

2002 NOV 5 PM 4 03

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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ORDER OF PARTIAL DECREE

For Water Right 31-11432

On September 20, 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 31-11432 is hereby decreed as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED November 5, 2002



\_\_\_\_\_  
ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

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|     | NWSWSE |               |
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| S26 | NESESE |               |
|     | NWSESE |               |
| S34 | SWNWSE | (Injection)   |
| S36 | SENWNW |               |
|     | SENWNW | (Injection)   |
|     | SENWNW | (Rediversion) |

| PURPOSE OF USE       | PERIOD OF USE  | QUANTITY     |
|----------------------|----------------|--------------|
| Diversion to Storage | 05-01 TO 11-01 | 202.95 CFS   |
| Irrigation Storage   | 05-01 TO 11-01 | 21434.00 AFY |

UPON SUBMISSION OF A PUMPING PLAN BY THE HOLDERS OF WATER RIGHTS 31-332, 31-11339, 31-11429, 31-11430, AND 31-11432, THE WATERMASTER, UNDER THE DIRECTION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES, MAY AUTHORIZE DIVERSION TO STORAGE AND IRRIGATION STORAGE UNDER THIS RIGHT AS EARLY AS MARCH 1, AND IRRIGATION FROM STORAGE AS EARLY AS APRIL 1. ANY DIVERSION OR USE OF WATER BEFORE MAY 1 UNDER THIS REMARK SHALL HAVE A PRIORITY DATE OF JUNE 5, 1961.

PLACE OF USE WITHIN THE BOUNDARY OF MUD LAKE WATER USERS, INC.  
TOTAL IRRIGATED ACRES 24261.3 AS DEPICTED IN THE ATTACHED MAP.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 24261.3 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-327, 31-328, 31-329, 31-330, 31-331, 31-332, 31-336B, 31-337B, 31-371, 31-2239, 31-2265, 31-2289, 31-2290, 31-2297, 31-2310, 31-2317A, 31-2317B, 31-2321, 31-2341, 31-2342, 31-2343, 31-2344, 31-2345, 31-7005, 31-11430, 31-11432, (GROUNDWATER), 31-2276, (WASTEWATER), 31-6, 31-34, 31-35, 31-36, 31-37, 31-38, 31-52, 31-65, 31-104, 31-105, 31-147A, 31-159, 31-162, 31-163, 31-166, 31-168, 31-169, 31-184, 31-185, 31-186, 31-187, 31-188, 31-232, 31-237, 31-263, 31-363, (OWLSEY DIVISION SURFACE WATER), 31-134, 31-135, 31-143, 31-144, 31-190, 31-192, (JACKETT DIVISION SURFACE WATER), 31-344.

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

PLACE OF USE (continued)

31-345, 31-354, 31-355, 31-360, 31-361, 31-10957, 31-10958,  
31-10959, 31-10960, 31-10961, 31-10962 (HOLLEY DIVISION SURFACE  
WATER).

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

THE ADMINISTRATION OF THIS WATER RIGHT IS ALSO SUBJECT TO THE  
AGREEMENT OF WATER RIGHT OWNERS REGARDING MUD LAKE WATER  
DELIVERY DATED APRIL 17, 2001, WHICH IS ON FILE IN THE RECORDS  
OF THE CLERK AND RECORDER OF JEFFERSON COUNTY, IDAHO, INSTRUMENT  
NUMBER 307626.

