

2005 JAN 31 PM 4:05
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

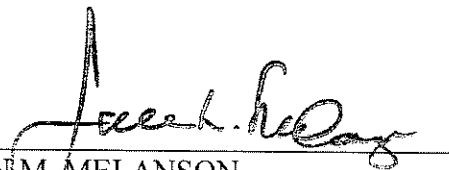
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	SUBCASES: 23-00063, 23-00078,
	)	23-00094 and 23-10858
	)	
	)	
	)	
	)	

On December 7, 2004, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights. 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 wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water rights are hereby **decreed** as set forth in the attached *Partial Decrees 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 23-00063

2005 JAN 31 PM 4:05
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED *jm*

NAME AND ADDRESS: SHURTLEFF RANCHES LTD
PARTNERSHIP
399 HEMLOCK CIRCLE
IDAHO FALLS, ID 83401

SOURCE: RAINEY CREEK TRIBUTARY: SOUTH FORK SNAKE RIVER

QUANTITY: 2.40 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 13.4 CFS. COMBINED RIGHT
NOS.: 23-00063, 23-00078, 23-00080, 23-10858, 23-04043.
THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 23-00063, 23-00078,
23-00080, 23-10858, 23-04043 SHALL PROVIDE NO MORE THAN .02 CFS
PER ACRE.

PRIORITY DATE: 06/15/1898

POINT OF DIVERSION: T02N R44E S33 SESESW Within Bonneville County
NWSWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	2.40 CFS

PLACE OF USE:	Irrigation	Within Bonneville County
	T01N R44E S05 LOT 4 (NWNW) 25.0	
	S06 LOT 1 (NENE) 22.0	LOT 2 (NWNE) 37.0
	SWNE 39.0	SENE 26.0
	LOT 3 (NENW) 39.0	SENW 35.0
	NESW 7.5	NESE 30.0
	NWSE 36.0	
	S08 NENE 38.0	NWNE 26.0
	SWNE 11.0	SENE 39.0
	T02N R44E S31 NESW 2.9	LOT 3 (NWSW) 26.0
	LOT 4 (SWSW) 32.0	SESW 36.0
	SWSE 11.0	
	518.4 Acres Total	

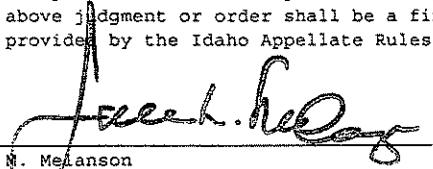
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 518.4 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 23-00063, 23-00078,
23-00080, 23-10858, 23-04043.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120.0 ACRES WITHIN
THE PLACE OF USE DESCRIBED 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

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 23-00078

2005 JAN 31 PM 4:05
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: SHURTLEFF RANCHES LTD
PARTNERSHIP
399 HEMLOCK CIRCLE
IDAHO FALLS, ID 83401

SOURCE: RAINEY CREEK TRIBUTARY: SOUTH FORK SNAKE RIVER

QUANTITY: 1.00 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 13.4 CFS. COMBINED RIGHT
NOS.: 23-00063, 23-00078, 23-00080, 23-10858, 23-04043.
THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 23-00063, 23-00078,
23-00080, 23-10858, 23-04043 SHALL PROVIDE NO MORE THAN .02 CFS
PER ACRE.

PRIORITY DATE: 05/01/1895

POINT OF DIVERSION: T02N R44E S33 SESESW Within Bonneville County
NWSWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	1.00 CFS

PLACE OF USE:	Irrigation	Within Bonneville County
	T01N R44E S05 LOT 4 (NWNW) 25.0	
	S06 LOT 1 (NENE) 22.0	LOT 2 (NWNE) 37.0
	SWNE 39.0	SENE 26.0
	LOT 3 (NENW) 39.0	SENW 35.0
	NESW 7.5	NESE 30.0
	NWSE 36.0	
	S08 NENE 38.0	NWNE 26.0
	SWNE 11.0	SENE 39.0
	T02N R44E S31 NESW 2.9	LOT 3 (NWSW) 26.0
	LOT 4 (SWSW) 32.0	SESW 36.0
	SWSE 11.0	
	518.4 Acres Total	

