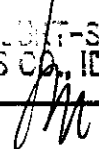


RECEIVED

AUG 13 2004

Department of Water Resources
Adjudication Bureau

2004 AUG 12 PM 2: 23

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

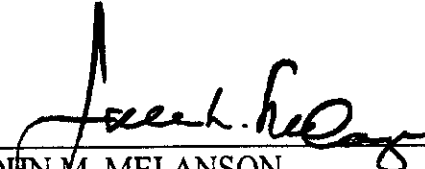
In Re SRBA	)	Subcase No. 65-2519A
	)	
Case No. 39576	)	ORDER OF PARTIAL DECREE
	)	
_____	)	

On April 8, a *Special Master's Report and Recommendation* was filed for water Right 65-2519A. On May 4, 2004, and *Amended Special Master's Report* was filed for said water right. On June 10, 2004, a *Notice of Completed Administrative Proceeding* and an *Amended Director's Report* was filed. No Objections were filed to the *Notice of Completed Administrative Proceeding* and *Amended Director's Report* and the time for filing Objections 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 *Amended Special Master's Report* and wholly adopts them as its own, and further takes notice of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report*.

Therefore, IT IS ORDERED that water right 65-2159A be **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED August 12, 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 65-02519A

2004 AUG 12 AM 2:43
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *AM*

NAME AND ADDRESS: BETTE NORTUNE
C/O SANDRA METZKER
PO BOX 1073
NORTH PLAINS, OR 97133

SOURCE: SPRINGS TRIBUTARY: LAKE FORK CREEK

QUANTITY: 1.00 CFS

USE OF THIS RIGHT WITH RIGHT NO. 65-02340A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.0 CFS.

PRIORITY DATE: 09/14/1949

POINT OF DIVERSION: T17N R03E S22 SWSWSE Within Valley County

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

PLACE OF USE: Irrigation Within Valley County
T17N R03E S34 NENW 16.0 SENW 34.0
50.0 Acres Total

USE OF THIS RIGHT WITH RIGHT NO. 65-02340A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 50 ACRES IN A SINGLE
IRRIGATION SEASON.

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

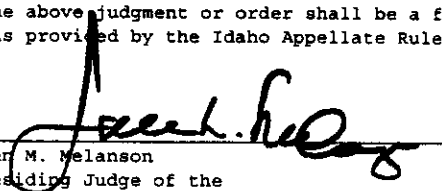
BASIN 65 GENERAL PROVISIONS NO.3, THE SEPARATE STREAMS GENERAL
PROVISION, DOES NOT APPLY TO APPROPRIATIONS OF WATER AFTER
OCTOBER 18, 1977.

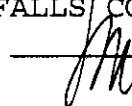
THIS WATER RIGHT SHALL BE ADMINISTERED AS BEING FROM A
SEPARATE SOURCE PURSUANT TO BASIN 65 GENERAL PROVISION NO. 3.
IF THE HOLDER OF THIS RIGHT SEEKS TO CHANGE THE RIGHT PURSUANT
TO IDAHO CODE SECTION 42-222 OR SUCESSOR STATUTE, NOTHING IN THIS
GENERAL PROVISION SHALL PRECLUDE ANY OTHER PERSON OR ENTITY FROM
DEMONSTRATING THAT SUCH CHANGE IN USE WOULD CAUSE INJURY TO ITS
WATER RIGHT OR FROM RECEIVING ANY RELIEF PROVIDED BY LAW IN THE
EVENT OF INJURY.

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

2004 AUG 12 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)
)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 65-02519A

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 65-02519A was mailed
on August 12, 2004, with sufficient first-class postage prepaid
to the following:

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

STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

USDI BUREAU OF RECLAMATION
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

BETTE NORTUNE
C/O SANDRA METZKER
PO BOX 1073
NORTH PLAINS, OR 97133

CERTIFICATE OF MAILING

JULIE MURPHY
Chief Deputy Clerk

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08/12/04