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AUG 03 2004
DEPARTMENT OF
WATER RESOURCES

2004 AUG -2 PM 1:39
DISTRICT COURT-SREA
TWIN FALLS CO., IDAHO
FILED *M*

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

ORDER OF PARTIAL DECREE

SUBCASES: 65-01151, 65-01317, 65-02138,
65-02532A, 65-02540, 65-02869, 65-03803B,
65-07833, 65-10747, 65-10748, 65-10749,
65-11393A and 65-12751

On June 29, 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 August 2, 2004.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE was mailed on August 02, 2004, with sufficient first-class postage to the following:

D R & J INVESTMENTS LIMITED PA

Represented by:

JACK C RIDDLEMOSER

1905 GARRISON LANE

KUNA, ID 83634

Phone: 208-922-3403

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

D R & J INVESTMENTS LIMITED PA

8973 W STATE ST

BOISE, ID 83703-1729

Phone: 208-583-1371

ORDER

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Deputy Clerk

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 65-03803B

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DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED *JM*

NAME AND ADDRESS: D R & J INVESTMENTS LIMITED PA
8973 W STATE ST
BOISE, ID 83703-1729

SOURCE: HILL CREEK TRIBUTARY: PAYETTE RIVER

QUANTITY: 3.97 CFS

USE OF THIS RIGHT WITH RIGHT NO. 65-07833 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.02 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 4.5 AF AT FIELD HEADGATE.

PRIORITY DATE: 12/23/1888

POINT OF DIVERSION: T07N R02E S01 SENE Within Boise County
SENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	3.97 CFS

PLACE OF USE:	Irrigation		Within Boise County
	T07N R02E S01 LOT 4	(NWNW) 2.0	SWNW 10.0
		SENW 7.0	NWSW 10.0
		SWSW 12.0	
	S02 LOT 1	(NENE) 4.0	LOT 2 (NWNE) 4.0
		SWNE 28.0	SENE 39.0
		NESE 32.0	NWSE 26.0
	174.0 Acres Total		

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
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication