

RECEIVED

JUN - 3 2003

Department of Water Resources

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUN - 2 2003

By _____ Clerk
Deputy Clerk

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 31-00373

On March 11, 2003, a *Special Master's Report and Recommendation* was filed for the above water right. On March 31, 2003 an *Amended Special Master's Report and Recommendation* correcting a clerical error in the *Special Master's Report and Recommendation* was filed. No Challenges were filed to the *Amended 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 *Amended Special Master's Report and Recommendation* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 31-00373 IS hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED June 2, 2003.



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

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUN - 2 2003

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 31-00373

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: DAVID J HAGENBARTH
JAMES F HAGENBARTH
MARGARET HAGENBARTH
PO BOX 1128
DILLON, MT 59725

SOURCE: WEST CAMAS CREEK TRIBUTARY: CAMAS CREEK

POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM CROOKED
CREEK.

POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM CRAB
CREEK.

QUANTITY: 2.00 CFS

PRIORITY DATE: 05/28/1891

POINT OF DIVERSION:	T12N R38E S02 LOT 2	(SNNWNE)	(Rediversion)	Within Clark County
		NWSESE	(Rediversion)	
	S11	NENENE	(Rediversion)	
	T13N R38E S22	SENWNW		
		SENWNW	(Injection)	
	S26	SENWSE	(Rediversion)	
		SENWSE	(Rediversion)	
		NWSWSE	(Injection)	
	S35	NESWNE	(Rediversion)	
		SWNESE	(Rediversion)	
	S36	SWNNWN	(Rediversion)	

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-31	2.00 CFS
	Stockwater	05-01 TO 10-31	0.23 CFS

PLACE OF USE:	Irrigation	Within Clark County
	T12N R38E S02 LOT 1	(NENE) 11.0 LOT 2 (NWNE) 13.0
		SWNE 34.0 SENE 21.0
		NESE 21.0 NWSE 20.0
		SESE 18.0
	S11	NENE 38.0 SENE 12.0
	S12	NENW 39.0 NWNW 40.0
		SWNW 38.0 SENW 40.0
		NESW 37.0 NWSW 7.0
		SESW 20.0
	T13N R38E S35	SWNE 7.0 SENE 38.0
		NESE 27.0 NWSE 0.5
		SESE 0.5
	S36	NWNE 15.0 SWNE 40.0
		NENW 36.0 NWNW 35.0
		SWNW 36.0 SENW 40.0
		NESW 40.0 NWSW 39.0
		SWSW 39.0 SESW 39.0
		NESE 9.0 NWSE 40.0
		SWSE 39.0 SESE 31.0
	960.0 Acres Total	
	Stockwater	Within Clark County
	Same as Irrigation	

PLACE OF USE (continued)

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 960 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 31-324, 31-373, 31-374, 31-67A, 31-67B,
31-11789 AND 31-11790.

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

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