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Department of Water Resources

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

FILED

2003 NOV 28 PM 4 26

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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)
ORDER OF PARTIAL DECREE

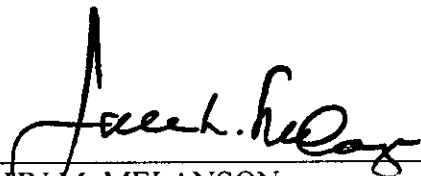
Water Right 43-00037

On August 27, 2003, a *Partially Amended Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Partially Amended 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 *Partially Amended Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 43-00037 be **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED November 28, 2003.



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

DISTRICT COURT - SRBA
TWIN FALLS
TWIN FALLS CO., IDAHO

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

FILED

2003 NOV 28 PM 4 26

Water Right 43-00037

SOURCE: CLEAR CREEK TRIBUTARY: SINKS

QUANTITY: 1.40 CFS

PRIORITY DATE: 06/01/1881

POINT OF DIVERSION: T16S R27E S27 SESENE Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.40 CFS

PLACE OF USE:	Irrigation		Within Cassia County
	T15S R27E S34	NESW 20.0	NWSW 10.0
		SESW 16.0	NWSE 38.0
		SWSE 40.0	SESE 24.0
	T16S R27E S03 LOT 1	(NENE) 38.0	LOT 2 (NWNE) 27.0
		SWNE 40.0	SENE 40.0
		NESE 40.0	
	333.0 Acres Total		

USE OF THIS RIGHT WITH RIGHT NOS. 43-00084, 43-00085 & 43-00286A
IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN
A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 145 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

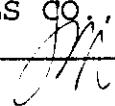
THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43-B.

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

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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): 43-00037

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 43-00037 was mailed
on November 28, 2003, with sufficient first-class postage prepaid
to the following:

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

ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA, ID 83342

JULIE MURPHY
Chief Deputy Clerk

CERTIFICATE OF MAILING

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11/28/03