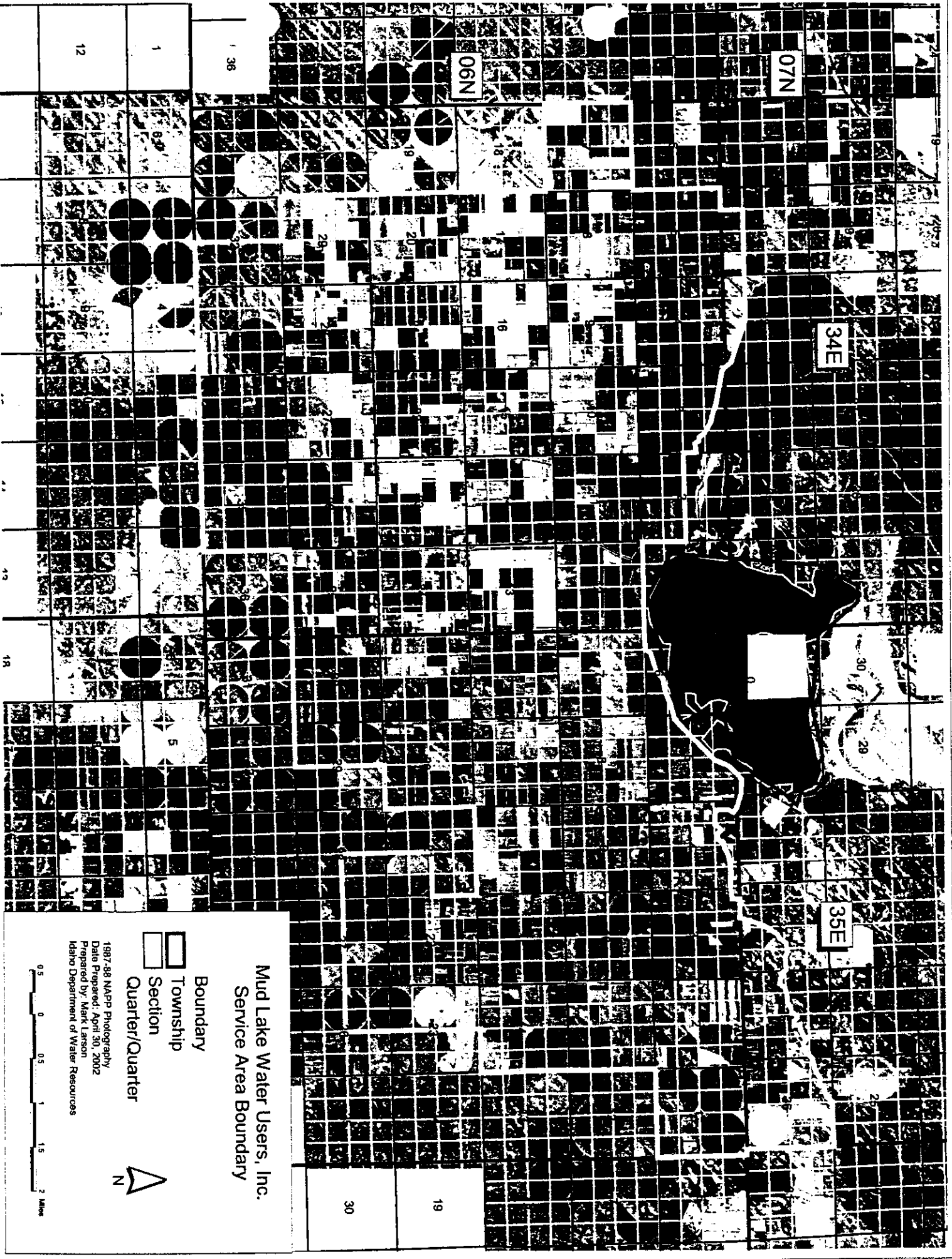
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT  
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY  
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE  
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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



Mud Lake Water Users, Inc.  
Service Area Boundary

- Boundary
- Township
- Section
- Quarter/Quarter

1987-88 NAAPP Photography  
Date Prepared: April 30, 2002  
Prepared by: Mark Larson  
Idaho Department of Water Resources



2002 NOV 05 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 )

CERTIFICATE OF MAILING

Case No. 39576 )  
\_\_\_\_\_ )

Water Right(s): 31-11432

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 31-11432 was mailed  
on November 05, 2002, with sufficient first-class postage prepaid  
to the following:

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

MUD LAKE WATER USERS INC

Represented by:  
KENT W FOSTER  
PO BOX 50130  
IDAHO FALLS, ID 83405  
Phone: 208-523-0620

ROBBIN HALL  
Chief Deputy Clerk