

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)

Case No. 39576)
_____))

ORDER OF PARTIAL DECREE

**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 S. BURDICK
Presiding Judge
Snake River Basin Adjudication

DISTRICT COURT-SRBA

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

FILED

2003 MAY 9 PM 2 26

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 31-00161B

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

SOURCE: GROUND WATER

QUANTITY: 2.03 CFS
406.00 AFY

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, 31-00160B, 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. 31-00160B, 31-00161B, 31-04011C AND 31-07131 ARE
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.17 CFS AND TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1372 AF.

PRIORITY DATE: 04/01/1936

POINT OF DIVERSION: T07N R34E S05 NENESE Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.03 CFS 406.00 AFY

PLACE OF USE:	Irrigation	Within Jefferson County
	T07N R34E S17	NESW 40.0 NWSW 40.0 SWSW 39.0 SESW 40.0 NWSE 38.0 SWSE 35.0 S18 NESE 40.0 NWSE 40.0 SWSE 40.0 SESE 40.0
	392.0 Acres Total	

RIGHT NOS. 31-00160B, 31-00161B, 31-04011C AND 31-07131 ARE
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 392 ACRES IN A
SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 116 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
Presiding Judge of the
Snake River Basin Adjudication