

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 65-05459B

2003 JAN 24 AM 10:27

FILED
JAN 24 2003
TWIN FALLS, IDAHO
CLERK OF DISTRICT COURT

NAME AND ADDRESS: J L STOUNE
609 SW 5TH ST
ONTARIO, OR 97914

RECEIVED

JAN 27 2003

Department of Water Resources

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 0.84 CFS
130.50 AFY

RIGHT 65-05459B SHALL NOT EXCEED A TOTAL ANNUAL MAXIMUM
DIVERSION VOLUME OF 20.7 AF FOR AESTHETIC STORAGE IN THE PONDS.
THE REMAINING STORAGE CAPACITY OF THE PONDS MUST BE PROVIDED
UNDER OTHER RIGHTS.

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE
NO MORE THAN .02 CFS PER ACRE WHEN MEASURED AT THE FIELD
HEADGATE.

PRIORITY DATE: 11/04/1881

POINT OF DIVERSION: T07N R04W S12 LOT 3 (NENE) Within Payette County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.71 CFS
			109.80 AFY
	Aesthetic Storage	01-01 TO 12-31	20.70 AFY
	Diversion to Storage	03-01 TO 11-15	0.13 CFS

PLACE OF USE:	Irrigation	Within Payette County
	T08N R04W S35	SWNW 2.0
		NESW 2.0
		NWSW 20.4
	24.4 Acres Total	
	Aesthetic Storage	Within Payette County
	T08N R04W S35	NWSW
	Diversion to Storage	Within Payette County
	Same as Irrigation	

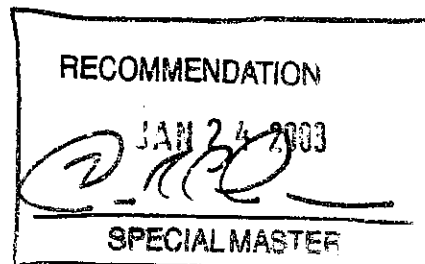
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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



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DK

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

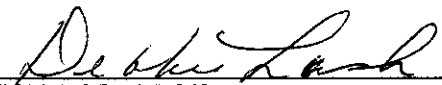
Water Right(s): 65-05459B

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 January 24, 2003, with sufficient first-class postage prepaid to the following:

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

J L STOUNE
609 SW 5TH ST
ONTARIO, OR 97914
Phone: 541-889-2905


DEBBIE LASH
Deputy Clerk

CERTIFICATE OF MAILING

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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

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 65-05459B

Debbie Lash
DEBBIE LASH
Deputy Clerk