

2005 JAN 31 PM 4:15  
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

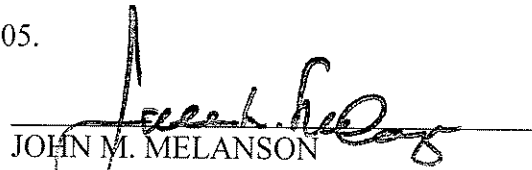
|                |   |                           |
|----------------|---|---------------------------|
| In Re SRBA     | ) | ORDER OF PARTIAL DECREE   |
|                | ) |                           |
| Case No. 39576 | ) | For Water Right: 23-10209 |
|                | ) |                           |
| _____          | ) |                           |

On December 7, 2004, a *Special Master's Report and Recommendation* was filed for water right 23-10209. 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 water right 23-10209 be **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED January 31, 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 )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 23-10209

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NAME AND ADDRESS: BONNIE JACKSON  
ROBERT J JACKSON  
PO BOX 104  
IRWIN, ID 83428

SOURCE: GROUND WATER

QUANTITY: 0.06 CFS  
9.10 AFY

The quantity of water under this right for domestic use shall  
not exceed 13,000 gallons per day.  
USE OF THIS RIGHT WITH RIGHT NO. 23-10208 IS LIMITED TO A TOTAL  
COMBINED DIVERSION RATE OF 0.06 CFS FOR IRRIGATION.

PRIORITY DATE: 06/01/1938

POINT OF DIVERSION: T01N R44E S21 SESWNW Within Bonneville County

PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------|----------------|----------------|----------|
|                | Irrigation     | 04-15 TO 10-31 | 0.06 CFS |
|                |                |                | 9.10 AFY |
|                | Domestic       | 01-01 TO 12-31 | 0.04 CFS |

DOMESTIC; 1 HOME, IRRIGATION OF LAWN AROUND TRAILER PARK. WELL  
IS TIED TO 23-10208.

PLACE OF USE: Irrigation Within Bonneville County  
T01N R44E S21 SWNW 2.6  
2.6 Acres Total

Domestic Within Bonneville County  
T01N R44E S21 SWNW

USE OF THIS RIGHT WITH RIGHT NO. 23-10208 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 2.6 ACRES IN A SINGLE  
IRRIGATION SEASON.

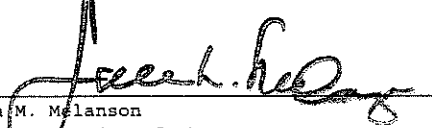
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 M. Melanson  
Presiding Judge of the  
Snake River Basin Adjudication

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In Re SRBA )  
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Case No. 39576 )  
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Water Right(s) : 23-10209

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