

2003 MAY 9 PM 2 27

**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 31-04011B**
)

On March 5, 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 31-04011B is hereby decreed as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED May 9, 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
TWIN FALLS CO. IDAHO
FILED

2003 MAY 9 PM 2 27

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 31-04011B

NAME AND ADDRESS: NEAL SAUER
HC 63 BOX 2137
MONTEVIEW, ID 83435

SOURCE: GROUND WATER

QUANTITY: 1.64 CFS

RIGHT NOS. 31-00160A, 31-00160B, 31-00161A, 31-00161B,
31-02299, 31-02415, 31-04011B, 31-04011C, 31-04012, 31-07131,
31-07320 AND 31-10652 ARE LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 26.90 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 7350AF.

THE TOTAL COMBINED RATE OF DIVERSION FOR THE TWO WELLS
LOCATED IN T07N, R34E, S05, NESE IS LIMITED TO 16.32 CFS.

RIGHT NOS. 31-00160A, 31-00160B, 31-00161A, 31-00161B,
31-04011B, 31-04011C, 31-04012, 31-07131 AND 31-10652 ARE LIMITED
TO A TOTAL COMBINED DIVERSION RATE OF 16.32 CFS.

RIGHT NOS. 31-00160A, 31-00161A, 31-02299, 31-02415,
31-04011C, 31-04012, 31-07320 AND 31-10652 ARE LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 21.73 CFS.

RIGHT NOS. 31-00160A, 31-00161A AND 31-04011B ARE LIMITED TO
A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1085 AF.

PRIORITY DATE: 09/01/1956

POINT OF DIVERSION: T07N R33E S13 SWNESE Within Jefferson County
R34E S05 NENESE
NESE
S18 LOT 3 (SENWSW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.64 CFS

PLACE OF USE:		Within Jefferson County	
Irrigation			
T07N R34E S19	NENE 40.0	NWNE 40.0	
	SWNE 40.0	SENE 39.0	
	NESE 21.0	NWSE 38.0	
	SWSE 30.0	SESE 2.0	
S20	NWNW 37.0	SWNW 23.0	
310.0 Acres Total			

RIGHT NOS. 31-00160A, 31-00161A AND 31-04011B ARE LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 310 ACRES 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.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication