

JUN 29 AM 11: 3
DISTRICT COURT - SRI
TWIN FALLS CO., IDA
FILED *MA*

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

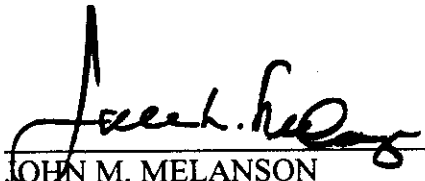
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	SUBCASES: 65-03617, 65-08627
	)	65-11211 and 65-11261
	)	
	)	
	)	
	)	

On May 14, 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 June 29, 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 65-03617

JUN 29 AM 11:31
FILED
JUN 29 2004
IDAHO

NAME AND ADDRESS: GEORGE E COLWELL
PO BOX 251
NORTH POWDER, OR 97867-0251

CHERYL F COLWELL
3990 HWY 25
PAYETTE, ID 83661

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 26.44 CFS

PRIORITY DATE: 04/01/1890

POINT OF DIVERSION: T08N R04W S35 SWSWSE Within Payette County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	26.44 CFS

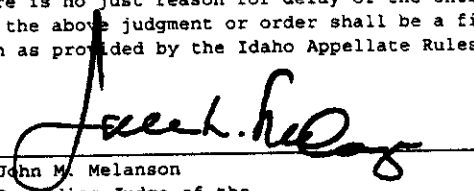
PLACE OF USE:	Irrigation	Within Payette County
	T08N R04W S20 LOT 1 (NENE) 10.0	LOT 2 (NWNE) 34.0
	LOT 2 (SWNE) 38.0	LOT 1 (SENE) 38.0
	NENW 12.0	LOT 3 (SENW) 9.7
	NESE 40.0	NWSE 14.0
	SWSE 11.0	SESE 19.0
	S21 LOT 5 (SWNW) 31.0	LOT 6 (NESW) 40.0
	NWSW 40.0	SWSW 11.0
	SESW 15.0	LOT 7 (NWSE) 28.0
	SWSE 6.3	LOT 8 (SESE) 14.0
	411.0 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
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)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 65-08627

2004 JUN 29 AM 11:32

FILED
TWIN FALLS CO., IDAHO

NAME AND ADDRESS: GEORGE E COLWELL
PO BOX 251
NORTH POWDER, OR 97867-0251

CHERYL F COLWELL
3990 HWY 52
PAYETTE, ID 83661

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 5.90 CFS

PRIORITY DATE: 10/24/1882

POINT OF DIVERSION: T08N R04W S35 SWSWSE Within Payette County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	5.90 CFS

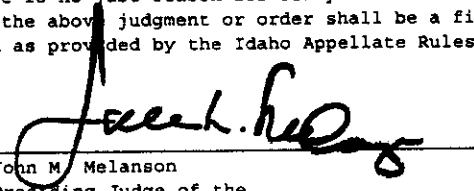
PLACE OF USE:	Irrigation	Within Payette County
	T08N R04W S22 LOT 6 (SWSW) 29.0	LOT 7 (SESW) 12.0
	S27 NENW 30.0	NWNW 29.0
	SWNW 0.5	SENW 4.5
	105.0 Acres Total	

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
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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)

Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 65-11211

JUN 29 AM 11:32

FILED
TWIN FALLS CO., IDAHO

NAME AND ADDRESS: GEORGE E COLWELL
PO BOX 251
NORTH POWDER, OR 97867-0251

CHERYL F COLWELL
3990 HWY 25
PAYETTE, ID 83661

SOURCE: UNNAMED SLOUGH TRIBUTARY: PAYETTE RIVER

QUANTITY: 1.34 CFS

PRIORITY DATE: 06/01/1932

POINT OF DIVERSION: T08N R04W S20 LOT 3 (NENW) Within Payette County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.34 CFS

PLACE OF USE:	Irrigation	Within Payette County
	T08N R04W S17	SWSW 5.0
	S19 LOT 7	(NENE) 3.0
	S20 LOT 3	(NENW) 4.0
	LOT 6	(SNNW) 12.0
	LOT 6	(SENN) 7.0
	67.0 Acres Total	

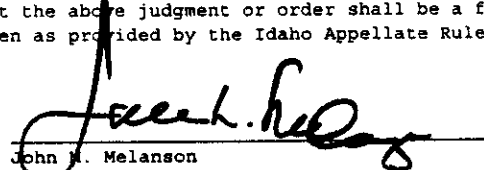
USE OF THIS RIGHT WITH RIGHT NO. 65-07461 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 152.0 ACRES IN A SINGLE
IRRIGATION SEASON.

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
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John A. 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)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 65-11261

JUN 29 AM 11:32
FILED
TWIN FALLS CO., IDAHO

NAME AND ADDRESS: GEORGE E COLWELL
PO BOX 251
NORTH POWDER, OR 97867-0251

CHERYL F COLWELL
3990 HWY 25
PAYETTE, ID 83661

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.33 CFS

PRIORITY DATE: 10/24/1882

POINT OF DIVERSION: T08N R04W S35 SWSWSE Within Payette County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.33 CFS

PLACE OF USE:	Irrigation	Within Payette County
	T08N R04W S27	SENW 9.0
	10.0 Acres Total	

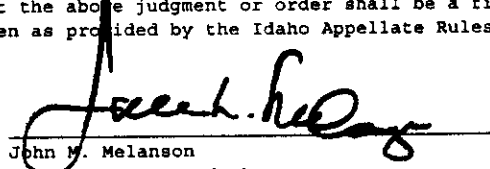
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IRRIGATION SEASON.

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

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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 June 29, 2004, with sufficient first-class postage to the following:

CHERYL F COLWELL
GEORGE & CHERYL COLWELL
GEORGE E COLWELL

Represented by:
DANA L. HOFSTETTER
608 WEST FRANKLIN STREET
BOISE, ID 83702
Phone: 208-424-7800

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

Julie Murphy