1000r Documents In File

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 70491

This is to certify that: LARRY KINCADE And

DARLENE KINCADE 1781 E HWY 77 MALTA ID 83342 (208)645-2346

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	<u>Volume</u>	Acre Limit	Total Acres	<u>Source</u>
43-476	WR/Decreed	04/30/1872	0.24 cfs	N/A	N/A	177.4	CASSIA CREEK
43-68	WR/Decreed	04/30/1872	1.88 cfs	N/A	N/A	177.4	CASSIA CREEK
43-70B	WR/Decreed	04/30/1872	0.26 cfs	N/A	N/A	177.4	CASSIA CREEK
43-71B	WR/Decreed	04/30/1873	0.26 cfs	N/A	N/A	177.4	CASSIA CREEK
43-73B	WR/Decreed	04/01/1894	1.31 cfs	N/A	N/A	177.4	CASSIA CREEK
43-74B	WR/Decreed	04/27/1910	0.16 cfs	N/A	86.0	177.4	CASSIA CREEK

Purpose of Transfer (Changes Proposed)

Current Number	<u>Split</u>	POD	POU	Add POD	Period of Use	Nature of Use
43-476	NO	YES	NO	NO	NO	NO
43-68	NO	YES	NO	NO	NO	NO
43-70B	NO	YES	NO	NO	NO	NO
43-71B	NO	YES	NO	NO	NO	NO
43-73B	NO	YES	NO	NO	NO	NO
43-74B	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)		Remaining Volume		Remaining Total Acres
43-476	43-476	0.24 cfs	N/A	N/A	177.4		N/A	N/A	N/A	N/A
43-68	43-68	1.88 cfs	N/A	N/A	177.4		N/A	N/A	N/A	N/A
43-70B	43-70B	0.26 cfs	N/A	N/A	177.4		N/A	N/A	N/A	N/A

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 70491

Summary	of Water	Riahts	After the	Approv	ed Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume		Remaining Total Acres
43-71B	43-71B	0.26 cfs	N/A	N/A	177.4		N/A	N/A	N/A	N/A
43-73B	43-73B	1.31 cfs	N/A	N/A	177.4		N/A	N/A	N/A	N/A
43-74B	43-74B	0.16 cfs	N/A	86.0	177.4		N/A	N/A	N/A	Ň/Á
COMBINE TOTALS	ĒD	4.11 cfs			177.4	,	N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 12 day of May , 20 03

For Chief, Water Allocation Bureau

WATER RIGHT NO. 43-68 As Modified by Transfer No. 70491

In accordance with the approval of Transfer No. 70491, Water Right No. 43-68 is now described as follows.

Right Holder: LARRY KINCADE And

DARLENE KINCADE 1781 E HWY 77 MALTA ID 83342

Priority Date: April 30, 1872

Source: CASSIA CREEK

Tributary: RAFT RIVER

BENEFICIAL USE

From To

Diversion Rate

Volume

IRRIGATION

04/01 to 10/31

1.88 CFS

1.88 CFS

LOCATION OF POINT(S) OF DIVERSION:

CASSIA CREEK CASSIA CREEK NESE NESE Sec. 24 Twp 13S Rge 25E CASSIA County

Sec. 24 Twp 13S Rge 25E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE	l NW	1	sw	1	SE	ı	
13S 26E 19	I <u>NW ISW ISE</u>	i <u>ne inw</u> i <u>sw is</u> I	<u>E NE</u> 21.0	<u>NW SW </u> 11.0	<u>SE NE</u> 7.8 17.0	. — . — .	33.0	<u>Totals</u> 134.8
13S 26E 20		 	1	5.6 37.0	1		l I	42.6

Total Acres: 177.4

CONDITIONS OF APPROVAL

- 1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 43C.
- Prior to diversion of water under this approval, the right holder shall provide a means of
 measurement and lockable controlling works for all authorized points of diversion. The means of
 measurement and controlling works must be suitable for control of the diversions and acceptable to
 the watermaster.
- 3. Rights 43-68, 43-70B, 43-71B, 43-73B, 43-74B and 43-476 when combined shall not exceed a total diversion rate of 4.11 cfs, shall not exceed 0.02 cfs per acre at the field headgate, and the irrigation of 177.4 acres.
- 4. Rights 43-68, 43-70B, 43-71B, 43-73B, 43-74B and 43-476 are diverted through the point(s) of diversion described above.
- 5. Rights 43-68, 43-70B, 43-71B, 43-73B, 43-74B, 43-476 and 43-7139 when combined shall not exceed 0.02 cfs per acre at the field headgate, and the irrigation of 187.6 acres.
- 6. This right does not grant any right-of-way or easement across the land of another.

MICHO, ILIVILLE

WATER RIGHT NO. 43-68 As Modified by Transfer No. 70491

CONDITIONS OF APPROVAL

- 7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- 8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions
 necessary for the definition of the rights or for the efficient administration of water rights as may be
 determined by the Snake River Basin Adjudication court at a point in time no later than the entry of
 the final unified decree.

WATER RIGHT NO. 43-70B As Modified by Transfer No. 70491

In accordance with the approval of Transfer No. 70491, Water Right No. 43-70B is now described as follows.

Right Holder: LARRY KINCADE And

DARLENE KINCADE 1781 E HWY 77 **MALTA ID 83342**

Priority Date: April 30, 1872

Source: CASSIA CREEK

Tributary: RAFT RIVER

BENEFICIAL USE

From Τo **Diversion Rate**

Volume

IRRIGATION

04/01 to 10/31

0.26 CFS

0.26 CFS

LOCATION OF POINT(S) OF DIVERSION:

CASSIA CREEK

NESE

Sec. 24 Twp 13S Rge 25E CASSIA County

CASSIA CREEK

NESE

Sec. 24 Twp 13S Rge 25E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE	NW	- 1	SW	1	SE		
<u>NE</u>	I NW SW SE	NE NW SW S	BE NE !	NW SW	SE NE	<u>NW SW </u>	SE	<u>Totals</u>
13S 26E 19]	21.0	11.0	7.8 17.0	19.0 26.0	33.0	134.8
1	l l		1	L3	ł		- 1	
13S 26E 20			1	5.6 37.0	1		ĺ	42.6

Total Acres: 177.4

CONDITIONS OF APPROVAL

- 1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 43C.
- 2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
- 3. Rights 43-68, 43-70B, 43-71B, 43-73B, 43-74B and 43-476 when combined shall not exceed a total diversion rate of 4.11 cfs. shall not exceed 0.02 cfs per acre at the field headgate, and the irrigation of 177.4 acres.
- Rights 43-68, 43-70B, 43-71B, 43-73B, 43-74B and 43-476 are diverted through the point(s) of diversion described above.
- 5. Rights 43-68, 43-70B, 43-71B, 43-73B, 43-74B, 43-476 and 43-7139 when combined shall not exceed 0.02 cfs per acre at the field headgate, and the irrigation of 187.6 acres.
- 6. This right does not grant any right-of-way or easement across the land of another.

MICACHILINES

WATER RIGHT NO. 43-70B As Modified by Transfer No. 70491

CONDITIONS OF APPROVAL ...

- 7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- 8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- 9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho

WATER RIGHT NO. 43-71B As Modified by Transfer No. 70491

In accordance with the approval of Transfer No. 70491, Water Right No. 43-71B is now described as follows.

Right Holder: LARRY KINCADE And

DARLENE KINCADE 1781 E HWY 77 **MALTA ID 83342**

Priority Date: April 30, 1873

Source: CASSIA CREEK

Tributary: RAFT RIVER

BENEFICIAL USE

From То **Diversion Rate**

Volume

IRRIGATION

04/01 to 10/31

0.26 CFS

0.26 CFS

LOCATION OF POINT(S) OF DIVERSION:

CASSIA CREEK CASSIA CREEK

NESE NESE Sec. 24 Twp 13S Rge 25E CASSIA County

Sec. 24 Twp 13S Rge 25E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE J	NW	l sw	ı	SE	1
l <u>Ne</u>	<u>NW SW SE </u>	NE NW SW SE	NE NW SW	<u>SE NE N</u>	<u>W SW SE</u>	Totals
13S 26E 19			21.0 11.0	7.8 17.0 19	0.0 26.0 33.0	134.8
ļ.			L 3	1		1
13S 26E 20			5.6 37.0	İ		42.6

Total Acres: 177.4

CONDITIONS OF APPROVAL

- 1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 43C.
- 2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
- 3. Rights 43-68, 43-70B, 43-71B, 43-73B, 43-74B and 43-476 when combined shall not exceed a total diversion rate of 4.11 cfs, shall not exceed 0.02 cfs per acre at the field headgate, and the irrigation of 177.4 acres.
- 4. Rights 43-68, 43-70B, 43-71B, 43-73B, 43-74B and 43-476 are diverted through the point(s) of diversion described above.
- 5. Rights 43-68, 43-70B, 43-71B, 43-73B, 43-74B, 43-476 and 43-7139 when combined shall not exceed 0.02 cfs per acre at the field headgate, and the irrigation of 187.6 acres.
- 6. This right does not grant any right-of-way or easement across the land of another.

MICHCHILL.

