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FILED
ST-SRBA
JULY, IDAHO

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

ORDER OF PARTIAL DECREE

Case No. 39576

For Water Right 61-02227

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 61-02227 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

200 NOV 24 AM 8:24

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 61-02227

FILED
TWIN FALLS, IDAHO

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

SOURCE: UNNAMED STREAM TRIBUTARY: RATTLESNAKE CREEK

QUANTITY: 236.00 AFY

PRIORITY DATE: 06/23/1952

POINT OF DIVERSION: T04S R07E S08 SESE Within Elmore County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation Storage	04-01 TO 10-31	23.00 AFY
Irrigation from Storage	04-01 TO 10-31	236.00 AFY

THE USE OF WATER FOR IRRIGATION STORAGE AND IRRIGATION FROM STORAGE UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: Irrigation Storage Within Elmore County
Same as Irrigation from Storage

Irrigation from Storage	Within Elmore County
T04S R07E S16	SENE 8.0
	NWSW 40.0
	SESW 40.0
	SWSE 40.0
S17	NWNE 40.0
	SENE 40.0
	NWNW 14.0
	NESW 8.0
	NWSE 39.0
	SESE 40.0
S21	NENW 40.0
	NWNW 40.0
735.0 Acres Total	

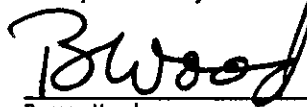
USE OF THIS RIGHT WITH RIGHTS 61-02131, 61-02136, 61-07021 AND 61-11920 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 735 ACRES IN A SINGLE IRRIGATION SEASON.

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.

A handwritten signature in dark ink, appearing to read "B Wood", is written over a horizontal line.

Berry 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): 61-02227

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 61-02227 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
Represented by:
VERNON K. SMITH JR.
1900 MAIN
BOISE, ID 83702
Phone: 208-345-1125

DIANA DELANEY
Chief Deputy Clerk