

2004 MAY -4 PM 3:48
TWIN FALLS CO., IDAHO
FILED *AM*

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

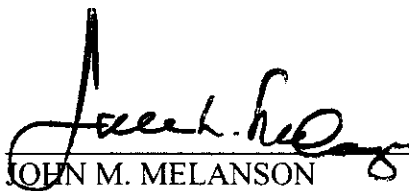
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right: 65-10780
	)	
_____	)	

On March 11, 2004, a *Special Master's Report and Recommendation* was filed for water right 65-10780. 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 water right 65-10780 be **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED May 4, 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 65-10780

2004 MAY -4 PM 3:48

FILED
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: TERRACE LAKES RECREATION RANCH
HC 76 BOX 4201
GARDEN VALLEY, ID 83622

SOURCE: EASLEY CREEK TRIBUTARY: PAYETTE RIVER, MIDDLE FORK

QUANTITY: 0.99 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND
STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.
THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-10782 SHALL PROVIDE
NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 11/15/1881

POINT OF DIVERSION: T10N R04E S28 SWSE Within Boise County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.92 CFS
	Irrigation from Storage	04-01 TO 11-01	32.10 AFY
	Stockwater	01-01 TO 12-31	0.05 CFS
			2.70 AFY
	Stockwater from Storage	01-01 TO 12-31	1.30 AFY
	Domestic	01-01 TO 12-31	0.04 CFS
			1.20 AFY
	Domestic from Storage	01-01 TO 12-31	0.60 AFY

PLACE OF USE:	Irrigation		Within Boise County
	T10N R04E S33	NWNE 1.0	
	S34	NENW 4.0	SWNW 7.0
		SENEW 34.0	
	46.0 Acres Total		
	Irrigation from Storage		Within Boise County
	T10N R04E S33	NWNE	
	S34	NENW	SWNW
		SENEW	
	Stockwater		Within Boise County
	T10N R04E S33	NWNE	
	S34	NENW	SWNW
		SENEW	
	Stockwater from Storage		Within Boise County
	Same as Other use		
	Domestic		Within Boise County
	T10N R04E S34	NESW	
	Domestic from Storage		Within Boise County
	T10N R04E S34	NESW	

USE OF THIS RIGHT WITH RIGHT NO. 65-10782 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 46.0 ACRES IN A SINGLE
IRRIGATION SEASON.

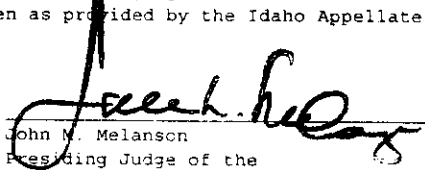
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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 MAY 04 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): 65-10780

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 65-10780 was mailed
on May 04, 2004, with sufficient first-class postage prepaid
to the following:

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

TERRACE LAKES RECREATION RANCH
HC 76 BOX 4201
GARDEN VALLEY, ID 83622

JULIE MURPHY
Chief Deputy Clerk