WATER RIGHT NO. 43-71B As Modified by Transfer No. 70491

CONDITIONS OF APPROVAL

- 7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- 8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions
 necessary for the definition of the rights or for the efficient administration of water rights as may be
 determined by the Snake River Basin Adjudication court at a point in time no later than the entry of
 the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

 Page 9 of 14

WATER RIGHT NO. 43-73B As Modified by Transfer No. 70491

In accordance with the approval of Transfer No. 70491, Water Right No. 43-73B is now described as follows.

Right Holder: LARRY KINCADE And

DARLENE KINCADE 1781 E HWY 77 MALTA ID 83342

Priority Date: April 01, 1894

Source: CASSIA CREEK

Tributary: RAFT RIVER

BENEFICIAL USE

From To

Diversion Rate

Volume

IRRIGATION

04/01 to 10/31

1.31 CFS

1.31 CFS

LOCATION OF POINT(S) OF DIVERSION:

CASSIA CREEK

NESE

Sec. 24 Twp 13S Rge 25E CASSIA County

CASSIA CREEK

NESE

Sec. 24 Twp 13S Rge 25E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE	NW	sw	' 1	SI	E	
l <u>ne</u>	NW SW SE	NE NW SW SE	NE NW S	W SE	NE NW	SW SE	<u>Totals</u>
13S 26E 19		1	21.0 11.0	7.8	17.0 19.0	26.0 33.0	134.8
1		•	L3	1		J	
13S 26E 20		1	5.6 3	37.0 j		Ì	42.6

Total Acres: 177.4

CONDITIONS OF APPROVAL

- 1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 43C.
- Prior to diversion of water under this approval, the right holder shall provide a means of
 measurement and lockable controlling works for all authorized points of diversion. The means of
 measurement and controlling works must be suitable for control of the diversions and acceptable to
 the watermaster.
- 3. Rights 43-68, 43-70B, 43-71B, 43-73B, 43-74B and 43-476 when combined shall not exceed a total diversion rate of 4.11 cfs, shall not exceed 0.02 cfs per acre at the field headgate, and the irrigation of 177.4 acres.
- 4. Rights 43-68, 43-70B, 43-71B, 43-73B, 43-74B and 43-476 are diverted through the point(s) of diversion described above.
- 5. Rights 43-68, 43-70B, 43-71B, 43-73B, 43-74B, 43-476 and 43-7139 when combined shall not exceed 0.02 cfs per acre at the field headgate, and the irrigation of 187.6 acres.
- 6. This right does not grant any right-of-way or easement across the land of another.

MICAC. Line

WATER RIGHT NO. 43-73B As Modified by Transfer No. 70491

CONDITIONS OF APPROVAL

- 7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- 8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions
 necessary for the definition of the rights or for the efficient administration of water rights as may be
 determined by the Snake River Basin Adjudication court at a point in time no later than the entry of
 the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Chief, Water Allocation Bureau

Page 11 of 14

WATER RIGHT NO. 43-74B As Modified by Transfer No. 70491

In accordance with the approval of Transfer No. 70491, Water Right No. 43-74B is now described as follows.

Right Holder: LARRY KINCADE And

DARLENE KINCADE 1781 E HWY 77 MALTA ID 83342

Priority Date: April 27, 1910

Source: CASSIA CREEK

Tributary: RAFT RIVER

BENEFICIAL USE

From To

Diversion Rate

Volume

IRRIGATION

04/01 to 10/31

0.16 CFS

0.16 CFS

LOCATION OF POINT(S) OF DIVERSION:

CASSIA CREEK

NESE

Sec. 24 Twp 13S Rge 25E CASSIA County

CASSIA CREEK

NESE

Sec. 24 Twp 13S Rge 25E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE	NW	sw	1	SE	1	
Ŭ <u>N</u> E	<u>NW SW SE</u>	NE NW SW SE	NE NW SI	W SE NE	<u> NW SW </u>	<u>SE </u>	<u>Totals</u>
13S 26E 19		1	21.0 11.0	7.8 17.0	19.0 26.0	33.0	134.8
1			L3	I		Ì	
13S 26E 20		I	1 5.6 37	7.0 I		ĺ	42.6

Total Acres: 177.4

CONDITIONS OF APPROVAL

- 1. This right is limited to the irrigation of 86 acres within the place of use described above in a single irrigation season.
- 2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 43C.
- Prior to diversion of water under this approval, the right holder shall provide a means of
 measurement and lockable controlling works for all authorized points of diversion. The means of
 measurement and controlling works must be suitable for control of the diversions and acceptable to
 the watermaster.
- 4. Rights 43-68, 43-70B, 43-71B, 43-73B, 43-74B and 43-476 when combined shall not exceed a total diversion rate of 4.11 cfs, shall not exceed 0.02 cfs per acre at the field headgate, and the irrigation of 177.4 acres.
- 5. Rights 43-68, 43-70B, 43-71B, 43-73B, 43-74B and 43-476 are diverted through the point(s) of diversion described above.
- 6. Rights 43-68, 43-70B, 43-71B, 43-73B, 43-74B, 43-476 and 43-7139 when combined shall not exceed 0.02 cfs per acre at the field headgate, and the irrigation of 187.6 acres.

