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Department of Water Resources

2000 NOV 24 AM 8:23

FILED  
TWIN FALLS CO., IDAHO

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

) For Water Right 61-11920

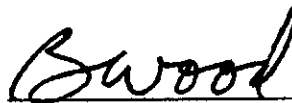
)

On September 26, 2000, a *Special Master's Report and Recommendation* was filed for the above water right. 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 61-11920 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED NOV 24 2000.



BARRY WOOD

Administrative District Judge and  
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 61-11920

200 NOV 24 AM 8:23

FILED  
TWIN FALLS CO., IDAHO

NAME AND ADDRESS: IDAHO FARMWAY INC  
PO BOX 615  
MCCALL, ID 83638

SOURCE: GROUNDWATER

QUANTITY: 0.87 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 61-02131, 61-02136, AND  
61-07021 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF  
7.48 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF  
2490 AF.

PRIORITY DATE: 06/15/1980

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A  
PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED  
AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS  
BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION  
42-1426, IDAHO CODE, THE EARLIER PRIORITY IS THE SUPERIOR RIGHT.

POINT OF DIVERSION: T04S R07E S09 SWSE Within Elmore County  
S16 NWNW

PURPOSE AND  
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY  
Irrigation 03-15 TO 11-15 0.87 CFS

PLACE OF USE: Irrigation Within Elmore County  
T04S R07E S16 SWNW 28.0 SENW 8.0  
NESW 27.0 NWSW 40.0  
SWSW 40.0 SESW 40.0  
NWSE 6.0 SWSE 40.0  
S17 NENE 40.0 NWNE 40.0  
SWNE 40.0 SENE 40.0  
NENW 31.0 NNNW 14.0  
SENW 30.0 NESW 8.0  
NESE 40.0 NWSE 39.0  
SWSE 24.0 SESE 40.0  
S21 NWNE 40.0 NENW 40.0  
NNW 40.0  
735.0 Acres Total

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO  
THE IRRIGATION OF A COMBINED TOTAL OF 735 ACRES IN A SINGLE  
IRRIGATION SEASON.

COMBINED RIGHT NOS.: 61-02131, 61-02136, 61-02227, AND 61-07021.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHTS 61-02131,  
61-02136, AND 61-07021 PURSUANT TO SECTION 42-1426, IDAHO CODE.

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.



Barry Wood  
Administrative District Judge  
Presiding Judge of the  
Snake River Basin Adjudication

2000 NOV 24 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 )  
 )  
Case No. 39576 )  
\_\_\_\_\_ )

CERTIFICATE OF MAILING

Water Right(s): 61-11920

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 61-11920 was mailed  
on November 24, 2000, with sufficient first-class postage prepaid  
to the following:

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

IDAHO FARMWAY INC  
PO BOX 615  
MCCALL, ID 83638  
Phone: 208-347-3103

DIANA DELANEY  
Chief Deputy Clerk

CERTIFICATE OF MAILING

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11/24/00