

2001 DEC -5 AM 9:57

FILED 61-00282A
TWIN FALLS CO., IDAHO

**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 Right 61-00282A

On October 16, 2001, 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 61-00282A is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED December 5, 2001.



ROGER S. BURDICK

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 61-00282A

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FILED *RA*
TWIN FALLS, IDAHO

NAME AND ADDRESS: ARK PROPERTIES LLC
1656 KINGSHILL
ST CROIX, VI 00851

SOURCE: BENNETT CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.37 CFS

PRIORITY DATE: 04/01/1883

POINT OF DIVERSION: T04S R08E S01 SESW Within Elmore County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.37 CFS

PLACE OF USE:	Irrigation		Within Elmore County
	T04S R08E S01	SESW 21.0	SWSE 2.0
	S11	SESE 4.9	
	S12	NWNE 0.9	NENW 30.0
		NWNW 5.2	SWNW 22.0
		SENW 24.6	NESW 22.5
		NWSW 32.0	SWSW 32.0
		SESW 14.0	
	S13	NENW 4.0	NWNW 1.1
	216.2 Acres Total		

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 216 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-00281A, 61-00358A,
61-00361A, 61-00362C, 61-10377A, 61-02006A, 61-00302.

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

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2001 DEC 05 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

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CERTIFICATE OF MAILING

Water Right(s): 61-00282A

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 61-00282A was mailed
on December 05, 2001, with sufficient first-class postage prepaid
to the following:

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

ARK PROPERTIES LLC
JOHN MCCALLUM
Represented by:
BRUCE M. SMITH
225 NORTH 9TH ST, STE 420
BOISE, ID 83702
Phone: 208-331-1800

ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

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12/05/01