

DEC 31 2003

By:  Clerk
Deputy Clerk

**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) **FINAL ORDER DISALLOWING WATER**
) **RIGHT CLAIM 29-07501A**

Case No. 39576) **ORDER OF PARTIAL DECREE FOR**
) **WATER RIGHTS 29-13659 & 29-13660**

On October 30, 2003, the Idaho Department of Water Resources (IDWR) filed a *Notice of Completed Administrative Proceeding* and an attached *Amended Director's Report* recommending that water right 29-07501A be split into water rights 29-13659 & 29-13660. No objections were filed to the recommendations and the time for filing objections has now expired.

THEREFORE IT IS ORDERED AND ADJUDGED that water right claim 29-07501A is hereby **disallowed with prejudice** and shall not be confirmed in any partial decree or in any final decree entered in the SRBA, Case No. 39576, in whatever form that final decree may take or be styled.

IT IS FURTHER ORDERED AND ADJUDGED that water rights 29-13659 & 29-13660 be decreed with the elements as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

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.

DATED December 31, 2003.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

2003 DEC 31 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): 29-07501A

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 29-07501A was mailed
on December 31, 2003, with sufficient first-class postage prepaid
to the following:

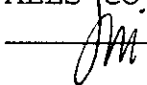
DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

J RENEE LACEY
ROY J LACEY
13774 W TRAIL CREEK RD
POCATELLO, ID 83204
Phone: 208-232-7053

JULIE MURPHY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
12/31/03

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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 29-13659

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 29-13659 was mailed
on December 31, 2003, with sufficient first-class postage prepaid
to the following:

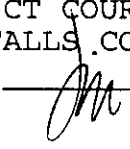
DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

J RENEE LACEY
ROY J LACEY
13774 W TRAIL CREEK RD
POCATELLO, ID 83204

JULIE MURPHY
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In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 29-13660

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 29-13660 was mailed
on December 31, 2003, with sufficient first-class postage prepaid
to the following:

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

CHAD HOUGHTON
NATALIE HOUGHTON
13774 W TRAIL CREEK RD
POCATELLO, ID 83204

JULIE MURPHY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED *jm*
2003 DEC 31 AM 10 03

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 29-13659

NAME AND ADDRESS: J RENEE LACEY
ROY J LACEY
13774 W TRAIL CREEK RD
POCATELLO, ID 83204

SOURCE: GROUND WATER

QUANTITY: 0.10 CFS
11.80 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.10 CFS. COMBINED RIGHT NOS.:29-13659 AND
29-13662.

PRIORITY DATE: 07/02/1979

POINT OF DIVERSION: T06S R34E S33 NENW Within Bannock County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.10 CFS 11.80 AFY

PLACE OF USE: Irrigation Within Bannock County
T06S R34E S33 NENW 4.0
4.0 Acres Total

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 4 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.:29-13659 AND 29-13662.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 3.33 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE 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
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
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Presiding Judge of the
Snake River Basin Adjudication

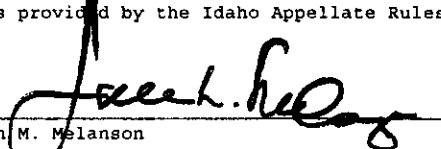
DISTRICT COURT-SRB.
TWIN FALLS CO., IDAHO
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PAGE 1
Nov-26-2003

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John M. Melanson
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