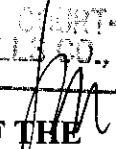


2004 NOV -3 PM 12: 21
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED 

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

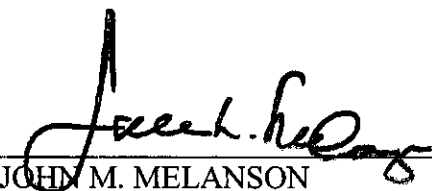
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right: 29-10462
	)	
	)	

On September 9, 2004, a *Special Master's Report and Recommendation* was filed for water right 29-10462. 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 29-10462 be **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED November 3, 2004.



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
I.R.C.P. 54(b) FOR
Water Right 29-10462

2004 NOV -3 PM 12:21
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED *jm*

NAME AND ADDRESS: LAZY VZ TRUST LAND & WATER
C/O LOUIS BLOXHAM
PO BOX 41
DOWNEY, ID 83234

SOURCE: BIG CREEK TRIBUTARY: BIRCH CREEK
MAPLE CREEK TRIBUTARY: BIRCH CREEK

QUANTITY: 1.23 CFS

The amount of water diverted under this water right may not exceed 1/2 of the stream flow of Big Creek and Maple Creek at the points of diversion described below at any given time. This water right shall not provide more than .02 cubic feet per second per acre at any time.
USE OF THIS RIGHT WITH RIGHT NO. 29-10461 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.54 CFS.

PRIORITY DATE: 06/09/1904

POINT OF DIVERSION: T11S R36E S35 NENWNW Within Bannock County
T12S R36E S04 NWSNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.23 CFS

PLACE OF USE:	Irrigation	Within Bannock County
	T11S R36E S35	NENE 18.0 NWNE 14.0
		SWNE 0.6 SENE 3.7
	S36	NWNW 4.2 SWNW 0.8
	41.3 Acres Total	

USE OF THIS RIGHT WITH RIGHT NO. 29-10461 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 154.2 ACRES IN A SINGLE IRRIGATION SEASON.

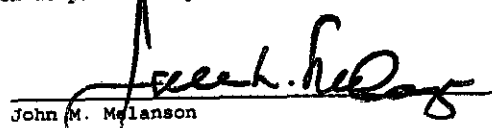
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 241 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 29-4206, 29-10461 AND 29-10462

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 UNIPIED 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

2004 NOV 03 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): 29-10462

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 29-10462 was mailed
on November 03, 2004, with sufficient first-class postage prepaid
to the following:

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

UNITED STATES OF AMERICA
Represented by:
DAVID NEGRI
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATURAL RESOURCE
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

LAZY VZ TRUST LAND & WATER
C/O LOUIS BLOXHAM
PO BOX 41
DOWNEY, ID 83234
Phone: 208-897-5362

CERTIFICATE OF MAILING

JULIE MURPHY
Chief Deputy Clerk

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11/03/04