

200 NOV 17 AM 9:26

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

) ORDER OF PARTIAL DECREE

)
Case No. 39576)
_____)

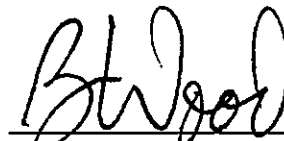
) For Water Right 79-10408

On September 29, 2000, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 79-10408 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED NOV 17 2000.



BARRY WOOD

Administrative District Judge and
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 79-10408

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: HECKMAN RANCHES INC
PO BOX 87
WHITEBIRD, ID 83554

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1935

POINT OF DIVERSION: T28N R01E S34 LOT 03 (SWNE) (Instream Beginning Point) Within Idaho County
LOT 03 (SENE) (Instream Ending Point)
T30N R03W S19 LOT 06 (SWNE) (Instream Beginning Point)
LOT 12 (SESE) (Instream Ending Point)
S29 LOT 01 (NWNW) (Instream Beginning Point)
S32 LOT 04 (SWNE) (Instream Ending Point)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

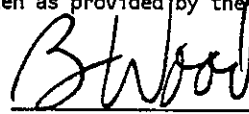
PLACE OF USE:	Stockwater	Within Idaho County
	T28N R01E S34 LOT 03 (SWNE)	LOT 03 (SESE)
	T30N R03W S19 LOT 06 (SWNE)	LOT 07 (NESE)
	LOT 12 (SESE)	
	S29 LOT 01 (NWNW)	LOT 03 (SWNW)
	LOT 03 (SENE)	LOT 04 (SESE)
	LOT 04 (SESE)	LOT 07 (SWSE)
	S32 LOT 01 (SWNE)	LOT 04 (SWNE)

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
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

2000 NOV 17 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)

Case No. 39576)

CERTIFICATE OF MAILING

Water Right(s): 79-10408

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 79-10408 was mailed
on November 17, 2000, with sufficient first-class postage prepaid
to the following:

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

CERTIFICATE OF MAILING

PAGE 1
11/17/00

A L CATTLE INC
BRUCE BEDKE
EUGENE MATHEWS
FLYING TRIANGLE, INC.
GARY POULTON
JARED BEDKE
JERRY HOAGLAND
JOE TUGAW
JOYCE LIVESTOCK
KARL (BUD) BEDKE
LUTHER GARDNER
MICHAEL POULTON
PICKETT RANCH & SHEEP CO.
SCOTT BEDKE
SHOULDERS 3 RANCHES INC
WESTERN STOCK GROWERS ASSOC
WILLIS D & BETTY G DEVENY

Represented by:
NORMAN M. SEMANKO
ATTORNEY AT LAW
410 S ORCHARD, STE 144
BOISE, ID 83705
Phone: 208-344-6690

USDI BLM
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

HECKMAN RANCHES INC
Represented by:
WAYNE C. MAC GREGOR JR
PO DRAWER 463
GRANGEVILLE, ID 83530
Phone: 208-983-0250

DIANA DELANEY
Chief Deputy Clerk