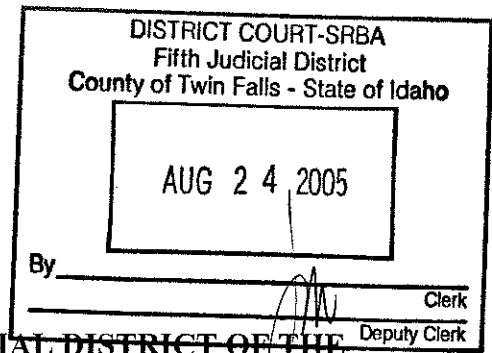




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

)
) **ORDER OF PARTIAL DECREE FOR**
) **UNCONTESTED INTERSTATE WATER**
) **RIGHT**
)
) **For Water Right: 57-04006**
)
)

On April 22, 2005, the Idaho Department of Water Resources (IDWR) filed its *Director's Report, Part 1, For Late Claims*, which included a recommendation for the above-captioned water right. The recommendation for the water right contains an element located outside of the state of Idaho, to wit: The point of diversion for this water right is located in the state of Oregon. The recommendation contains a legal description for the point of diversion element at the point where the conveyance system enters the state of Idaho. IDWR also included the following remark describing the location of the point of diversion located in Oregon:

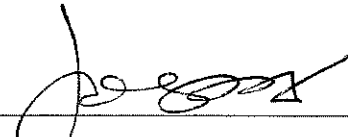
The point of diversion shown above is where the conveyance system enters Idaho. The point of diversion for this water right is in Oregon, within the NW1/4NE1/4, Section 11, T23S, R46E, Williamette Meridian.

No objections were filed to this recommendation.

The Court finds that the manner in which the element located outside of the state of Idaho was recommended to be consistent with the law applying to interstate water rights and approves the manner in which the right was recommended for purposes of the form and content of a partial decree for interstate water rights. The partial decree entered for this water right is not an adjudication of the validity of those elements located outside of the state of Idaho.

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

Dated August 22, 2005



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

SCANNED

AUG 25 2005

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 57-04006

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
AUG 24 2005
By _____ Clerk
_____ Deputy Clerk

NAME AND ADDRESS: BRUCE REUCK
TERRY REUCK
1002 SUCCOR CREEK RD
HOMEDALE, ID 83628

SOURCE: SUCCOR CREEK TRIBUTARY: SNAKE RIVER

Succor Creek in the State of Oregon is tributary to the Snake River within the State of Idaho.

QUANTITY: 4.00 CFS

PRIORITY DATE: 10/04/1889

POINT OF DIVERSION: T03N R06W S14 LOT 3 (NWSW) Within Owyhee County

The point of diversion shown above is where the conveyance system enters Idaho. The point of diversion for this water right is in Oregon, within the NW1/4NE1/4, Section 11, T23S, R46E, Willamette Meridian.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-15 TO 10-15	2.00 CFS
Irrigation Storage	03-15 TO 10-15	11.00 AFY
Irrigation from Storage	03-15 TO 10-15	11.00 AFY
Diversion to Storage	03-15 TO 10-15	4.00 CFS

PLACE OF USE:

Irrigation	Within Owyhee County
T03N R06W S14	SWNE 31.0 LOT 2 (SNNW) 6.0
	SENE 24.0 NESW 7.5
LOT 3 (NWSW) 6.3	NWSE 2.2
77.0 Acres Total	

Irrigation from Storage Within ERROR County
Same as Irrigation

Use of this right with right no. 57-7046 is limited to the irrigation of a combined total of 90 acres 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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE FOR UNCONTESTED INTERESTATE WATER RIGHT was mailed on August 24, 2005, with sufficient first-class postage to the following:

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

BRUCE REUCK
TERRY REUCK
1002 SUCCOR CREEK RD
HOMEDALE, ID 83628
Phone: 208-337-5914

SCANNED

AUG 25 2005

SCANNED

AUG 25 2005

ORDER

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FILE COPY FOR 00739

Deputy Clerk

Julie Murphy