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Department of Water Resources

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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

Water Rights: 25-7106 and 25-10069

Case No. 39576

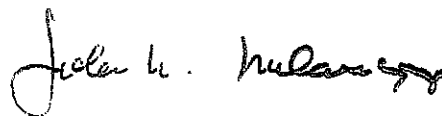
ORDER OF PARTIAL DECREE

On January 26, 2005, the Idaho Department of Water Resources filed its *Director's Report for Irrigation and Other Water Rights, IDWR Basin 25*, which included recommendations for the above-listed water rights. No objections were filed and the time period for filing objections has expired.

On February 28, 2005, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Reports*, notifying the Court of address changes in the above-listed 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 6, 2005.



JOHN M. MELANSON

Presiding Judge

Snake River Basin Adjudication

In Re SRBA) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 25-07106

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
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PLACE OF USE (continued)

LOT 2 (SNNW)40.0 SENW 22.0
1334.0 Acres Total

USE OF THIS RIGHT WITH RIGHT NO. 25-10069 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 1334 ACRES IN A SINGLE
IRRIGATION SEASON.

This right is limited to the irrigation of 960 acres within the
place of use described above in a single irrigation season.

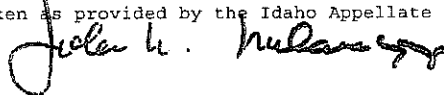
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Use of water under this right will be regulated by a watermaster
with responsibility for the distribution of water among
appropriators within a water district. At the time of this
approval, this water right is within State Water District No.
01.

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 25-10069

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: COVINGTON BROS LTD
C/O JOYCE COVINGTON
221 SOUTH 3RD E
IDAHO FALLS, ID 83404

SOURCE: GROUND WATER

POINT OF INJECTION INTO DRY BED. POINT OF REDIVERSION FROM SOUTH
FORK SNAKE RIVER.

QUANTITY: 0.10 CFS
10.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 5.31 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 2264 AF. COMBINED RIGHT NOS.: 25-07106,
25-10069

PRIORITY DATE: 07/01/1985

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A
PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED
AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS
BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION
42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR
RIGHT.

POINT OF DIVERSION: T04N R40E S26 LOT 9 (NWNE) (Rediversion) Within Jefferson County
S27 SWSW
SWSW (Injection)

WATER DIVERTED UNDER THIS RIGHT IS EXCHANGED BY INJECTING WATER
DIVERTED UNDER THIS RIGHT INTO THE DRY BED AT THE POINT OF
INJECTION DESCRIBED ABOVE, AND DIVERTING AN EQUAL AMOUNT FROM
SOUTH FORK SNAKE RIVER AT THE POINT OF REDIVERSION DESCRIBED
ABOVE.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 10-31	0.10 CFS 10.00 AFY

PLACE OF USE:

Irrigation		Within Madison County
T04N R40E S01	SWNE 6.0	SENE 2.0
	NESW 28.0	NWSW 1.0
	SWSW 29.0	SESW 36.0
	NESE 27.0	NWSE 40.0
	SWSE 36.0	SESE 40.0
S02	SESE 5.0	
S11	NENE 32.0	SENE 38.0
	NESE 39.0	
S12	NENE 35.0	NWNE 40.0
	SWNE 40.0	SENE 32.0
	NENW 39.0	NWNW 39.0
	SWNW 39.0	SENE 39.0
	NESW 37.0	NWSW 35.0
	SESW 34.0	NESE 39.0
	NWSE 40.0	SWSE 36.0

PLACE OF USE (continued)

	SESE 39.0	
S13	NWNE 37.0	SWNE 40.0
	NENW 39.0	NWNW 39.0
	SENE 40.0	
R41E S06	NESW 5.0	LOT 6 (NWSW) 26.0
LOT 7	(SWSW) 40.0	SESW 16.0
S07	NENW 28.0	LOT 1 (NWNW) 40.0
LOT 2	(SWNW) 40.0	SENE 22.0
1334.0 Acres Total		

USE OF THIS RIGHT WITH RIGHT NO. 25-7106 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1334 ACRES IN A SINGLE IRRIGATION SEASON.

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

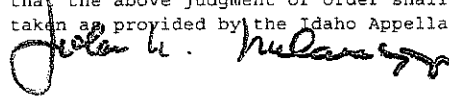
Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 25-07106 PURSUANT TO SECTION 42-1426, 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

2005 JUN 06 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)
)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 25-07106 *25-10069*

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 25-07106 was mailed
on June 06, 2005, with sufficient first-class postage prepaid
to the following:

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

COVINGTON BROS LTD
C/O JOYCE COVINGTON
221 SOUTH 3RD E
IDAHO FALLS, ID 83404
Phone: 208-522-0406

DIANA DELANEY
Chief Deputy Clerk

