

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) **Nunc Pro Tunc, August 28, 2003**
) Water Right 31-07606

NAME AND ADDRESS: ELAINE L LARSEN
CONNIE LARSEN
PO BOX 188
HAMER, ID 83425-0188

SOURCE: GROUND WATER

QUANTITY: 0.45 CFS
78.00 AFY

USE OF THIS RIGHT IS LIMITED TO A FIVE YEAR AVERAGE ANNUAL
DIVERSION VOLUME OF 78 AF.^^^ THE COMBINED USE OF RIGHTS LISTED
BELOW IS LIMITED TO A FIVE YEAR AVERAGE ANNUAL DIVERSION VOLUME
OF 267 AF. COMBINED RIGHT NOS.: 31-07606, 31-07609, 31-07611,
31-07629, 31-07052P.^^^ THE COMBINED DIVERSION VOLUME OF THE
RIGHTS LISTED BELOW SHALL NOT EXCEED 7540 AF/YEAR WHEN AVERAGED
OVER A ROLLING FIVE YEAR PERIOD. COMBINED RIGHTS:
31-7052C,31-07052N,31-07052P,31-07214B, 31-07214D, 31-07368A,
31-07368B, 31-07369B, 31-07369C,31-07369D,
31-07439B,31-07605,31-07606,31-07607,31-07608,31-07609,31-07610,
31-07611,31-07612,31-07613,31-07614,31-07617,
31-07618,31-07619,31-07620,31-07621,31-07622,31-07623,31-07624,
31-07625,31-07626,31-07627,31-07628,07631,
31-07632,31-07633,31-07634,31-07635,31-07636,31-07637,31-7638.

PRIORITY DATE: 03/29/1984

POINT OF DIVERSION: T09N R36E S34 SWSWSW Within Clark County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	0.45 CFS
			78.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE [APRIL 15] AND AFTER [OCTOBER 15] UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN
THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.^^^

PLACE OF USE:	Irrigation	Within Clark County
	T08N R36E S03 LOT 3 (NENW) 14.0	LOT 4 (NWNW) 32.0
	S04 LOT 1 (NENE) 5.0	
	T09N R36E S33 SESE 13.0	
	S34 SWSW 39.0	SESW 11.0
	114.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 33.2 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 114 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT
NOS.:31-07606,31-07609,31-07611 31-07629,31-07052P.^^^

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

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

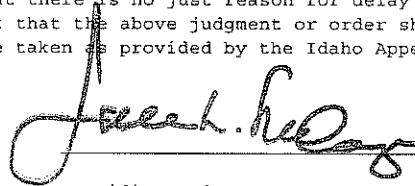
A TOTALIZING MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

THE RIGHT HOLDER SHALL PROVIDE AN ANNUAL SUMMARY OF PUMPING VOLUMES TO THE DEPARTMENT AS PUBLIC RECORD.^^^

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.

A handwritten signature in dark ink, appearing to read "Jacob H. Hays", is written over a horizontal line.

Presiding Judge of the
Snake River Basin Adjudication

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED
2003 NOV 14 PM 4 35

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

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ORDER OF PARTIAL DECREES, *NUNC PRO*
***TUNC* TO AUGUST 28, 2003**

Water Rights: See Attached Exhibit A

On July 11, 2003, a *Special Master's Report and Recommendation* was filed for each of the water rights listed on Exhibit A. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired. *Partial Decrees* were due to be filed August 28, 2003, but were not issued because of the absence of a Presiding Judge.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order I*, 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 water rights listed the attached Exhibit A be decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b), Nunc Pro Tunc, August 28, 2003*.

DATED November 14, 2003.



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

31-07214B
31-07214D
31-07368A
31-07369C
31-07369E
31-07369F
31-07606
31-07609
31-07610A
31-07611
31-07612A
31-07614
31-07615A
31-07617
31-07618A
31-07619
31-07620A
31-07621A
31-07622A
31-07623
31-07624
31-07625
31-07626
31-07627A
31-07628
31-07629
31-07630
31-07631
31-07632