

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 OCT 23 PM 4 48

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 72-10044B

NAME AND ADDRESS: R RICHARD BURCHILL
RUTH E BURCHILL
PO BOX 291
CHALLIS, ID 83226

SOURCE: PATS CREEK TRIBUTARY: BEAR CREEK
 SPRINGS PATS CREEK
 WHITE VALLEY CREEK BEAR CREEK

QUANTITY: 0.20 CFS
 36.80 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 150.2 AF. COMBINED RIGHT NOS.:
72-29C, 72-7431 AND 72-10044B.
USE OF THIS RIGHT WITH RIGHT NO. 72-7431 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF .23 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 48.1 AF.

PRIORITY DATE: 10/10/1911

POINT OF DIVERSION: T14N R18E S05 NWNENE Within Custer County
 T15N R18E S33 SWSESW
 SESESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.20 CFS 36.80 AFY

PLACE OF USE: Irrigation Within Custer County
 T14N R18E S04 LOT 7 (NENW) 0.4 LOT 8 (NWNW) 0.3
 SENW 12.8
 13.5 Acres Total

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 42.9 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-29C, 72-7431 AND 72-10044B.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 10.5 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE
WATERMASTER OF STATE WATER DISTRICT NO. 72-C, CHALLIS CREEK.
DIVERSION OF WATER IS LIMITED TO THOSE TIMES WATER IS AVAILABLE
FOR DIVERSION UNDER THIS RIGHT AND PRIORITY FROM THE ORIGINAL
SOURCE, PATS CREEK.
APPROVAL OF TRANSFER 67114 DOES NOT GRANT ANY RIGHT-OF-WAY OR
EASEMENT FOR USE OF A DELIVERY SYSTEM OWNED BY PERSON(S) OTHER
THAN THE RIGHT OWNER.
PLACE OF USE IS PRIMARILY LOCATED WITHIN HOMESTEAD ENTRY SURVEY
NO. 148.

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