

JUL 25 2001

2001 JUL 23 AM 10:31

DISTRICT ATTORNEY-SRBA
TWIN FALLS CO., IDAHO
FILED _____

Case No. 39576

For Water Right 72-16597

DATED July 27, 2001.

R. Sundick

ROGER S. BURDICK
Presiding Judge
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 72-16597

2001 JUL 23 AM 10:31

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: LOIS VON MORGANROTH
1223 MONTANA AVE
SANTA MONICA, CA 90403

SOURCE: WARM SPRING CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 6.58 CFS

PRIORITY DATE: 06/13/1977

POINT OF DIVERSION: T12N R20E S04 NESENW Within Custer County
SENESW
S10 NENWSW
SENWSW
T13N R20E S18 SESESW
S19 NWNWSE
S32 NWNWNE
SENWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	6.58 CFS

PLACE OF USE:	Irrigation	Within Custer County
T12N R20E S04	SWNE 26.0 SENEW 4.9 SESW 0.1 SWSE 25.0	LOT 03 (NENW) 9.7 NESW 3.5 NWSE 33.0
S09	NENE 7.6 SENE 8.8 SWNW 3.8	NWNE 2.7
T13N R19E S12	NESE 34.0 SWSE 36.0	NWSE 36.0 SESE 40.0
S13	NENE 40.0 SWNE 38.0 SENE 13.0 NWSE 5.3	NWNE 38.0 SENE 40.0 NESE 25.0
R20E S18	NWNE 9.2 NENW 38.0	SWNE 22.0 LOT 01 (NWNW) 38.0
LOT 02 (SWNW) 38.0		SENE 40.0
LOT 03 (NWSW) 38.0		SESW 34.0
LOT 04 (SWSW) 11.0		
S19	NWSE 28.0 NWSE 2.3 SESE 18.0	SWSE 26.0
S29	NWNW 28.1 SENE 22.0 NWSW 38.0 SESW 29.0 SWSE 32.0	SWNW 24.0 NESW 28.0 SWSW 40.0 NWSE 16.0
S30	NENE 36.0 SENE 38.0 SESE 40.0	NWNE 30.0 NESE 40.0
S31	NENE 30.0	SENE 16.0
S32	NENE 20.0 SENE 24.0 NESE 0.2	NWNE 13.0 NWNW 40.0
S33	NWSW 20.4	SWSW 4.9

PLACE OF USE (continued)

SESW 9.7
1472.2 Acres Total

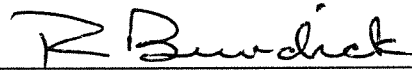
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 357 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1472.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-10141, 72-10142, 72-10143 & 72-16599.

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

2001 JUL 23 PM 02:00
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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 72-16597

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 72-16597 was mailed
on July 23, 2001, with sufficient first-class postage prepaid
to the following:

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

LOIS VON MORGANROTH
Represented by:
BRUCE M. SMITH
MOORE SMITH BUXTON & TURCKE
225 NORTH 9TH ST, STE 420
BOISE, ID 83702
Phone: 208-331-1800

DIANA DELANEY
Chief Deputy Clerk