

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: 45-07047B & 45-07221B

Case No. 39576

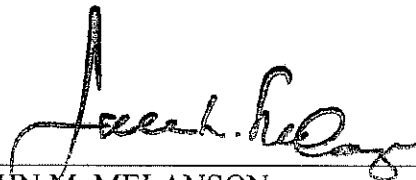
ORDER OF PARTIAL DECREE

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 change in point of diversion, place of use and nature of use 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

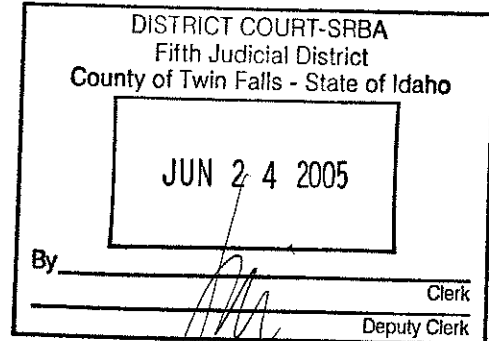
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 45-07047B

NAME AND ADDRESS: SOUTHERN IDAHO REGIONAL SOLID
WASTE DIST
PO BOX 159
BURLEY, ID 83318

SOURCE: GROUND WATER

QUANTITY: 0.89 CFS
178.00 AFY



WHEN COMBINED, USE OF THE RIGHTS LISTED BELOW SHALL NOT EXCEED
0.04 CFS AND 0.6 AFA FOR DOMESTIC USE, 0.44 CFS AND 88.0 AFA FOR
IRRIGATION USE, .01 CFS AND 1.6 AFA FOR STOCKWATER USE AND
0.51 CFS AND 179.8 AFA FOR INDUSTRIAL USE. USE OF THE RIGHTS
LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
1.0 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 270.0
AF. COMBINED RIGHT NOS.: 45-7047B AND 45-7221B.

PRIORITY DATE: 02/26/1970

POINT OF DIVERSION: T11S R21E S16 SENESW Within Cassia County
NENESW

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.44 CFS 58.00 AFY
	Industrial	01-01 TO 12-31	0.51 CFS 118.60 AFY
	Domestic	01-01 TO 12-31	0.04 CFS 0.40 AFY
	Stockwater	01-01 TO 12-31	0.01 CFS 1.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 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 Cassia County
	T11S R21E S16	NENW 40.0	NWNW 40.0
		SWNW 40.0	SENW 40.0
		NESW 40.0	NWSW 40.0
		SWSW 40.0	SESW 40.0
	S17	NESE 40.0	SESE 40.0
	S20	NENE 40.0	SENE 40.0
	S21	NENW 40.0	NWNW 40.0
		SWNW 40.0	SENW 40.0
	640.0 Acres Total		
	Stockwater		Within Cassia County
	T11S R21E S16	NWNW	
	S21	SWNW	
	Industrial		Within Cassia County

PLACE OF USE (continued)

T11S R21E S16	NENW	SENW
	NESW	NWSW
	SWSW	SESW
S17	NESE	SESE
S20	NENE	SENE
S21	NENW	NWNW
	SWNW	SENW

Domestic		Within Cassia County
T11S R21E S16	NENW	NESW

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 22 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 45-7047B AND 45-7221B.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 22 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

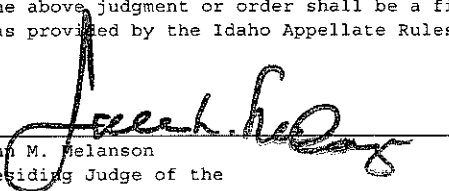
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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
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

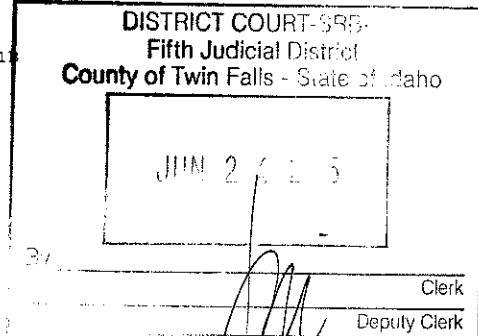
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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 45-07221B



NAME AND ADDRESS: SOUTHERN IDAHO REGIONAL SOLID
WASTE DIST
PO BOX 159
BURLEY, ID 83318

SOURCE: GROUND WATER

QUANTITY: 0.46 CFS
92.00 AFY

WHEN COMBINED, USE OF THE RIGHTS LISTED BELOW SHALL NOT EXCEED
0.04 CFS AND 0.6 AFA FOR DOMESTIC USE, 0.44 CFS AND 88.0 AFA FOR
IRRIGATION USE, .01 CFS AND 1.6 AFA FOR STOCKWATER USE AND 0.51
CFS AND 179.8 AFA FOR INDUSTRIAL USE. USE OF THE RIGHTS LISTED
BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.0 CFS
AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 270.0 AF.
COMBINED RIGHT NOS.: 45-7047B AND 45-7221B.

PRIORITY DATE: 01/07/1975

POINT OF DIVERSION: T11S R21E S16 SENENW Within Cassia County
NENESW

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Domestic	01-01 TO 12-31	0.04 CFS 0.20 AFY
Industrial	01-01 TO 12-31	0.45 CFS 61.20 AFY
Irrigation	04-01 TO 10-31	0.44 CFS 30.00 AFY
Stockwater	01-01 TO 12-31	0.01 CFS 0.60 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 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 Cassia County

T11S R21E S16	NENW 40.0	NWNW 40.0
	SWNW 40.0	SENW 40.0
	NESW 40.0	NWSW 40.0
	SWSW 40.0	SESW 40.0
S17	NESE 40.0	SESE 40.0
S20	NENE 40.0	SENE 40.0
S21	NENW 40.0	NWNW 40.0
	SWNW 40.0	SENW 40.0
640.0 Acres Total		

Stockwater Within Cassia County

T11S R21E S16	NWNW
S21	NWSW

Industrial Within Cassia County

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

PLACE OF USE (continued)

T11S R21E S16	NENW	SENW
	NESW	NWSW
	SWSW	SESW
S17	NESE	SESE
S20	NENE	SENE
S21	NENW	NWNW
	SWNW	SENW
Domestic		Within Cassia County
T11S R21E S16	NENW	NESW

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 22 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 45-7047B AND 45-7221B.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 22 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

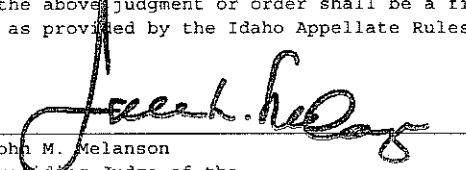
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 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:

SOUTHERN IDAHO REGIONAL SOLID
WASTE DIST
PO BOX 159
BURLEY, ID 83318
Phone: 208-432-9082

SOUTHERN IDAHO REGIONAL SOLID
WASTE DIST
PO BOX 159
BURLEY, ID 83318
Phone: 208-432-9082

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

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".