

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 36-00067

200 DEC 13 PM 3: 50

FILED
TWIN FALLS CO., IDAHO

NAME AND ADDRESS: FAYE COATES
FRED BECKSTEAD
PO BOX 359
HAGERMAN, ID 83332

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.36 CFS

THIS QUANTITY IS DIVERTED AT THE HEADGATE OF THE BELL DITCH.
0.02 CFS OF THIS QUANTITY IS LIMITED TO USE FOR
CONVEYANCE LOSS.

THE APPROPRIATOR IS ENTITLED TO DIVERT UP TO THE QUANTITY OF
0.50 CFS AT THE FIELD HEADGATE TO MEET PEAK CROP DEMAND SO LONG
AS (1) THE APPROPRIATOR IS ABLE TO MAKE THAT QUANTITY AVAILABLE
THROUGH A VOLUNTARY ROTATION AGREEMENT AMONG SOME OR ALL OTHER
USERS OF WATER FROM THE SAME SOURCE, (2) DIVERSION OF ANY
QUANTITY ABOVE 0.36 CFS WILL NOT INJURE OTHER WATER RIGHTS, AND
(3) ANY QUANTITY ABOVE 0.36 CFS WILL NOT BE SUBJECT TO A PRIORITY
CALL BY THIS RIGHT ON JUNIOR WATER RIGHTS.

PRIORITY DATE: 03/30/1884

POINT OF DIVERSION: T07S R13E S11 NWSENE Within Gooding County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	02-15 TO 11-30	0.36 CFS

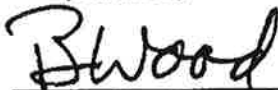
PLACE OF USE: Irrigation Within Gooding County
T07S R13E S14 NENE 7.0
7.0 Acres Total

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.



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

6-28-99

TERI -

HERE ARE LEGIBLE
COPIES OF THE WATER
RIGHT DESCRIPTIONS IN
36-00065 AND -67
(COATES & BECKSTEAD). THESE
ARE THE SF-5s THAT
WE FAXED TO MR. BECKSTEAD,
WHO SIGNED AND FAXED TO
DANA HOFSTETTER, WHO
SIGNED AND FAXED TO THE
COURT ON 6-3-99.

NBS

**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

Subcase No.: 36-00067

Case No. 39576

STANDARD FORM 5

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

Date: _____, 1999

IDWR Concurrence

Attorney for North Snake Ground
Water District

Claimant/Objector - Faye Coates

Claimant/Objector - Fred A. Beckstead

Attorney for IDWR

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JUN-1-1999
PAGE: A-1

RIGHTS FROM: SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 36-00067

NAME & ADDRESS: FRED A BECKSTEAD
FAYE COATES
PO BOX 359
HAGERMAN ID 83332

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.36 CFS

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AT THE FIELD HEADGATE TO MEET PEAK CROP DEMAND SO LONG AS (1) THE APPROPRIATOR
IS ABLE TO MAKE THAT QUANTITY AVAILABLE THROUGH A VOLUNTARY ROTATION
AGREEMENT AMONG SOME OR ALL OTHER USERS OF WATER FROM THE SAME SOURCE, (2)
DIVERSION OF ANY QUANTITY ABOVE 0.36 CFS WILL NOT INJURE OTHER WATER
RIGHTS, (3) ANY QUANTITY ABOVE 0.36 CFS WILL NOT BE SUBJECT TO A PRIORITY
CALL BY THIS RIGHT ON JUNIOR WATER RIGHTS, AND (4) DIVERSION OF THAT QUANTITY
DOES NOT CONSTITUTE WASTE.

PRIORITY DATE: 03/30/1884

POINT OF DIVERSION: T07S R13E S11 NWSENE Within GOODING County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 02-15 11-30 0.36 CFSPLACE OF USE: IRRIGATION Within GOODING County
T07S R13E S14 NENE 7
7 ACRES TOTAL

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

NBS