

44-38861-575
 TERRY, PAUL CO., IDAHO
 FILED *cf*

**FOR WATER RIGHTS: 37-07670,
37-20848 AND 37-20849**

Page 1

II. CONCLUSIONS OF LAW

Based on the file and record herein, IT IS RECOMMENDED that water right 37-07670 **not be confirmed** in any partial or final decree. IT IS FURTHER RECOMMENDED that water rights 37-20848 and 37-20849 be **decreed** with the elements set forth in the attached *Special Master's Recommendations for Partial Decrees*.

DATED: February 21, 2003.



BRIGETTE BILYEU
Special Master
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 37-20848

2003 FEB 21 PM 3:43

CLERK OF DISTRICT COURT
TWIN FALLS, IDAHO
FILED

NAME AND ADDRESS: JEFF L WEBER
KERI JO WEBER
950 E 570 S
DIETRICH, ID 83324

SOURCE: GROUND WATER

QUANTITY: 8.28 CFS
2242.40 AFY

USE OF THIS RIGHT WITH RIGHT NO. 37-20850 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 8.28 CFS.

PRIORITY DATE: 10/06/1977

POINT OF DIVERSION: T07S R19E S03 SESENE Within Lincoln County
NENESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	8.28 CFS 2242.40 AFY

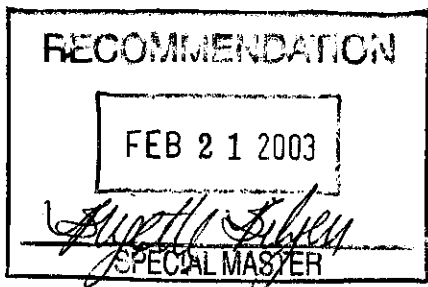
PLACE OF USE:	Irrigation	Within Lincoln County
	T07S R19E S02 LOT 4	(NWNW) 19.0 SWNW 39.0
		NESW 32.0 NWSW 38.0
		SWSW 39.0 SESW 23.0
	S03 LOT 1	(NENE) 19.0 LOT 2 (NWNE) 20.0
		SWNE 40.0 SENE 40.0
	LOT 3	(NENW) 20.0 LOT 4 (NWNW) 20.0
		SWNW 40.0 SENW 40.0
		NESW 40.0 NESE 40.0
		NWSE 40.0 SESE 40.0

589.0 Acres Total

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 560.6 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. 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.

Roger Burdick
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 37-20849

2003 FEB 21 PM 3:43
FILED
TWIN FALLS CO., IDAHO

NAME AND ADDRESS: UNITED STATES OF AMERICA
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

SOURCE: GROUND WATER

QUANTITY: 0.42 CFS
113.60 AFY

USE OF THIS RIGHT WITH RIGHT NO. 37-20851 IS LIMITED TO A TOTAL
DIVERSION RATE OF 0.42 CFS.

PRIORITY DATE: 10/06/1977

POINT OF DIVERSION: T07S R19E S03 SESENE Within Lincoln County
NENESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.42 CFS 113.60 AFY

PLACE OF USE: Irrigation Within Lincoln County
T07S R19E S03 SWSE 30.0
30.0 Acres Total

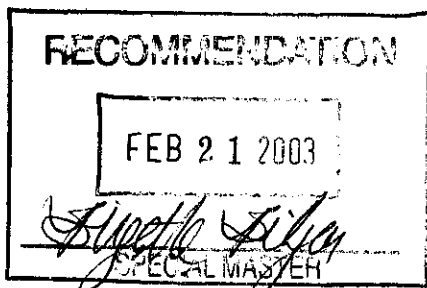
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 28.4 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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. 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.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2003 FEB 21 PM 3:43

FILED
1-SRBA
TWIN FALLS, IDAHO

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)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

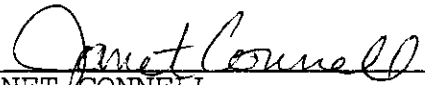
Water Right(s): 37-07670
37-20848 37-20849

On February 21, 2003, Special Master BRIGETTE BILYEU issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED February 21, 2003.


JANET CONNELL
Deputy Clerk

2003 FEB 21 PM 3:43

CLERK OF DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED 4c

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): 37-07670
37-20848 37-20849

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on February 21, 2003, with sufficient first-class postage prepaid to the following:

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

STATE OF IDAHO

Represented by:
DAVID J. BARBER
STATEHOUSE RM 210
STATEHOUSE MAIL
BOISE, ID 83720-0010
Phone: 208-334-2400

FAULKNER LAND & LIVESTOCK CO

Represented by:
JOSEPHINE P. BEEMAN
409 WEST JEFFERSON STREET
BOISE, ID 83702
Phone: 208-331-0950

CERTIFICATE OF MAILING

PAGE 1
02/21/03

UNITED STATES OF AMERICA
UNITED STATES OF AMERICA BLM
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

JEFF L WEBER
KERI JO WEBER
950 E 570 S
DIETRICH, ID 83324
Phone: 208-544-2857



JANET CONNELL
Deputy Clerk