MICACOLLA

WATER RIGHT NO. 43-74B As Modified by Transfer No. 70491

CONDITIONS OF APPROVAL

- 7. This right does not grant any right-of-way or easement across the land of another.
- 8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- 9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- 10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

For Chief, Water Allocation Bureau

MICACO

WATER RIGHT NO. 43-476 As Modified by Transfer No. 70491

In accordance with the approval of Transfer No. 70491, Water Right No. 43-476 is now described as follows.

Right Holder: LARRY KINCADE And

DARLENE KINCADE 1781 E HWY 77 **MALTA ID 83342**

Priority Date: April 30, 1872

Source: CASSIA CREEK

Tributary: RAFT RIVER

BENEFICIAL USE

From To **Diversion Rate**

Volume

IRRIGATION

04/01 to 10/31

0.24 CFS

0.24 CFS

LOCATION OF POINT(S) OF DIVERSION:

CASSIA CREEK CASSIA CREEK

NESE NESE

Sec. 24 Twp 13S Rge 25E CASSIA County

Sec. 24 Twp 13S Rge 25E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec NE	NW	sw	SE	1
<u>NE NW SW SE </u>	NE NW SW SE	NE NW SW SE	<u>NE NW SW </u>	SE Totals
13S 26E 19	l l	21.0 11.0 7.8	3 17.0 19.0 26.0	33.0 134.8
1	1	L3		1
13S 26E 20	1	5.6 37.0	1	1 42.6

Total Acres: 177.4

CONDITIONS OF APPROVAL

- 1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 43C.
- 2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
- 3. Rights 43-68, 43-70B, 43-71B, 43-73B, 43-74B and 43-476 when combined shall not exceed a total diversion rate of 4.11 cfs, shall not exceed 0.02 cfs per acre at the field headgate, and the irrigation of 177.4 acres.
- 4. Rights 43-68, 43-70B, 43-71B, 43-73B, 43-74B and 43-476 are diverted through the point(s) of diversion described above.
- 5. Rights 43-68, 43-70B, 43-71B, 43-73B, 43-74B, 43-476 and 43-7139 when combined shall not exceed 0.02 cfs per acre at the field headgate, and the irrigation of 187.6 acres.
- 6. This right does not grant any right-of-way or easement across the land of another.

MICHELINE

WATER RIGHT NO. 43-476 As Modified by Transfer No. 70491

CONDITIONS OF APPROVAL

- 7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- 8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- 9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Chief, Water Allocation Bureau

2002 JUN 28 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	}	PARTIAL DECREE PURSUANT TO
)	I.R.C.P. 54(b) FOR
Case No. 39576)	
)	Water Right 43-00074B

NAME AND ADDRESS:

DARLENE KINCADE LARRY KINCADE 1781 E HWY 77 MALTA, ID 83342

SOURCE:

CASSIA CREEK

TRIBUTARY: RAFT RIVER

QUANTITY:

0.16 CFS

WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE. COMBINED RIGHT NOS. 43-68, 43-708,

43-71B, 43-73B, 43-74B, 43-476, AND 43-7139.

PRIORITY DATE:

04/27/1910

POINT OF DIVERSION:

T13S R26E S19 LOT 3 (SENWSW)
LOT 3 (SWNWSW)

Within Cassia County

(SWNWSW)

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE Irrigation

PERIOD OF USE

QUANTITY

04-01 TO 10-31

0.16 CFS

PLACE OF USE:

Irrigation T13S R26E 519

Within Cassia County NESW 21.0 LOT 3 (NWSW) 11.0

SESW 7.8 NESE 17.0 NWSE 19.0 SWSE 26.0

SESE 33.0

NWSW 5.6 SWSW 37.0

S20 177.4 Acres Total

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 86 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 187.6 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-68, 43-70B, 43-71B, 43-73B, 43-74B, 43-476, AND 43-7139.

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).

> MICHOFILMED JUN 0 5 2003

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

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.

Roger Burdick

Presiding Judge of the

Snake River Basin Adjudication

MICRONILATED

MIN 0 5 2003

MEMORANDUM

то:	FILE 43- 24B		
FROM:	VAULT		
RE:	TRANSFER # 2049/		
DATE:	5.12.03		
====:	=======================================		======
Original Transfer Application, Form and correspondence regarding the above			
referenced Transfer is located within:			
FTI F #	43-68		