

2002 NOV 4 AM 11 58

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 43-10824**
)
_____)

On September 5, 2002, 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 43-10824 is hereby **decreed** as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED November 4, 2002



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

2002 NOV 4 AM 11 59

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 43-10824

NAME AND ADDRESS: SHIRLEY A JONES
1735 ALVARADO
TWIN FALLS, ID 83301

SOURCE: ROUND MOUNTAIN SPRING TRIBUTARY: ROUND MOUNTAIN CREEK
ROUND MOUNTAIN CREEK CLEAR CREEK

QUANTITY: 2.10 CFS
887.20 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10116,
43-02061 & 43-02110 IS LIMITED TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 892 AF.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10116,
43-02061, 43-02110 & 43-00286B IS LIMITED TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1032 AF.

PRIORITY DATE: 02/17/1912

POINT OF DIVERSION: T16S R27E S13 NESE Within Cassia County
R28E S18 LOT 4 (SWSWSW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	2.10 CFS
	Stockwater	01-01 TO 12-31	887.20 AFY 0.04 CFS

PLACE OF USE:			
	Irrigation		Within Cassia County
	T16S R27E S13	NENE 4.0	SWNE 7.0
		SENE 15.0	NESW 5.0
		NESE 29.0	NWSE 33.0
		SWSE 40.0	SESE 40.0
	S24	NENE 33.0	NWNE 4.0
	R28E S19 LOT 1	(NWNW) 13.0	
	223.0 Acres Total		

Stockwater Within Cassia County
Same as Irrigation

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-00286B,
43-10116, 43-02061, AND 43-02110 IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 258 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10116, 43-02061
AND 43-02110 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF
223 ACRES IN A SINGLE IRRIGATION SEASON.

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

A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
MAINTAINED AS A PART OF THE DIVERTING WORKS.

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

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

OTHER PROVISIONS (continued)

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

2002 NOV 04 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

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)
)
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CERTIFICATE OF MAILING

Water Right(s): 43-10824

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 43-10824 was mailed
on November 04, 2002, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

JEFF SESSIONS

Represented by:
ROGER D LING
PO BOX 396
RUPERT, ID 83350
Phone: 208-436-4717

SHIRLEY A JONES
1735 ALVARADO
TWIN FALLS, ID 83301
Phone: 208-734-4016

ROBBIN HALL
Chief Deputy Clerk

CERTIFICATE OF MAILING

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