

2004 JUN 29 PM 4: 21
FILED
TWIN FALLS CO., IDAHO
M

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

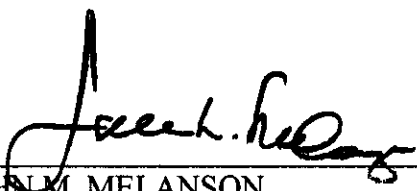
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	SUBCASES: 65-02602, 65-03334
	)	and 65-11321
	)	
	)	
	)	
	)	

On May 5, 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 65-11321

2007 JUN 27 PM 4:21
FILED
JUL 10 2007
CLERK OF DISTRICT COURT
TWIN FALLS, IDAHO

NAME AND ADDRESS: HAZEL V SCHELINE
LESTER D SCHELINE
PO BOX 416
GARDEN VALLEY, ID 83622

SOURCE: SPRING TRIBUTARY: LAKE FORK CREEK

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 07/01/1906

POINT OF DIVERSION: T17N R03E S28 SWSE Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS

PLACE OF USE: Domestic Within Valley County
T17N R03E S28 SWSE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

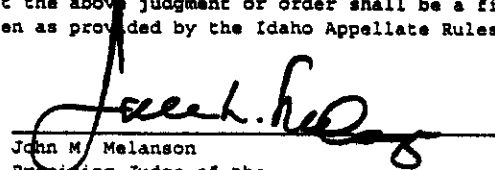
Basin 65 General Provisions No. 3, the Separate Streams
General Provision, does not apply to appropriations of water
after October 18, 1977.

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 successor 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

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 65-03334

2004 JUN 29 PM 4:21
FILED
SRBA
TWIN FALLS, IDAHO
[Signature]

NAME AND ADDRESS: LESTER SCHELINE
PO BOX 416
GARDEN VALLEY, ID 83622

SOURCE: UNNAMED STREAM TRIBUTARY: LAKE FORK CREEK

QUANTITY: 0.20 CPS

THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 65-02602 & 65-12811
SHALL PROVIDE NO MORE THAN .02 CPS PER ACRE NOR MORE THAN 3.0 AFA
PER FOR THE LANDS ABOVE.

PRIORITY DATE: 09/04/1955

POINT OF DIVERSION: T17N R03E S28 NESE Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	0.20 CPS

PLACE OF USE:	Irrigation	Within Valley County
	T17N R03E S28	NESE 9.0 NWSE 10.0 SWSE 24.0 SESE 10.0
	53.0 Acres Total	

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 59 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-02602 & 65-12811.

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

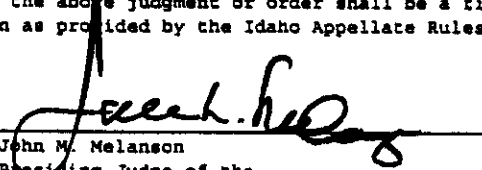
Basin 65 General Provisions No. 3, the Separate Streams
General Provision, does not apply to appropriations of water
after October 18, 1977.

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 successor 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
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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 65-02602

2001 JUN 29 PM 4:21
FILED
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NAME AND ADDRESS: LESTER SCHELINE
PO BOX 416
GARDEN VALLEY, ID 83622

SOURCE: UNNAMED STREAM TRIBUTARY: LAKE FORK CREEK

QUANTITY: 1.00 CFS

THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 65-03334 & 65-12811
SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 3.0 AFA
PER FOR THE LANDS ABOVE.

PRIORITY DATE: 03/04/1955

POINT OF DIVERSION: T17N R03E S28 NESE 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 S28	NESE 9.0 NWSE 10.0 SWSE 24.0 SESE 10.0
	53.0 Acres Total	

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

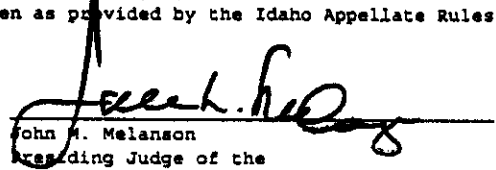
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John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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:

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

HAZEL V SCHELINE

LESTER D SCHELINE

LESTER SCHELINE

PO BOX 416

GARDEN VALLEY, ID 83622

Phone: 208-462-3856

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

Julie Murphy