

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

2000 DEC 13 PM 3:53

In Re SRBA)
)
Case No. 39576)
)

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

Water Right 36-00065

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: 0.33 CFS

THIS QUANTITY IS DIVERTED AT THE HEADGATE OF THE BUCKEYE
DITCH. 0.01 CFS OF THIS QUANTITY IS LIMITED TO USE FOR
CONVEYANCE LOSS.

THE APPROPRIATOR IS ENTITLED TO DIVERT UP TO THE QUANTITY OF
0.56 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 0.33 CFS WILL NOT INJURE OTHER WATER RIGHTS, AND
(3) ANY QUANTITY ABOVE 0.33 CFS WILL NOT BE SUBJECT TO A PRIORITY
CALL BY THIS RIGHT ON JUNIOR WATER RIGHTS.

PRIORITY DATE: 09/10/1884

POINT OF DIVERSION: T07S R13E S11 SESENE Within Gooding County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	02-15 TO 11-30	0.33 CFS

PLACE OF USE: Irrigation Within Gooding County
T07S R13E S14 NENW 7.5
7.5 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

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 HOPSTETTER, 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.: 36-00065
)
)
)
)
)
)

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-2-----
RIGHTS FROM: SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 36-00065

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

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.33 CFS

THIS QUANTITY IS DIVERTED AT THE HEADGATE OF THE BUCKEYE DITCH. 0.01 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 0.33 CFS WILL NOT INJURE OTHER WATER
RIGHTS, (3) ANY QUANTITY ABOVE 0.33 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. *RB*

PRIORITY DATE: 09/10/1884

POINT OF DIVERSION: T07S R13E S11 SESENE Within GOODING County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 02-15 11-30 0.33 CFSPLACE OF USE: IRRIGATION Within GOODING County
T07S R13E S14
7.5 ACRES TOTAL
NEW 7.5

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

NBS

Water Right Number - R36-00065

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SPLIT RIGHT1 -
2 -
3 -City- N
Phone - 208-000-0000

State- ID Zip- 0

VERIFIED BY KKC*** O - ORIGINAL OWNER ***
BECKSTEAD

FRED A.

1 - P.O. BOX 359

2 -
3 -City- HAGERMAN
Phone - 208-837-4573

State- ID Zip- 83332

COATES

FAYE

1 - P.O. BOX 359

2 -
3 -City- HAGERMAN
Phone - 208-000-0000

State- ID Zip- 83332

+ - - Priority Date - - +
09/10/1884+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +

+ - - Status - - - +
Z - SEE REMARKS+ - - Source - - - - - +
BILLINGSLEY CREEK
SPLIT RIGHT+ - - Tributary - - - - - +
SNAKE RIVER

+ - - Point of Diversion - - - - - +

Twn Rng Sec Tract Lot RFlg County

07S 13E 11 SE SE NE (47) GOODING

+ - - Water Use - - - - - +

Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 11/01 0.600 30.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.600 30.00 22.5

+ - - Place of Use - - - - - +

Twn Rng Sec Tract Lot Acres Code Description County
07S 13E 14 NE NW 7.5 01 IRRIGATION (47) GOODING

Total Acres: 7.5

+ - - Diversion Means - VIA BUCKEYE DITCH

+ - - Non-Irrigation Use -

MICROFILMED
DEC 04 1996

04/23/92 10:06:15
Page 2

Prefix Translation: RESEARCH

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 04/23/1992	Old Judicial District	-
Claim Received Date	- 06/13/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	- 36A
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
DEC 04 1995

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - R36-00065

Adj. Flag Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SPLIT RIGHT

1 -
2 -
3 -
City- N State- ID Zip- 0
Phone - 208-000-0000

*** O - ORIGINAL OWNER ***
BECKSTEAD

FRED A.

1 - P.O. BOX 359
2 -
3 -
City- HAGERMAN State- ID Zip- 83332
Phone - 208-837-4573
1 - P.O. BOX 359
2 -
3 -
City- HAGERMAN State- ID Zip- 83332
Phone - 208-000-0000

COATES

FAYE

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
09/10/1884 17 Error in Region Z - SEE REMARKS

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
BILLINGSLEY CREEK SNAKE RIVER
SPLIT RIGHT

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County (Blank if no Index Code)
07S 13E 11 SE SE NE (47) GOODING

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.600 30.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.600 30.00 22.5

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
07S 13E 14 NE NW 7.5 01 IRRIGATION (47) GOODING

Total Acres: 7.5

+ - Diversion Means - VIA BUCKEYE DITCH

+ - Non-Irrigation Use -

DEC 04 1996
MICROFILMED

MICROFILMED
DEC 04 1996

Water Right Number - A36-00065

Adj. Flag Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SPLIT RIGHT1 -
2 -
3 -
City- N State- ID Zip- 0
Phone - 208-000-0000*** O - ORIGINAL OWNER ***
BECKSTEAD

FRED A.

1 - P.O. BOX 359
2 -
3 -
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Phone - 208-837-4573
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2 -
3 -
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Phone - 208-000-0000

COATES

FAYE

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
09/10/1884 17 Error in Region Z - SEE REMARKS+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
BILLINGSLEY CREEK SNAKE RIVER
SPLIT RIGHT+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County (Blank if no Index Code)
07S 13E 11 SE NE (47) GOODING+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/04 11/01 0.700+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.700 106.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 13E 11 SE SW 0.5 01 IRRIGATION (47) GOODING
07S 13E 14 NE NW 26.9 01 IRRIGATION (47) GOODING
07S 13E 14 NW NW 7.5 01 IRRIGATION (47) GOODING
07S 13E 14 SE NW 0.5 01 IRRIGATION (47) GOODING

Total Acres: 35.4

+ - Diversion Means - VIA BUCKEYE DITCH

MICROFILMED
DEC 04 1996

Adj. flag translation: ADJUDICATION CLAIM

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A36-00066, A36-00067

	Remarks
	P/U ACRES LISTED AS 0.5 ARE ESTIMATES FOR SMALL PARCELS DESCRIBED IN THE LEGAL DESCRIPTIONS.
	THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:
	A36-00065A - 0.18 CFS AESTH. - ROBINSON
	A36-00065B 0 0.70 CFS - 35.4 ACRES - BECKSTEAD/COATES
	TOTAL - 0.88 CFS RIGHT IS OVER CLAIMED.

+-----+
No Old Water Right Numbers Found

+-----+
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +	+ - - - - Decree Defendant - - - +	+ - Decree Date - +
NEW INTERNATIONAL MORTGAGE BANK	IDAHO POWER COMPANY	00/00/0000

[illegible]+ - - Audit Fields - - +
BAUMHOFF[illegible]

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
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		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-

MICROFILMED
DEC 04 1996