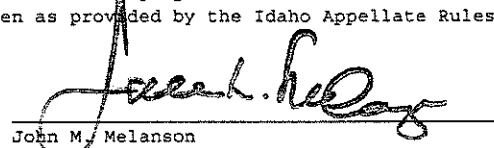
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 518.4 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 23-00063, 23-00078,
23-00080, 23-10858, 23-04043.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 50.0 ACRES WITHIN THE
PLACE OF USE DESCRIBED 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

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 23-00094

2005 JAN 31 PM 4:06

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: SHURTLEFF RANCHES LTD
PARTNERSHIP
399 HEMLOCK CIRCLE
IDAHO FALLS, ID 83401

SOURCE: RAINEY CREEK TRIBUTARY: SOUTH FORK SNAKE RIVER

QUANTITY: 17.60 CFS

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION: T02N R44E S33 SESESW Within Bonneville County
NWSWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	17.60 CFS

PLACE OF USE:	Irrigation	Within Bonneville County
	T01N R44E S05 LOT 4 (NWNW) 25.0	
	S06 LOT 1 (NENE) 22.0	LOT 2 (NWNE) 37.0
	SWNE 39.0	SENE 26.0
	LOT 3 (NENW) 39.0	SENE 35.0
	NESW 7.5	NESE 30.0
	NWSE 36.0	
	S08 NENE 38.0	NWNE 26.0
	SWNE 11.0	SENE 39.0
	T02N R44E S31 NESW 2.9	LOT 3 (NWSW) 26.0
	LOT 4 (SWSW) 32.0	SESW 36.0
	SWSE 11.0	
	518.4 Acres Total	

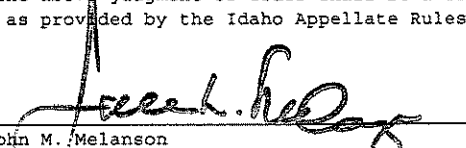
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 518.4 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 23-00063, 23-00078,
23-00080, 23-00094, 23-10858, 23-04043.

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).

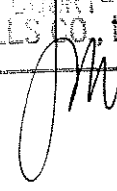
RULE 54(b) CERTIFICATE

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

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 23-10858

2005 JAN 31 PM 4:06
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED 

NAME AND ADDRESS: SHURTLEFF RANCHES LTD
PARTNERSHIP
399 HEMLOCK CIRCLE
IDAHO FALLS, ID 83401

SOURCE: RAINEY CREEK TRIBUTARY: SOUTH FORK SNAKE RIVER

QUANTITY: 5.40 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 13.4 CFS. COMBINED RIGHT
NOS.: 23-00063, 23-00078, 23-00080, 23-10858, 23-04043.
THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 23-00063, 23-00078,
23-00080, 23-10858, 23-04043 SHALL PROVIDE NO MORE THAN .02 CFS
PER ACRE.

PRIORITY DATE: 06/01/1889

POINT OF DIVERSION: T02N R44E S33 SESESW Within Bonneville County
NWSWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	5.40 CFS

PLACE OF USE:	Irrigation	Within Bonneville County
	T01N R44E S05 LOT 4 (NWNW) 25.0	
	S06 LOT 1 (NENE) 22.0	LOT 2 (NWE) 37.0
	SWNE 39.0	SENE 26.0
	LOT 3 (NENW) 39.0	SENE 35.0
	NESW 7.5	NESE 30.0
	NWSE 36.0	
	S08 NENE 38.0	NWNE 26.0
	SWNE 11.0	SENE 39.0
	T02N R44E S31 NESW 2.9	LOT 3 (NWSW) 26.0
	LOT 4 (SWSW) 32.0	SESW 36.0
	SWSE 11.0	
	518.4 Acres Total	

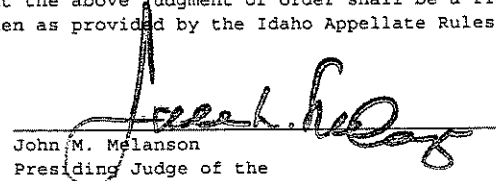
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 518.4 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 23-00063, 23-00078,
23-00080, 23-10858, 23-04043.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 270.0 ACRES WITHIN
THE PLACE OF USE DESCRIBED 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

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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 was mailed on January 31, 2005, with sufficient first-class postage to the following:

SHURTLEFF RANCHES LTD
PARTNERSHIP
399 HEMLOCK CIRCLE
IDAHO FALLS, ID 83401
Phone: 208-523-5675

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

ORDER

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Deputy Clerk

