

RECEIVED
AUG 31 2005
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

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: 45-02631

On July 20, 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 August 30, 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 DISTRICT COURT-SRBA
I.R.C.P. 54(b) FOR Fifth Judicial District
Water Right 45-02631 County of Twin Falls - State of Idaho

NAME AND ADDRESS: BERTHA PRICE
EUGENE F PRICE
2331 W 16TH ST
BURLEY, ID 83318

SOURCE: GROUND WATER

QUANTITY: 3.27 CFS
668.00 AFY

AUG 30 2005	
By _____	Clerk
_____	Deputy Clerk

USE OF THIS RIGHT WITH RIGHT NO. 45-10000 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.27 CFS.

PRIORITY DATE: 10/26/1960

POINT OF DIVERSION: T11S R21E S02 SESENE Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	3.27 CFS 668.00 AFY

PLACE OF USE:	Irrigation	Within Cassia County
	T10S R21E S35 NESE 3.6 SESE 31.0	
	S36 SWSW 0.5	
	T11S R21E S02 LOT 1 (NENE) 43.0 LOT 2 (NWNE) 44.0	
	SWNE 40.0 SENE 40.0	
	202.1 Acres Total	

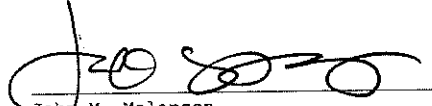
USE OF THIS RIGHT WITH RIGHT NO. 45-10000 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 202.1 ACRES IN A SINGLE
IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 167 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

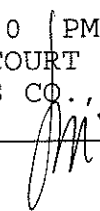
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

2005 AUG 30 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): 45-02631

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 45-02631 was mailed
on August 30, 2005, with sufficient first-class postage prepaid
to the following:

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

BERTHA PRICE
EUGENE F PRICE
2331 W 16TH ST
BURLEY, ID 83318
Phone: 208-678-5570

JULIE MURPHY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
08/30/05