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Department of Water Resources

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN - 2 2003	
By _____	Clerk
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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

ORDER OF PARTIAL DECREE

For Water Right 31-00324

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 31-00324 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 31-00324

By

Clerk

Deputy Clerk

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

SOURCE: CRAB CREEK TRIBUTARY: CAMAS CREEK
WEST CAMAS CREEK 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: 12.32 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 12.32 CFS. COMBINED RIGHT NOS.
31-67A, 31-67B, 31-324 AND 31-11790.

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER
DESCRIBED ABOVE, FROM EITHER SOURCE, AT THE POINTS OF DIVERSION
IN T13N, R38E, S36, SWNNW AND T13N, R38E, S26, SENWSE.

PRIORITY DATE: 09/01/1909

PURSUANT TO A CALL, THIS RIGHT IS JUNIOR TO ALL WATER RIGHTS
ON WEST CAMAS CREEK WITH A PRIORITY DATE EARLIER THAN THE DATE
A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

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

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-31	12.32 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

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

T13N R38E S35	SESW 20.0	
	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
	SNNW 36.0	SENE 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
Same as Irrigation

Within Clark County

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