

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
FEB - 7 2008	
By _____	Clerk
_____	Deputy Clerk

**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

ORDER OF PARTIAL DECREES

**Subcases: 78-02027B, 78-02028B,
and 78-10237**

On November 1, 2007, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights. 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.

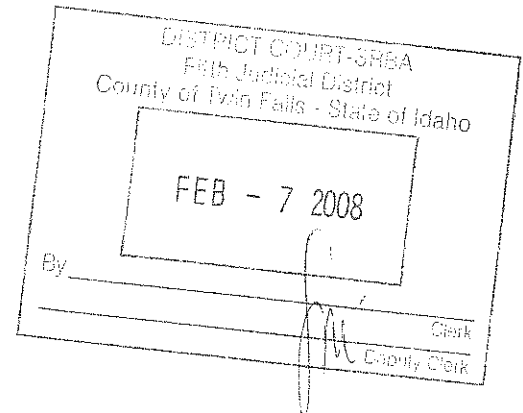
Therefore, IT IS ORDERED that the above-captioned water rights are hereby **decreed** as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED February 7, 2008.

JOHN M. MELANSON
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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 78-02027B



NAME AND ADDRESS: ALICE L BRANSTETTER
MELVIN C BRANSTETTER
PO BOX 245
NEW MEADOWS, ID 83654

SOURCE: FOURMILE CREEK TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 1.09 CFS
156.00 AFY

Right Nos. 78-2027B, 78-2028B and 78-10237 are limited to a
total combined diversion rate of 1.94 cfs and to a total
combined annual diversion volume of 291 AF.

PRIORITY DATE: 03/12/1920

POINT OF DIVERSION: T19N R02E S04 LOT 4 (NWNW) Within Adams County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.09 CFS 156.00 AFY

PLACE OF USE:	Irrigation	Within Adams County
	T19N R02E S05	NWSE 18.0
	S08	SWSE 38.0
		NENE 2.0
		NWNE 39.0
	97.0 Acres Total	

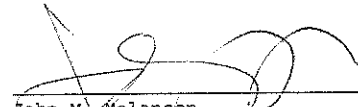
Right Nos. 78-2027B, 78-2028B and 78-10237 are limited to the
irrigation of a combined total of 97 acres in a single
irrigation season.
This right is limited to the irrigation of 52 acres within the
place of use described above in a single irrigation season.

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

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 78-02028B

NAME AND ADDRESS: ALICE L BRANSTETTER
MELVIN C BRANSTETTER
PO BOX 245
NEW MEADOWS, ID 83654

SOURCE: FOURMILE CREEK TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.90 CFS
135.00 AFY

Right Nos. 78-2027B, 78-2028B and 78-10237 are limited to a
total combined diversion rate of 1.94 cfs and to a total
combined annual diversion volume of 291 AF.

PRIORITY DATE: 06/15/1920

POINT OF DIVERSION: T19N R02E S04 LOT 4 (NWNW) Within Adams County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.90 CFS 135.00 AFY

PLACE OF USE:	Irrigation	Within Adams County
	T19N R02E S05 NWSE 19.0 SWSE 37.0	
	S08 NENE 2.0 NWNE 39.0	
	97.0 Acres Total	

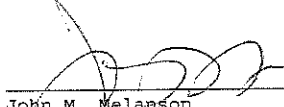
Right Nos. 78-2027B, 78-2028B and 78-10237 are limited to the
irrigation of a combined total of 97 acres in a single
irrigation season.
This right is limited to the irrigation of 45 acres within the
place of use described above in a single irrigation season.

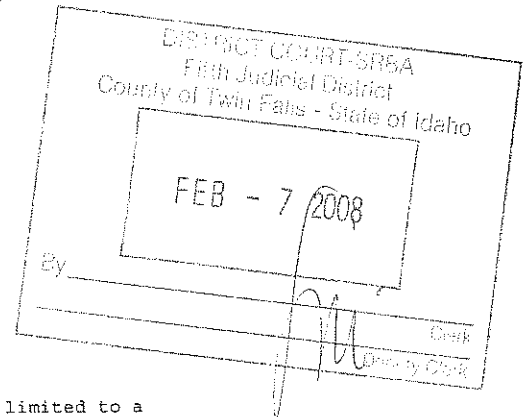
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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
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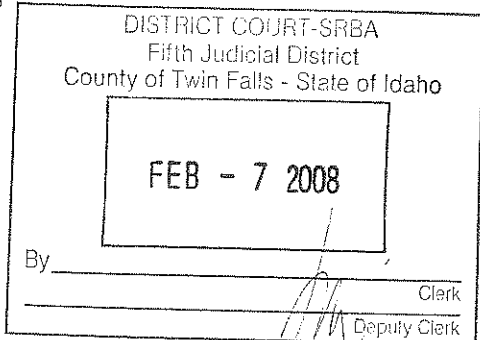

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



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 78-10237



NAME AND ADDRESS: ALICE L BRANSTETTER
MELVIN C BRANSTETTER
PO BOX 245
NEW MEADOWS, ID 83654

SOURCE: FOURMILE CREEK TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 1.94 CFS
264.00 AFY

Right Nos. 78-2027B, 78-2028B and 78-10237 are limited to a
total combined diversion rate of 1.94 cfs and to a total
combined annual diversion volume of 291 AF.

PRIORITY DATE: 04/01/1948

POINT OF DIVERSION: T19N R02E S04 LOT 4 (NWNW) Within Adams County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.94 CFS 264.00 AFY

PLACE OF USE:	Irrigation	Within Adams County
	T19N R02E S05	NWSE 19.0
	S08	NENE 2.0
	97.0 Acres Total	SWSE 37.0 NWNE 39.0

Right Nos. 78-2027B, 78-2028B and 78-10237 are limited to the
irrigation of a combined total of 97 acres in a single
irrigation season.

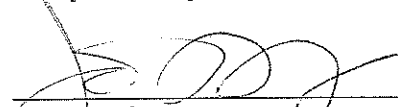
This right is limited to the irrigation of 88 acres within the
place of use described above in a single irrigation season.

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
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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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on February 07, 2008, with sufficient first-class postage to the following:

ALICE L BRANSTETTER
MELVIN C BRANSTETTER
PO BOX 245
NEW MEADOWS, ID 83654
Phone: 208-347-2266

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