

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED
2003 NOV 19 PM 2 03

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

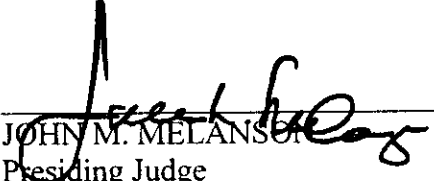
In Re SRBA	)	AMENDED
	)	ORDER OF PARTIAL DECREE
Case No. 39576	)	
_____	)	Water Right 36-07373

On July 8, 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 36-07373 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED November 19, 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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

AMENDED

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

FILED

2003 NOV 19 PM 2 03

In Re SRBA)
Case No. 39576)
_____)

Water Right 36-07373

NAME AND ADDRESS: LUIS M BETTENCOURT
PO BOX 587
JEROME, ID 83338

SOURCE: GROUNDWATER

QUANTITY: 4.46 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-15161 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.46 CFS, AND A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1068 AF.

PRIORITY DATE: 08/31/1973

POINT OF DIVERSION: T07S R16E S28 SWNWSW Within Jerome County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	4.46 CFS

PLACE OF USE:	Irrigation	Within Jerome County
	T07S R16E S28	SWNW 6.0 NESW 40.0
		NWSW 40.0 SWSW 40.0
		SESW 31.0
	S29	SENE 35.0 NESE 33.0
		SESE 33.0
	258.0 Acres Total	

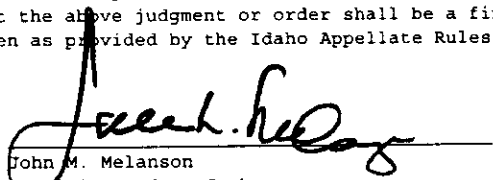
USE OF THIS RIGHT WITH RIGHT NO. 36-15161 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 258 ACRES IN A SINGLE
IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 250 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS 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 19 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): 36-07373

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 36-07373 was mailed
on November 19, 2003, with sufficient first-class postage prepaid
to the following:

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

LUIS M BETTENCOURT
PO BOX 587
JEROME, ID 83338

JULIE MURPHY
Chief Deputy Clerk