

2005 OCT 6 PM 3 42

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE DISTRICT COURT - SRBA
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS TWIN FALLS CO., IDAHO
FILED _____

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 25-00073

2005 OCT 6 PM 3 42

NAME AND ADDRESS: LUCILE AVERY
7837 E FOOTHILL RD
IDAHO FALLS, ID 83401

SOURCE: WILLOW CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 1.40 CFS

PRIORITY DATE: 04/01/1884

POINT OF DIVERSION: T03N R39E S15 SWNESW Within Bonneville County
NWSWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.40 CFS

PLACE OF USE:	Irrigation	Within Bonneville County
	T03N R39E S20	SENE 2.7 NESE 33.0 NWSE 15.0 SWSE 30.0 SESE 7.6
	S21	NWNE 2.8 NENW 39.0 SWNW 21.0 SENW 22.0 NESW 0.7 NWSW 20.0
	193.8 Acres Total	

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 193.8 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 25-14110, 25-73 and 25-14111.

USE OF WATER UNDER THIS RIGHT DOES NOT INCLUDE A USE ON
FEDERAL PUBLIC LAND.

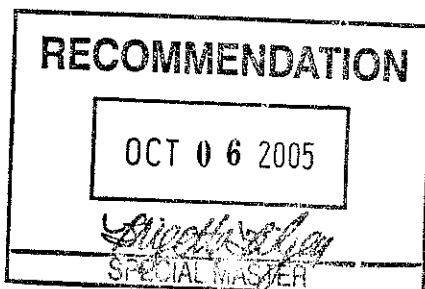
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 70 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
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In Re SRBA)
)
Case No. 39576)
)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

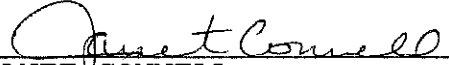
Water Right(s): 25-00073

On October 06, 2005, 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 October 06, 2005.



JANET CONNELL
Deputy Clerk

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TWIN FALLS CO., IDAHO
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_____)

CERTIFICATE OF MAILING

Water Right(s): 25-00073

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 October 06, 2005, with sufficient first-class postage prepaid to the following:

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

USDI BUREAU OF RECLAMATION
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

LUCILE AVERY
7837 E FOOTHILL RD
IDAHO FALLS, ID 83401
Phone: 208-522-6882

CERTIFICATE OF MAILING

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JANET CONNELL 10/06/05
Deputy Clerk