

RECEIVED

DEC 18 2005
DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
DEPARTMENT OF
WATER RESOURCES
DEC 7 2005
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

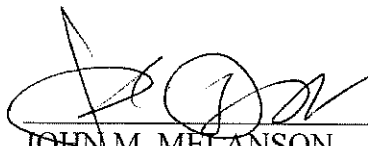
In Re SRBA)
Case No. 39576)
ORDER OF PARTIAL DECREE
For Water Right: 82-00002

On October 27, 2005, a *Special Master's Report and Recommendation* was filed for the above-captioned 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 Recommendation* and wholly adopts them as its own.

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

DATED December 6, 2005.


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)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 82-00002

NAME AND ADDRESS: CHARLES B HOPKINS JR
DOROTHY L HOPKINS
EDITH L BARTLETT
FRANK E BARTLETT
10404 FOOTHILL BLVD
LAKE VIEW TERRAC, CA 91342

SOURCE: SCHWARTZ CREEK TRIBUTARY: SOUTH FORK CLEARWATER RIVER

QUANTITY: 0.18 CFS

The quantity of water under this right for domestic use shall
not exceed 13,000 gallons per day.
THE RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 0.98 CFS.
COMBINED RIGHT NOS.: 82-1, 82-2 AND 82-2072

PRIORITY DATE: 06/01/1925

POINT OF DIVERSION: T30N R04E S29 NWNW Within Idaho County
S30 NENE
LOT 6 (NWNW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.18 CFS

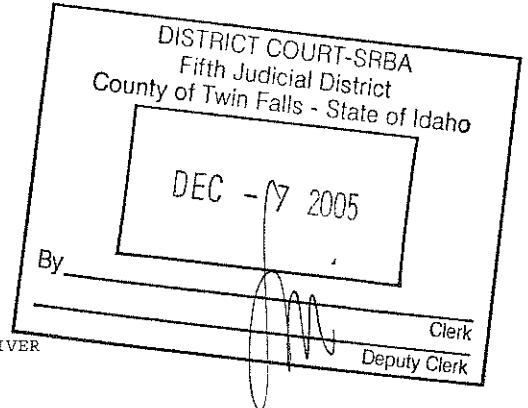
PLACE OF USE: Irrigation Within Idaho County
T30N R04E S19 LOT 5 (SESW) 2.0 LOT 6 (SWSE) 14.0
S30 LOT 6 (NWNW) 18.0 LOT 5 (NENW) 6.0
40.0 Acres Total

THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 40 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 82-1, 82-2 AND 82-2072

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

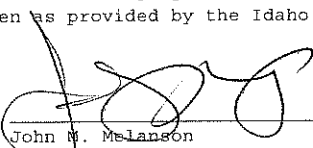
The quantity of water decreed for this water right for domestic
use is not a determination of historical beneficial use.

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.



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

2005 DEC 07 PM 02:00
DISTRICT COURT r 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): 82-00002

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 82-00002 was mailed
on December 07, 2005, with sufficient first-class postage prepaid
to the following:

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

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

CHARLES B HOPKINS JR
DOROTHY L HOPKINS
EDITH L BARTLETT
FRANK E BARTLETT
10404 FOOTHILL BLVD
LAKE VIEW TERRAC, CA 91342
Phone: 818-768-0442

CERTIFICATE OF MAILING

JULIE MURPHY
Chief Deputy Clerk

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12/07/05

