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 43-04033**
	)	

On August 9, 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 43-04033 is hereby **decreed** as set forth in the attached ***Partial Decree*** Pursuant to I.R.C.P. 54(b).

DATED October 8, 2002

Roger Burdick

ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
OCT - 3 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)
)
Case No. 39576)
)

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

Water Right 43-04033

NAME AND ADDRESS: S. CHAD FRIDAL
2970 E. 1400 S.
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 0.06 CFS
5.50 AFY

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

PRIORITY DATE: 06/01/1945

POINT OF DIVERSION: T12S R28E S32 SWSESW Within Cassia County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Stockwater	01-01 TO 12-31	0.02 CFS
		0.70 AFY
Commercial	01-01 TO 12-31	0.06 CFS
		2.40 AFY
Domestic	01-01 TO 12-31	0.06 CFS
		2.40 AFY

PLACE OF USE:

Stockwater		Within Cassia County
T12S R28E S32	SESW	
Commercial		Within Cassia County
T12S R28E S32	SESW	
Domestic		Within Cassia County
T12S R28E S32	SESW	

THE USE OF WATER UNDER THIS RIGHT FOR DOMESTIC, STOCKWATER, AND COMMERCIAL PURPOSES WITHIN SESW, S32, T12S, R28E, IS LIMITED TO THE S 1/2 OF S 1/2 OF THAT PLACE OF USE.

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE AND 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 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)	CERTIFICATE OF MAILING
)	
Case No. 39576)	
_____)	Water Right(s): 43-04033

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 43-04033 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

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

S. CHAD FRIDAL
2970 E. 1400 S.
MALTA, ID 83342

ROBBIN HALL
Chief Deputy Clerk