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JAN 13 2001

Department of Public Services

2001 JAN -9 PM 2:31
DISTRICT COURT
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

ORDER OF PARTIAL DECREE

Case No. 39576

For Water Right 61-04123C

On November 3, 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 61-04123C is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED JAN - 9 2001.



ROGER BURDICK
Presiding Judge of the
Snake River Basin Adjudication

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JAN 10 2001

Department of Water Resources

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 61-04123c

2001 JAN -9 PM 2:31

FILED
TWIN FALLS CO., IDAHO

NAME AND ADDRESS: ALICE TRAIL
LEE T TRAIL
RT 1 BOX 66
KING HILL, ID 83633

SOURCE: LITTLE CANYON CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 71.50 AFY

USE OF THIS RIGHT WITH RIGHT 61-04123D IS LIMITED TO A TOTAL
COMBINED ANNUAL STORAGE VOLUME OF 71.5 ACRE FEET.

USE OF THIS RIGHT WITH RIGHTS 61-04123D, 61-04123E, AND
61-04123F IS LIMITED TO A TOTAL COMBINED ANNUAL STORAGE VOLUME
OF 143 ACRE FEET.

PRIORITY DATE: 11/06/1957

POINT OF DIVERSION: T04S R10E S29 NENE Within Elmore County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation Storage	11-16 TO 03-16	71.50 AFY
Irrigation from Storage	03-15 TO 11-15	71.50 AFY

PLACE OF USE: Irrigation Storage T04S R10E S28 SWNW Within Elmore County

PLACE OF USE:	QUANTITY
Irrigation from Storage T05S R09E S16	Within Elmore County
	NENE 35.0 NWNE 40.0
	SWNE 41.0 SENE 32.0
	NESE 29.0 NWSE 41.0
	SWSE 41.0 SESE 35.0
S21	NENE 40.0 SWNE 39.0
	SENE 40.0 NESE 40.0
	NWSE 40.0 SWSE 40.0
	SESE 40.0
S28	NWNE 40.0
613.0 Acres Total	

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 360 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHTS: 61-02107B, 61-02228B, AND
61-04079.

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.

A handwritten signature in black ink, appearing to read "R. Burdick", is written over a horizontal line.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

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JAN 10 2001

Department of Water Resources

2001 JAN 09 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
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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

In Re SRBA

Case No. 39576

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)
CERTIFICATE OF MAILING

Water Right(s): 61-04123C

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 61-04123C was mailed
on January 09, 2001, with sufficient first-class postage prepaid
to the following:

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

ALICE TRAIL
LEE T TRAIL
RT 1 BOX 66
KING HILL, ID 83633

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

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01/09/01