DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2003 MAY 9 PM 2 26

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	**ORDER OF PARTIAL DECREE**
Case No. 39576	**For Water Rights 31-00160B, 31-00161B, 31-02299, 31-02415, 31-04011C, 31-07131 and 31-07320**

On March 5, 2003, a ***Special Master's Report and Recommendation*** was filed for the above water rights. 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 rights 31-00160B, 31-00161B, 31-02299, 31-02415, 31-04011C, 31-07131 and 31-07320 are hereby **decreed** as set forth in the attached ***Partial Decree Pursuant to I.R.C.P. 54(b)***.

DATED May 9, 2003.

Roger Burdick

ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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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)
)

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

Water Right 31-02299

NAME AND ADDRESS: RAY SAUER
HC 63 BOX 2130
MONTEVIEW, ID 83435

SOURCE: GROUND WATER

QUANTITY: 3.14 CFS
770.00 AFY

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 7350 AF.

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, 31-00161A, 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.

USE OF THIS RIGHT WITH RIGHT NO. 31-02415 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1596 AF.

PRIORITY DATE: 01/04/1951

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	3.14 CFS
		770.00 AFY

PLACE OF USE: Irrigation — Within Jefferson County

T07N R33E S13	NENE 38.0	NWNE 38.0
	SWNE 38.0	SENE 38.0
	NESW 38.0	NWSW 38.0
	SWSW 38.0	SESW 38.0
	NESE 38.0	NWSE 38.0
	SWSE 38.0	SESE 38.0

456.0 Acres Total

USE OF THIS RIGHT WITH RIGHT NO. 31-02415 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 456 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 220 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.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication