

2003 MAR -5 PM 3:24

IN RE SRBA
TWIN FALLS CO., IDAHO
FILED 9

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	)	SPECIAL MASTER'S REPORT AND
	)	RECOMMENDATION; FINDINGS OF
Case No. 39576	)	FACT AND CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHTS: 31-00160B,
	)	31-00161B, 31-02299, 31-02415,
	)	31-04011C, 31-07131 AND 31-07320

I. FINDINGS OF FACT

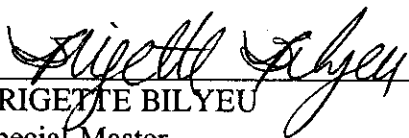
Claims were filed for the above listed water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained recommendations for the elements of these water rights.

No objections were filed for the above listed water rights. These water rights, however, are used in combination with water rights 31-00160A, 31-00161A, 31-04011B, 31-04012 and 31-10652, which were the subject of *Objections*. These Objections were resolved with the filing of *Standard Forms 5* on January 15, 2003. All parties and IDWR are signatories to the *Standard Forms*.

II. CONCLUSIONS OF LAW

Based on the file and record herein, IT IS RECOMMENDED that these water rights be decreed with the elements set forth in the attached *Special Master's Recommendations for Partial Decrees*.

DATED: March 5, 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

2003 MAR -5 PM 3:24

In Re SRBA

Case No. 19576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 11-001608

DISTRICT COURT OF SRBA
TWIN FALLS CO., IDAHO
FILED *Sp*

NAME AND ADDRESS:

RAY SAUER
HC 63 BOX 2110
MONTEVIEW, ID 83415

SOURCE:

GROUND WATER

QUANTITY:

0.75 CFS
116.50 AFY

RIGHT NOS. 11-00160A, 11-00160B, 11-00161A, 11-00161B,
11-04011B, 11-04011C, 11-04012, 11-07131 AND 11-10652 ARE
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 16.12 CFS.

RIGHT NOS. 11-00160A, 11-00160B, 11-00161A, 11-00161B,
11-02299, 11-02415, 11-04011B, 11-04011C, 11-04012, 11-07131,
11-07120 AND 11-10652 ARE LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 26.90 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 7150 AF.

THE TOTAL COMBINED RATE OF DIVERSION FOR THE TWO WELLS
LOCATED IN T07N, R14E, S05, NESE IS LIMITED TO 16.12 CFS.

RIGHT NOS. 11-00160B, 11-00161B, 11-04011C AND 11-07131 ARE
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.17 CFS AND TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1372 AF.

PRIORITY DATE:

04/01/1936

POINT OF DIVERSION:

T07N R14E S05 NENESE Within Jefferson County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 10-11	0.75 CFS 116.50 AFY

PLACE OF USE:

PLACE OF USE:	QUANTITY	Within Jefferson County
Irrigation		
T07N R14E S17	NESW 40.0	NWSW 40.0
	SWSW 19.0	SESW 40.0
	NWSE 18.0	SWSE 35.0
S18	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 40.0
192.0 Acres Total		

RIGHT NOS. 11-00160B, 11-00161B, 11-04011C AND 11-07131 ARE
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 392 ACRES IN A
SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 19 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).

RECOMMENDATION

MAR 05 2003

Diocette J. Ryan
SPECIAL MASTER

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 31-00161B

2003 MAR -5 PM 3:24
FILED
TWIN FALLS, IDAHO

NAME AND ADDRESS: RAY SAUER
HC 63 BOX 2130
MONTEVIEW, ID 83435

SOURCE: GROUND WATER

QUANTITY: 2.03 CFS
406.00 AFY

RIGHT NOS. 31-00160A, 31-00160B, 31-00161A, 31-00161B,
31-04011B, 31-04011C, 31-04012, 31-07131 AND 31-10652 ARE
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 16.32 CFS.

RIGHT NOS. 31-00160A, 31-00160B, 31-00161A, 31-00161B,
31-02299, 31-02415, 31-04011B, 31-04011C, 31-04012, 31-07131,
31-07320 AND 31-10652 ARE LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 26.90 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 7350 AF.

THE TOTAL COMBINED RATE OF DIVERSION FOR THE TWO WELLS
LOCATED IN T07N, R34E, S05, NESE IS LIMITED TO 16.32 CFS.

RIGHT NOS. 31-00160B, 31-00161B, 31-04011C AND 31-07131 ARE
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.17 CFS AND TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1372 AF.

PRIORITY DATE: 04/01/1936

POINT OF DIVERSION: T07N R34E S05 NENESE Within Jefferson County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation		04-01 TO 10-31	2.03 CFS 406.00 AFY

PLACE OF USE:	Irrigation	Within Jefferson County
T07N R34E S17	NESW 40.0 SWSW 39.0 NWSE 38.0	NWSW 40.0 SESW 40.0 SWSE 35.0
S18	NESE 40.0 SWSE 40.0	NWSE 40.0 SESE 40.0
392.0 Acres Total		

RIGHT NOS. 31-00160B, 31-00161B, 31-04011C AND 31-07131 ARE
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 392 ACRES IN A
SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 116 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).

RECOMMENDATION

MAR 05 2003

SPECIAL MASTER

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 31-00161B File Number: 00222

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 31-02299

2003 MAR -5 PM 3:24
FILED

NAME AND ADDRESS: RAY SAUER
HC 63 BOX 2130
MONTEVIEW, ID 83435

SOURCE: GROUND WATER

QUANTITY: 3.14 CFS
770.00 AFY

RIGHT NOS. 31-00160A, 31-00160B, 31-00161A, 31-00161B,
31-02299, 31-02415, 31-04011B, 31-04011C, 31-04012, 31-07131,
31-07320 AND 31-10652 ARE LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 26.90 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 7350 AF.

THE TOTAL COMBINED RATE OF DIVERSION FOR THE TWO WELLS
LOCATED IN T07N, R34E, S05, NESE IS LIMITED TO 16.32 CFS.

RIGHT NOS. 31-00160A, 31-00161A, 31-02299, 31-02415,
31-04011C, 31-04012, 31-07320 AND 31-10652 ARE LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 21.73 CFS.

USE OF THIS RIGHT WITH RIGHT NO. 31-02415 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1596 AF.

PRIORITY DATE: 01/04/1951

POINT OF DIVERSION: T07N R33E S13 SWNESE Within Jefferson County
R34E S05 NENESE
NESE
S18 LOT 3 (SENWSW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	3.14 CFS 770.00 AFY

PLACE OF USE:	Irrigation	Within Jefferson County
	T07N R33E S13	
	NENE 38.0	NWNE 38.0
	SWNE 38.0	SENE 38.0
	NESW 38.0	NWSW 38.0
	SWSW 38.0	SESW 38.0
	NESE 38.0	NWSE 38.0
	SWSE 38.0	SESE 38.0
	456.0 Acres Total	

USE OF THIS RIGHT WITH RIGHT NO. 31-02415 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 456 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 220 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).

RECOMMENDATION

MAR 05 2003

SPECIAL MASTER

Water Right 31-02299 File Number: 00222

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

2003 MAR -5 PM 3:25

In Re SRBA)
Case No. 19576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 31-02415

FILED
TWIN FALLS CO., IDAHO
JF

NAME AND ADDRESS: RAY SAUER
HC 63 BOX 2130
MONTEVIEW, ID 81435

SOURCE: GROUND WATER

QUANTITY: 2.55 CFS

RIGHT NOS. 31-00160A, 31-00161A, 31-02299, 31-02415,
31-04011C, 31-04012, 31-07320 AND 31-10652 ARE LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 21.73 CFS.

RIGHT NOS. 31-00160A, 31-00160B, 31-00161A, 31-00161B,
31-02299, 31-02415, 31-04011B, 31-04011C, 31-04012, 31-07131,
31-07320 AND 31-10652 ARE LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 26.90 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 7350 AF.

THE TOTAL COMBINED RATE OF DIVERSION FOR THE TWO WELLS
LOCATED IN T07N, R34E, S05, NESE IS LIMITED TO 16.32 CFS.

USE OF THIS RIGHT WITH RIGHT NO. 31-02299 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1596 AF.

PRIORITY DATE: 12/26/1964

POINT OF DIVERSION: T07N R33E S13 SWNESE Within Jefferson County
R34E S05 NENESE
NESE
S18 LOT 3 (SENWSW)

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-01 TO 11-01 2.55 CFS

PLACE OF USE: Irrigation Within Jefferson County
T07N R33E S13 NENE 38.0 NWNE 38.0
SWNE 38.0 SENE 38.0
NESW 38.0 NWSW 38.0
SWSW 38.0 SESW 38.0
NESE 38.0 NWSE 38.0
SWSE 38.0 SESE 38.0
456.0 Acres Total

USE OF THIS RIGHT WITH RIGHT NO. 31-02299 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 456 ACRES 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).

RECOMMENDATION

MAR 05 2003

SPECIAL MASTER

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. 19576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 31-04011C

2003 MAR -5 PM 3:25

FILED
TWIN FALLS, IDAHO

NAME AND ADDRESS: RAY SAUER
HC 63 BOX 2130
MONTEVIEW, ID 83435

SOURCE: GROUND WATER

QUANTITY: 1.75 CFS

RIGHT NOS. 31-00160A, 31-00160B, 31-00161A, 31-00161B,
31-04011B, 31-04011C, 31-04012, 31-07131 AND 31-10652 ARE
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 16.32 CFS.

RIGHT NOS. 31-00160A, 31-00160B, 31-00161A, 31-00161B,
31-02299, 31-02415, 31-04011B, 31-04011C, 31-04012, 31-07131,
31-07320 AND 31-10652 ARE LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 26.90 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 7350 AF.

THE TOTAL COMBINED RATE OF DIVERSION FOR THE TWO WELLS
LOCATED IN T07N, R34E, S05, NESE IS LIMITED TO 16.32 CFS.

RIGHT NOS. 31-00160B, 31-00161B, 31-04011C AND 31-07131 ARE
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.17 CFS AND TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1372 AF.

PRIORITY DATE: 09/01/1956

POINT OF DIVERSION: T07N R34E S13 SWNESE Within Jefferson County
R34E S05 NENESE
NESE
S18 LOT 3 (SENWSW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.75 CFS

PLACE OF USE:	Irrigation		Within Jefferson County
	T07N R34E S17	NESW 40.0	NWSW 40.0
		SWSW 39.0	SESW 40.0
		NWSE 38.0	SWSE 35.0
	S18	NESE 40.0	NWSE 40.0
		SWSE 40.0	SESE 40.0
	392.0 Acres Total		

RIGHT NOS. 31-00160B, 31-00161B, 31-04011C AND 31-07131 ARE
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 392 ACRES 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).

RECOMMENDATION

MAR 05 2003

SPECIAL MASTER

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 31-07131

2003 MAR -5 PM 3:25

FILED
F-SIDA
TWIN FALLS, IDAHO

NAME AND ADDRESS: RAY SAUER
HC 63 BOX 2130
MONTEVIEW, ID 83435

SOURCE: GROUND WATER

QUANTITY: 4.82 CFS

RIGHT NOS. 31-00160A, 31-00160B, 31-00161A, 31-00161B,
31-04011B, 31-04011C, 31-04012, 31-07131 AND 31-10652 ARE
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 16.32 CFS.

RIGHT NOS. 31-00160A, 31-00160B, 31-00161A, 31-00161B,
31-02299, 31-02415, 31-04011B, 31-04011C, 31-04012, 31-07131,
31-07320 AND 31-10652 ARE LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 26.90 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 7350 AF.

THE TOTAL COMBINED RATE OF DIVERSION FOR THE TWO WELLS
LOCATED IN T07N, R34E, S05, NESE IS LIMITED TO 16.32 CFS.

RIGHT NOS. 31-00160B, 31-00161B, 31-04011C AND 31-07131 ARE
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.17 CFS AND TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1372 AF.

