

2004 MAY 21 PM 2:32

FILED
TWIN FALLS CO., IDAHO
N-SRBA
jm

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

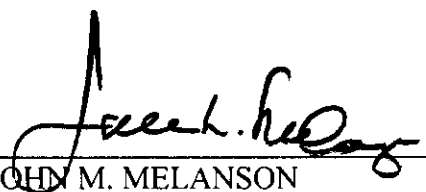
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right: 51-12976 & 51-12977
	)	
_____	)	

On July 25, 2003, an *Amended Special Master's Report and Recommendation* was filed for the above captioned water rights. No Challenges were filed to the *Amended 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 *Amended Special Master's Report and Recommendation* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water rights 51-12976 and 51-12977 be **decreed** as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED May 21, 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 51-12976

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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED
jm

NAME AND ADDRESS: EUGENE F ROBERTSON
SUSAN G ROBERTSON
HC 85 BOX 139E
BRUNEAU, ID 83604

SOURCE: GROUNDWATER

QUANTITY: 3.175 CFS
612.00 AFY

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

PRIORITY DATE: 03/15/1956

POINT OF DIVERSION: T06S R04E S25 SWSWNW Within Owyhee County
S36 SWSWSW

TWO POINTS OF DIVERSION LOCATED IN T06S, R04E, S36, SWSW.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	3.06 CFS 612.00 AFY
	Stockwater	01-01 TO 12-31	0.115 CFS

PLACE OF USE: Irrigation Within Owyhee County
T06S R04E S25 SWNE 40.0 SENE 40.0
NESE 39.0 NWSE 34.0
153.0 Acres Total

Stockwater Within Owyhee County
Same as Irrigation

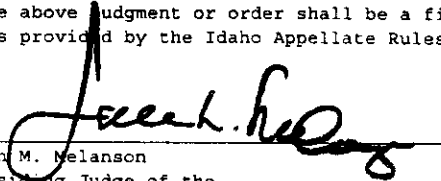
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR 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

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 51-12977

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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *mm*

NAME AND ADDRESS: KENT KOHRING
VIRGINIA KOHRING
HC 85 BOX 140
BRUNEAU, ID 83604

SOURCE: GROUNDWATER

QUANTITY: 3.295 CFS
636.00 APY

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

PRIORITY DATE: 03/15/1956

POINT OF DIVERSION: T06S R04E S25 SWSWNW Within Owyhee County
S36 SWSWSW

TWO POINTS OF DIVERSION LOCATED IN T06S, R04E, S36, SWSW.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	3.18 CFS
	Stockwater	01-01 TO 12-31	0.115 CFS

PLACE OF USE:	Irrigation	Stockwater
	T06S R04E S24 SESE 38.0	Within Owyhee County
	S25 NENE 38.0	NWNE 36.0
	NENW 38.0	NWNW 39.0
	SWNW 40.0	SENE 40.0
	NESW 40.0	
	R05E S30 NENW 40.0	LOT 1 (NWNW) 40.0
	LOT 2 (SWNW) 40.0	SENE 42.0
	471.0 Acres Total	
	Stockwater	Within Owyhee County
	Same as Irrigation	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 159 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 471 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-02214.

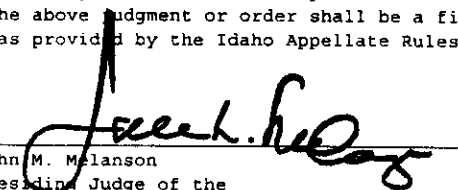
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE was mailed on May 21, 2004, with sufficient first-class postage to the following:

KENT KOHRING

Represented by:

JIM JONES

1275 SHORELINE LN

BOISE, ID 83702

Phone: 208-385-9200

EUGENE F ROBERTSON

SUSAN G ROBERTSON

HC 85 BOX 139E

BRUNEAU, ID 83604

VIRGINIA KOHRING

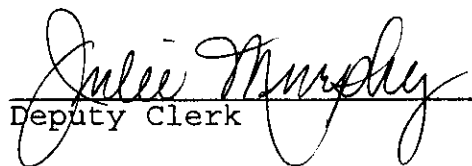
HC 85 BOX 140

BRUNEAU, ID 83604

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".