

RECEIVED

JUN 30 2005
DEPARTMENT OF
WATER RESOURCES

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

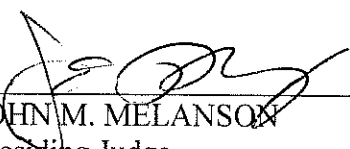
In Re SRBA	)	Water Right: 45-13818 & 45-13819
	)	
Case No. 39576	)	ORDER OF PARTIAL DECREE
	)	
	)	
_____	)	

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 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.

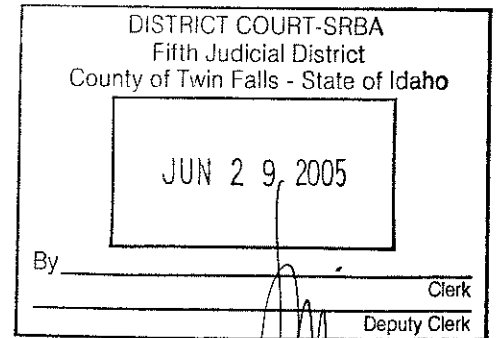
Therefore, IT IS ORDERED that the above-captioned water rights be decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 45-13818



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

SOURCE: GROUND WATER

QUANTITY: 1.48 CFS
636.40 AFY

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.

PRIORITY DATE: 02/26/1952

POINT OF DIVERSION: T10S R25E S07 SWNWE Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.48 CFS 636.40 AFY

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	

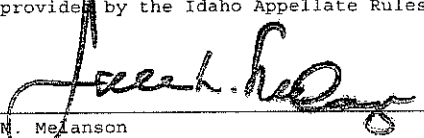
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 159.1 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. RIGHTS 45-13818 AND 45-13820 WHEN COMBINED SHALL NOT EXCEED THE IRRIGATION OF 663.2 ACRES.

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

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 N. 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 45-13819

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

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: 0.01 CFS
3.60 AFY

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.

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.

PRIORITY DATE: 02/26/1952

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	0.01 CFS
			3.60 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 0.9 ACRE WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

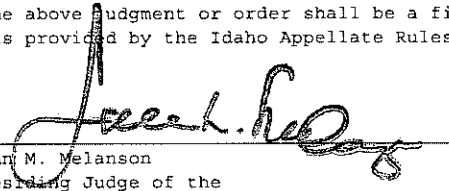
FAILURE OF THE RIGHT HOLDER TO COMPLY WITH THE CONDITIONS OF
THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO RESCIND APPROVAL OF
THE TRANSFER.

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).

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

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.

