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Department of Water Resources

2001 FEB -2 PM 12: 24

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

For Water Rights 61-00317, 61-00346 & 61-02048

On June 15, 1999, an *Objection* to each of the above-captioned claims was filed by John McCallum on behalf of Charter Mountain Ranches, Incorporated.

On June 29, 1999, a *Notice of Completed Administrative Proceeding* was filed by the Idaho Department of Water Resources, notifying this court that a substitution of party was completed for each of the above-captioned water rights. Notice of the substitution of party appeared on the SRBA monthly docket sheet for June 1999.

On July 23, 1999, a *Notice of Withdrawal of Objections to Claims for Water Rights* for each of the above-captioned claims was filed on behalf of Charter Mountain Ranches, Incorporated. No further objections were filed.

Therefore, because all objections were withdrawn, the above-captioned claims proceeded as uncontested claims in accordance with I.C. § 42-1411(4). A hearing on the uncontested portion of the *Director's Report* was held on August 17, 1999. No party appeared in opposition. Pursuant to I.C. § 42-1412, the court has reviewed the *Amended Director's Report* and cannot find a reason to delay entry of the partial decree for each of the above captioned claims.

IT IS ORDERED that water rights 61-00317, 61-00346 and 61-02048 are hereby **decreed** as set forth in the attached *Partial Decree[s] Pursuant to I.R.C.P. 54(b)*.

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 61-00317

2001 FEB -9 PM 12:25

FILED
CLERK OF DISTRICT COURT
TWIN FALLS, IDAHO

NAME AND ADDRESS: BARBER CAVEN RANCHES
6874 FAIRVIEW
BOISE, ID 83704

SOURCE: COLD SPRINGS CREEK TRIBUTARY: SNAKE RIVER
QUANTITY: 1.36 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.46 CFS. COMBINED RIGHT NOS.:
61-00346 & 61-02048.

PRIORITY DATE: 05/01/1880

POINT OF DIVERSION: T05S R09E S08 SWSWE Within Elmore County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.36 CFS

PLACE OF USE:	Irrigation		Within Elmore County
	T05S R09E S17	NENE 3.5	NWNE 20.0
		SWNE 35.0	SENE 13.5
		SESW 2.0	NESE 8.3
		NWSE 35.3	SWSE 35.2
		SESE 2.9	
	S20	NWNE 23.0	
	178.7 Acres Total		

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 178.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-00346 & 61-02048.

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.


Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

DATED 2-9-01.

R. Burdick

ROGER BURDICK
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

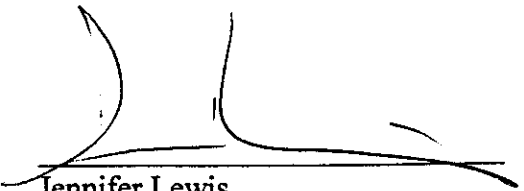
I certify that true and correct copies of the **ORDER OF PARTIAL DECREE** were mailed on February 9, 2001, with sufficient first-class postage, to the following:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

US Department of Justice
Environment & Nat'l Resources
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83720-0098

Barber Craven Ranches
6874 Fairview
Boise, ID 83704



Jennifer Lewis
Deputy Clerk of the Court
Snake River Basin Adjudication