PRIORITY DATE: 07/30/1974

POINT OF DIVERSION: T07N R34E S05 NENESE Within Jefferson County

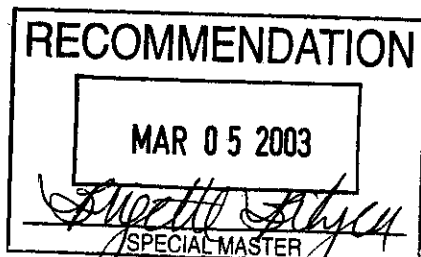
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	4.82 CFS

PLACE OF USE:	Irrigation		Within Jefferson County
	T07N R34E S17	NESW 40.0	NWSW 40.0
		SWSW 39.0	SESW 40.0
		NWSE 38.0	SWSE 35.0
	S18	NESE 40.0	NWSE 40.0
		SWSE 40.0	SESE 40.0
	392.0 Acres Total		

RIGHT NOS. 31-00160B, 31-00161B, 31-04011C AND 31-07131 ARE
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 392 ACRES 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 31-07320

2003 MAR -5 PM 3:25

FILED *46*
TWIN FALLS, IDAHO

NAME AND ADDRESS: RAY SAUER
HC 63 BOX 2130
MONTEVIEW, ID 83435

SOURCE: GROUND WATER

QUANTITY: 5.12 CFS
896.00 AFY

RIGHT NOS. 31-00160A, 31-00160B, 31-00161A, 31-00161B,
31-02299, 31-02415, 31-04011B, 31-04011C, 31-04012, 31-07131,
31-07320 AND 31-10652 ARE LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 26.90 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 7350 AF.

RIGHT NOS. 31-00160A, 31-00161A, 31-002299, 31-02415,
31-04011C, 31-04012, 31-07320 AND 31-10652 ARE LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 21.73 CFS.

UNLESS MODIFIED BY AMENDMENT OF OR REPLACEMENT OF THE
EXISTING AGREEMENT DATED OCTOBER 24, 1985, BY AND BETWEEN JOE
HARTWELL AND WILLIE E. HARTWELL, HUSBAND AND WIFE, AND SAUER
ENTERPRISES, AN IDAHO PARTNERSHIP, AND A WATER RIGHT TRANSFER OR
OTHER OFFICIAL WATER RIGHT ACTION SUBSEQUENT TO ISSUANCE OF THIS
LICENSE, THE WATER CONTRIBUTED FROM THE TWO WELLS IN T07N, R34E,
S05, NESE, TO THE TOTAL COMBINED DIVERSION RATE OF THIS RIGHT AND
ALL OTHER RIGHTS DIVERTED FROM THESE SAME TWO WELLS IS LIMITED TO
16.32 CFS.

PRIORITY DATE: 12/18/1984

POINT OF DIVERSION: T07N R34E S05 NENESE Within Jefferson County
NESE
S18 LOT 3 (SENWSW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	5.12 CFS 896.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 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 Jefferson County
	T07N R34E S18	NENE 32.0 NWNE 32.0 SWNE 32.0 SENE 32.0 NESW 32.0 LOT 3 (NWSW) 32.0 SESW 32.0 LOT 4 (SWSW) 32.0 256.0 Acres Total

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

RECOMMENDATION

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

MAR 05 2003

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water SPECIAL MASTER File Number: 00222

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

OTHER PROVISIONS (continued)

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 MAR -5 PM 3: 25

FILED
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)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 31-00160B
31-00161B 31-02299 31-02415
31-04011C 31-07131 31-07320

On March 05, 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 March 05, 2003.



JANET CONNELL
Deputy Clerk

2003 MAR -5 PM 3:25

DISTRICT COURT
TWIN FALLS CO., IDAHO
FILED *SC*

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): 31-00160B
31-00161B 31-02299 31-02415
31-04011C 31-07131 31-07320

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 March 05, 2003, with sufficient first-class postage prepaid to the following:

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

RAY SAUER

Represented by:
JERRY R. RIGBY
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633



JANET CONNELL
Deputy Clerk

CERTIFICATE OF MAILING

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03/05/03