS
2652.80 APY

Deputy Clerk

THIS RIGHT IS LIMITED TO A COMBINED RATE FROM ALL WELLS NOT
TO EXCEED 9.24 CFS.

RIGHTS 45-02479, 45-07108B AND 45-13820 WHEN COMBINED SHALL
NOT EXCEED A TOTAL DIVERSION RATE OF 2.63 CFS FROM THE WELL
LOCATED IN NESE, S20, T9S, R25E.

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE
NO MORE THAN 0.02 CFS PER ACRE NOR MORE THAN 4.0 AFA PER ACRE
AT THE FIELD HEADGATE FOR IRRIGATION OF THE LANDS ABOVE.

RIGHTS 45-02637, 45-07102 AND 45-13820 WHEN COMBINED SHALL NOT
EXCEED A TOTAL DIVERSION RATE OF 1.95 CFS FROM THE WELL LOCATED
IN LOT 5 SWNW, S6, T10S, R25E.

PRIORITY DATE: 10/13/1972

POINT OF DIVERSION: T09S R25E S10 NESESE Within Cassia County
S20 SWNESE
T10S R24E S01 SWSW
S12 SWSWSW (Rediversion)
R25E S06 LOT 5 (SWNW)
S07 SWNWSE
SWNWSE

Rights 45-02637 and 45-07102 are also diverted through the point
of diversion located in Lot 5 (SWNW), S6, T10S, R25E.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	9.24 CFS 2652.80 APY

PLACE OF USE:	Irrigation	Within Cassia County
	T10S R25E S07	NESW 37.0 LOT 3 (NWSW)27.0
	LOT 4 (SWSW)33.0	SESW 40.0
		NESE 37.0 NWSE 37.0
		SWSE 40.0 SESE 40.0
	S08	NWSW 37.0 SWSW 40.0
	S18	NENE 39.0 NWNE 38.0
		SWNE 40.0 SENE 40.0
		NENW 40.0 LOT 1 (NWNW)29.2
	LOT 2 (SWNW)29.0	SENW 40.0
	663.2 Acres Total	

Rights 45-13818 AND 45-13820 WHEN COMBINED SHALL NOT EXCEED THE
IRRIGATION OF 663.2 ACRES.

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

WATER SHALL NOT BE DIVERTED UNDER THIS RIGHT UNLESS A CURRENT
AGREEMENT WITH THE ENTITY OR ENTITIES CONTROLLING THE USE OF THE

OTHER PROVISIONS (continued)

MINIDOKA SOUTHSIDE CANAL IS ON FILE WITH THE DEPARTMENT AUTHORIZING THE USE OF THE CANAL TO TRANSPORT THE WATER DIVERTED UNDER THIS RIGHT.

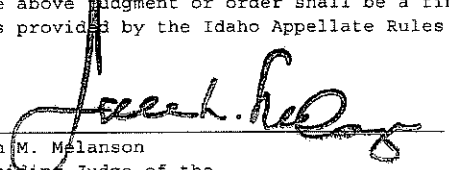
THE AMOUNT OF GROUND WATER DIVERTED UNDER THIS RIGHT AND INJECTED INTO THE CANAL SHALL NOT EXCEED THE AMOUNT REDIVERTED PLUS APPROPRIATE CONVEYANCE LOSSES. THE RATE OF DIVERSION FROM THE MINIDOKA SOUTHSIDE CANAL UNDER THIS RIGHT SHALL NOT EXCEED THE COMBINED RATE THAT GROUND WATER IS BEING INJECTED INTO THE CANAL FROM WELLS OPERATING UNDER THIS RIGHT.

WATER DIVERTED FROM THE WELLS UNDER THIS RIGHT IS INJECTED INTO THE MINIDOKA SOUTHSIDE CANAL AND THEN REDIVERTED FROM MINIDOKA SOUTHSIDE CANAL. MEASURING DEVICES SHALL BE MAINTAINED TO DETERMINE AND RECORD THE RATE AND VOLUME OF WATER DIVERTED UNDER THIS RIGHT, THE RATE OF VOLUME OF WATER INJECTED INTO THE CANAL UNDER THIS RIGHT, AND THE RATE AND VOLUME OF WATER REDIVERTED FROM THE CANAL UNDER THIS 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

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 45-13821 County of Twin Falls - State of Idaho

NAME AND ADDRESS: BRENDA PRUETT
DAN R PRUETT
1031 E 200 N
DECLO, ID 83323

SOURCE: GROUND WATER

RIGHT HOLDER SHALL COMPLY WITH THE DRILLING PERMIT REQUIREMENTS
OF SECTION 42-235, IDAHO CODE AND APPLICABLE WELL CONSTRUCTION
RULES OF THE DEPARTMENT.

QUANTITY: 0.05 CFS
15.20 AFY

RIGHTS 45-13819 AND 45-13821 WHEN COMBINED SHALL NOT EXCEED A
TOTAL DIVERSION RATE OF 0.06 CFS, A TOTAL ANNUAL MAXIMUM
DIVERSION VOLUME OF 15.2 AF AT THE FIELD HEADGATE, AND THE
IRRIGATION OF 3.8 ACRES.

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE
NO MORE THAN 0.03 CFS PER ACRE NOR MORE THAN 4.0 AFA PER ACRE AT
THE FIELD HEADGATE FOR IRRIGATION OF THE LANDS ABOVE.

PRIORITY DATE: 10/13/1972

POINT OF DIVERSION: T10S R24E S13 NENENE Within Cassia County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.05 CFS 15.20 AFY

PLACE OF USE: Irrigation Within Cassia County
T10S R24E S13 NENE 2.0
R25E S18 LOT 1 (NWNW) 4.1
6.1 Acres Total

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 3.8 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

FAILURE OF THE RIGHT HOLDER TO COMPLY WITH THE CONDITIONS OF
THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO RESCIND APPROVAL OF
THE TRANSFER.

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY
TRANSFER 71358 BY MAY 3, 2006.

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).

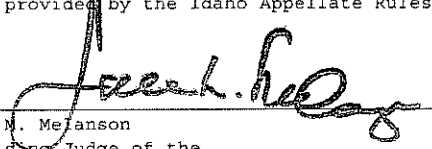
DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUN 29 2005

By _____ Clerk
Deputy Clerk

RULE 54(b) CERTIFICATE

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John M. MeJanson
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE was mailed on June 29, 2005, with sufficient first-class postage to the following:

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

BRENDA PRUETT
DAN R PRUETT
1031 E 200 N
DECLO, ID 83323

DANIEL C WALTON
26 N 500 E
RUPERT, ID 83350

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

