

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

)
) **ORDER OF PARTIAL DECREE**
)
) **For Water Right 31-11430**
)

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 31-11430 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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POINT OF DIVERSION (continued)

	SWSWSW	
	NWSWSW	
	NWSWSW	
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	NESESW	
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	SWNWSE	
	NWNWSE	
	SWNWSE	
	NWSWSE	
	NWSWSE	
	NWSWSE	
	NWSWSE	
	NWSWSE	
	NWSWSE	
	NWSWSE	(Injection)
S26	NWSESE	
	NESESE	
S34	SWNWSE	(Injection)
S36	SENWNW	
	SENWNW	(Injection)
	SENWNW	(Rediversion)

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	05-01 TO 11-01	21434.00 AFY
	Diversion to Storage	05-01 TO 11-01	427.00 CFS

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:

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,

PLACE OF USE (continued)

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,
13-190, 31-192, (JACKETT DIVISION SURFACE WATER), 31-344,
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).

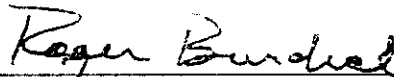
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

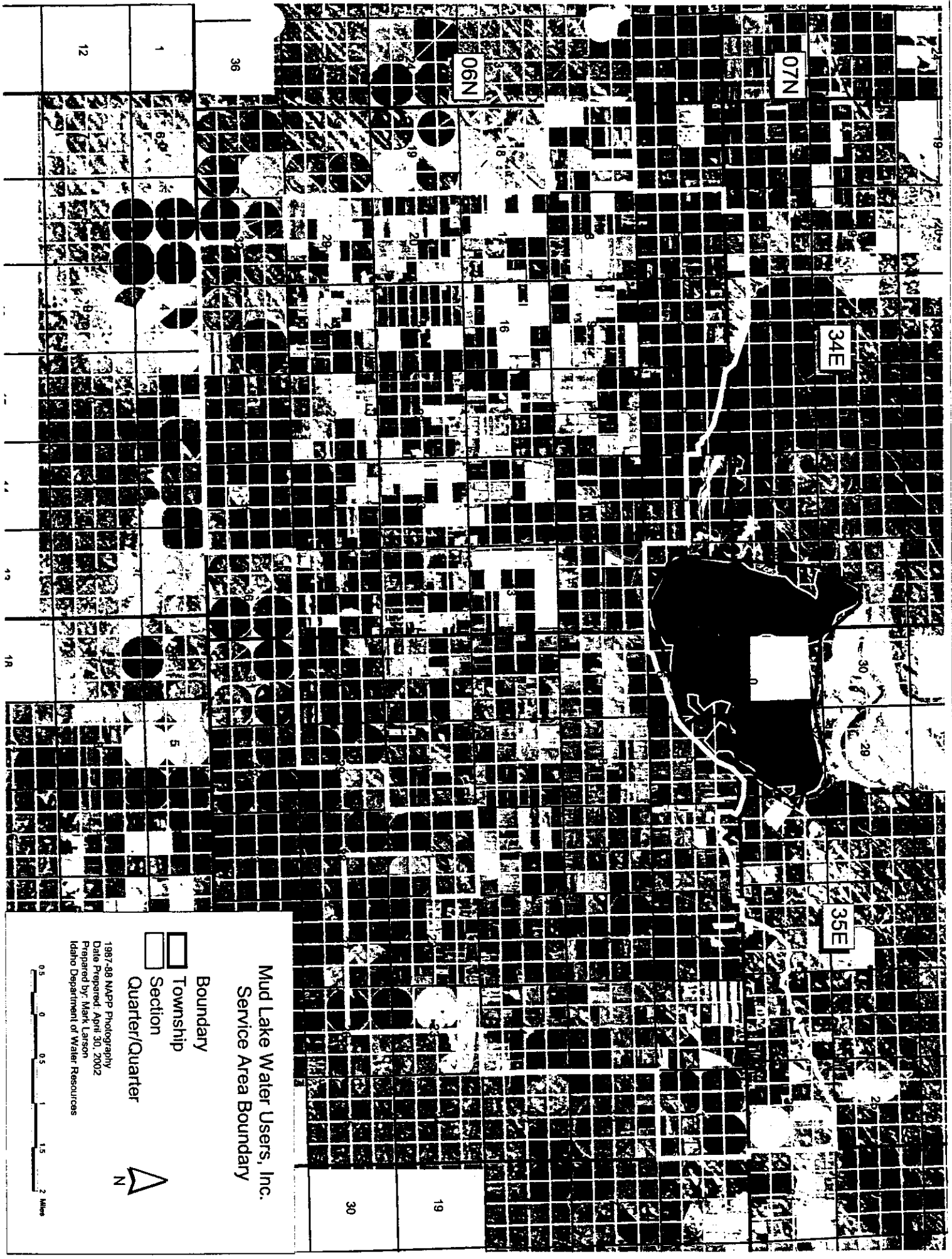
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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 NAPP 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): 31-11430

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 31-11430 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

CERTIFICATE OF MAILING

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11/05/02