

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: 45-13555

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 December 17, 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 the above named water right. No objections were filed to the *Amended Director's Report* and the time period for filing objections has expired.

Therefore, IT IS ORDERED that the above-captioned water right be decreed as set forth in the attached *Partial Decree 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)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 45-13555

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: 1.20 CFS
240.00 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 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: 02/01/1954

POINT OF DIVERSION: T13S R22E S09 SENWNE Within Cassia County

Rights 45-2336 and 45-13553 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	1.20 CFS 240.00 AFY

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

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 60 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).

2005 JUN 24 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 45-13555

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 45-13555 was mailed
on June 24, 2005, with sufficient first-class postage prepaid
to the following:

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

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

JULIE MURPHY
Chief Deputy Clerk