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Department of Water Resources

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

FILED

2003 NOV 21 AM 10 49

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 37-02804A

On September 10, 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 37-02804A be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED November 21, 2003.



JOHN M. MELANSON
Presiding Judge
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

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TWIN FALLS CO., IDAHO
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In Re SRBA)
)
Case No. 39576)
)
Water Right 37-02804A

NAME AND ADDRESS: NOTCH BUTTE FARMS LLC
PO BOX 486
JEROME, ID 83338

SOURCE: GROUND WATER

QUANTITY: 0.64 CFS
462.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 37-2532A IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 462 AF.

PRIORITY DATE: 08/07/1952

POINT OF DIVERSION: T06S R17E S31 LOT 2 (NESWNW) Within Lincoln County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.64 CFS 462.00 AFY

PLACE OF USE:	Irrigation	Within Lincoln County
	T06S R17E S31	SWNE 40.0 SENE 40.0
	LOT 2	(SWNW)12.0 SENW 40.0
	132.0 Acres Total	

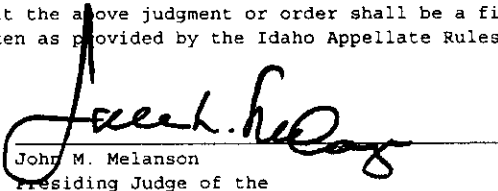
USE OF THIS RIGHT WITH RIGHT NO. 37-2532A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 132 ACRES IN A SINGLE
IRRIGATION SEASON.

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.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

2003 NOV 21 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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 37-02804A

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 37-02804A was mailed
on November 21, 2003, with sufficient first-class postage prepaid
to the following:

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

NOTCH BUTTE FARMS LLC
Represented by:
JOHN T LEZAMIZ
PO BOX 389
TWIN FALLS, ID 83303-0389
Phone: 208-734-7510

JULIE MURPHY
Chief Deputy Clerk