

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED       M        
2003 DEC 1 PM 2 53

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

Water Right 63-04631E

On October 16, 2003, 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 63-04631E be **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED December 1, 2003.

  
\_\_\_\_\_  
JOHN M. MELANSON  
Presiding Judge  
Snake River Basin Adjudication

In Re SRBA )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 63-04631E

NAME AND ADDRESS: SOUTH FORK RANCH SUBDIVISION  
C/O CALMER OR ENIDE JOHNSON  
1782 N HASKETT ST  
MOUNTAIN HOME, ID 83647-1674

SOURCE: BIG WATER GULCH TRIBUTARY: SOUTH FORK BOISE RIVER  
LITTLE WATER GULCH TRIBUTARY: SOUTH FORK BOISE RIVER  
VAN GULCH TRIBUTARY: SOUTH FORK BOISE RIVER

QUANTITY: 1.40 CFS

USE OF THIS RIGHT WITH RIGHT NO. 63-31358 IS LIMITED TO A TOTAL  
COMBINED DIVERSION RATE OF .02 CFS PER ACRE AT FIELD HEADGATE.

PRIORITY DATE: 10/05/1899

POINT OF DIVERSION: T03N R11E S11 NESE Within Elmore County  
S12 NWNE  
NESW  
LOT 7 ( SESE)

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Irrigation     | 04-15 TO 10-31 | 1.40 CFS |

| PLACE OF USE:    | Irrigation | Within Elmore County |
|------------------|------------|----------------------|
| T03N R11E S11    | NESW 1.0   | SWSW 1.0             |
|                  | NESE 3.0   | NWSE 4.0             |
|                  | SESE 4.5   |                      |
| S12              | SWSW 1.0   |                      |
| 14.5 Acres Total |            |                      |

USE OF THIS RIGHT WITH RIGHT NO. 63-31358 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 14.5 ACRES IN A SINGLE  
IRRIGATION SEASON.

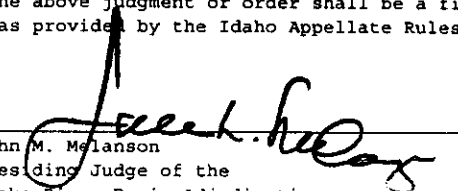
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

ALL PLACES OF USE ARE ON PRIVATE LAND WITHIN HOMESTEAD ENTRY  
SURVEY (HES) 149.

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

LS CO.

In Re SRBA )  
 )  
Case No. 39576 )  
 )

Water Right(s): 63-04631E

PAGE 1  
12/01/03