

RECEIVED
JUN 27 2005
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
JUN 24 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

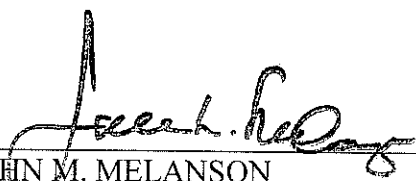
In Re SRBA	)	Water Right: 45-02336 & 45-13553
	)	
Case No. 39576	)	ORDER OF PARTIAL DECREE
_____	)	

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 October 8, 2004, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Report* notifying the Court of a substitution of party in each of the above named water rights. No objections were filed to these *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 24, 2005.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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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 45-02336

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

JUN 24/2005

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: EUGENE MATTHEWS
HEIDI MATTHEWS
1249 S HWY 27
OAKLEY, ID 83346

SOURCE: GROUND WATER

QUANTITY: 1.80 CFS
800.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 5.96 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1228 AF. COMBINED RIGHT NOS.: 45-2336,
45-13553, & 45-13555.

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.
USE OF THIS RIGHT WITH RIGHT NO. 45-13553 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.76 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1020 AF.

PRIORITY DATE: 07/06/1950

POINT OF DIVERSION: T13S R22E S09 SENWNE Within Cassia County

Rights 45-13553 and 45-13555 are also diverted through the point
of diversion described above.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-15 TO 11-15	1.80 CFS 800.00 AFY

PLACE OF USE:

Irrigation	Within Cassia County
T13S R22E S04	NESE 40.0 NWSE 38.0 SESE 40.0
S09	NENE 40.0 NWNE 33.0 SENE 40.0
307.0 Acres Total	

USE OF THIS RIGHT WITH RIGHT NO. 45-13553 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 255 ACRES IN A SINGLE
IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 307 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 45-2336, 45-13553, & 45-13555.

This right is limited to the irrigation of 200 acres within the
place of use described above in a single irrigation season.

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. SECTION 42-1412(6), IDAHO
CODE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS

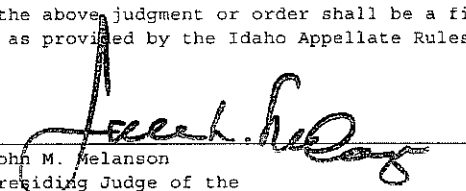
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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 45-13553

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

JUN 24 2005

By _____ Clerk
_____ Deputy Clerk

NAME AND ADDRESS: EUGENE MATTHEWS
HEIDI MATTHEWS
1249 S HWY 27
OAKLEY, ID 83346

SOURCE: GROUND WATER

QUANTITY: 2.96 CFS
1020.00 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.
USE OF THIS RIGHT WITH RIGHT NO. 45-2336 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.76 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1020 AF.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.96 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1228 AF. COMBINED RIGHT NOS.: 45-2336, 45-13553, & 45-13555.

PRIORITY DATE: 12/10/1956

POINT OF DIVERSION: T13S R22E S09 SENWNE Within Cassia County

Rights 45-2336 and 45-13555 are also diverted through the point of diversion described above.

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.96 CFS 1020.00 AFY

PLACE OF USE:	Irrigation	Within Cassia County
	T13S R22E S04	NESE 40.0 NWSE 38.0 SESE 40.0
	S09	NENE 40.0 NWNE 33.0 SENE 40.0
	307.0 Acres Total	

USE OF THIS RIGHT WITH RIGHT NO. 45-2336 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 255 ACRES IN A SINGLE IRRIGATION SEASON.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 307 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 45-2336, 45-13553, & 45-13555.
This right is limited to the irrigation of 255 acres within the place of use described above in a single irrigation season.

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. Section 42-1412(6), Idaho Code.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS

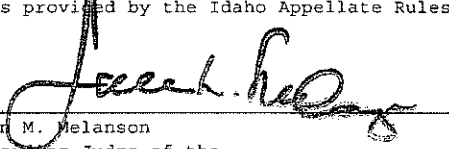
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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 24, 2005, with sufficient first-class postage to the following:

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

EUGENE MATTHEWS
HEIDI MATTHEWS
1249 S HWY 27
OAKLEY, ID 83346

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and stylized, with the first and last names being clearly legible.

