

2000 NOV 17 AM 10:27
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

) ORDER OF PARTIAL DECREE

) For Water Right 51-00096

On July 10, 2000, 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 51-00096 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED NOV 17 2000.



BARRY WOOD
Administrative District Judge and
Presiding Judge of the
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 51-00096

200 NOV 17 AM 10:28
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: BERT BRACKETT
PAULA BRACKETT
FLAT CREEK RANCH
ROGERSON, ID 83302

SOURCE: BIG FLAT CREEK TRIBUTARY: CLOVER CREEK

QUANTITY: 1.60 CFS

USE OF THIS RIGHT WITH RIGHT NO. 51-07085 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.20 CFS.

USE OF THIS RIGHT WITH RIGHT NO. 51-07267 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.44 CFS.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.04 CFS. COMBINED RIGHT NOS.:
51-07267 & 51-07085.

PRIORITY DATE: 04/15/1906

POINT OF DIVERSION: T15S R10E S14 SENE Within Owyhee County
S24 NWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.60 CFS
	Stockwater	01-01 TO 12-31	0.20 CFS

PLACE OF USE:	Irrigation	Within Owyhee County
	T15S R10E S13	SWNE 40.0 SWNW 13.0
		SENE 34.0 NESW 36.0
		NWSW 6.2 SWSW 9.2
		SESW 35.0 NWSE 40.0
		SWSE 40.0
	S14	SENE 17.0 NESE 10.0
		SESE 2.9
	S24	NWNE 9.5 NENW 8.9
	301.7 Acres Total	
	Stockwater	Within Owyhee County
	Same as Irrigation	

THE USE OF WATER FOR IRRIGATION AND STOCKWATER PURPOSES
WITHIN T15S R10E S24 NWNE AND NENW IS LIMITED TO THE 1/2 1/2 OF
THOSE PLACES OF USE.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 130 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

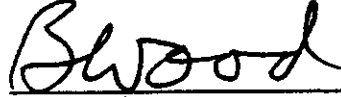
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 301.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-07085 & 51-07267.

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.

A handwritten signature in black ink, appearing to read "B Wood", is written over a horizontal line.

Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

2000 NOV 17 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)

CERTIFICATE OF MAILING

Case No. 39576)

Water Right(s): 51-00096

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 51-00096 was mailed
on November 17, 2000, with sufficient first-class postage prepaid
to the following:

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

BERT BRACKETT
PAULA BRACKETT
Represented by:
RICHARD L. HARRIS
PO BOX 1438
1023 ARTHUR STREET
CALDWELL, ID 83606
Phone: 208-459-1588

USDI BLM
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

CERTIFICATE OF MAILING

DIANA DELANEY
Chief Deputy Clerk

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