

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
OCT - 8 2002	
By _____	Clerk
_____	Deputy Clerk

**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	)	
	)	ORDER OF PARTIAL DECREE
Case No. 39576	)	
	)	For Water Right 65-06628
_____	)	

On August 15, 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 65-06628 is hereby decreed as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED October 8, 2002



 ROGER S. BURDICK
 Presiding Judge
 Snake River Basin Adjudication

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

OCT - 8 2002

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

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 65-06628

By

Clare

Denny

NAME AND ADDRESS:

DUANE PANCHERI
LAURA PANCHERI
19010 S CAN-ADA RD
MELBA, ID 83641

DARWIN PANCHERI
JOAN L PANCHERI
9325 MISSOURI AVE
NAMPA, ID 83686

SOURCE:

BRUSH CREEK

TRIBUTARY: PAYETTE RIVER, NORTH FORK

QUANTITY:

12.56 CFS

THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 65-02534, 65-02696 &
65-11250 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE NOR MORE THAN
3.0 AFA PER ACRE AT THE FIELD HEADGATE FOR THE IRRIGATION OF THE
PLACE OF USE.

PRIORITY DATE:

04/01/1912

POINT OF DIVERSION:

T13N R03E S13
R04E S18

SWSE
SESW

Within Valley County

2 POINTS OF DIVERSION LOCATED IN T13N, R04E, S18 SESW

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Irrigation

PERIOD OF USE
04-15 TO 10-15

QUANTITY
12.56 CFS

PLACE OF USE:

Irrigation

Within Valley County

T13N R04E S17 LOT 4	(SNNW) 3.0	NWSW 18.0
LOT 13	(SWSW) 15.0	LOT 14 (SESW) 6.0
S18 LOT 4	(SWSW) 5.0	SESW 19.0
	NESE 15.0	NWSE 6.0
	SWSE 39.0	LOT 5 (SESE) 38.0
S19 LOT 5	(NENE) 32.0	NWNE 40.0
	SWNE 40.0	LOT 6 (SENE) 22.0
	NENW 12.0	SENE 27.0
	NESW 38.0	SESW 32.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 40.0
S20 LOT 12	(SWSW) 20.0	
S29 LOT 4	(NWNW) 18.0	
S30 LOT 5	(NENE) 23.0	
628.0 Acres Total		

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

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY THE
TRANSFER REFLECTED IN THE NOTICE OF COMPLETED ADMINISTRATIVE
PROCEEDING FILED WITH THE SRBA DISTRICT COURT ON MAY 13, 2002,
WITHIN ONE (1) YEAR OF THAT DATE.

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

2002 OCT 08 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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 65-06628

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 65-06628 was mailed
on October 08, 2002, with sufficient first-class postage prepaid
to the following:

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

USDI BLM
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

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CERTIFICATE OF MAILING

ROBBIN HALL
Chief Deputy Clerk

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10/08/02