

|                                                                                         |              |
|-----------------------------------------------------------------------------------------|--------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>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**

|                       |   |                                |
|-----------------------|---|--------------------------------|
| <b>In Re SRBA</b>     | ) |                                |
|                       | ) | <b>ORDER OF PARTIAL DECREE</b> |
| <b>Case No. 39576</b> | ) |                                |
|                       | ) | <b>For Water Right 43-177A</b> |
| _____                 | ) |                                |

On August 1, 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 43-177A 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

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  
Fifth Judicial District  
County of Twin Falls - State of Idaho

OCT - 8 2002

In Re SRBA )  
Case No. 39576 )  
PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 43-00177A

By \_\_\_\_\_ Clerk  
Deputy Clerk

NAME AND ADDRESS: GLENN L JONES  
HC 72 BOX 2220  
MALTA, ID 83342  
  
LORIN G JONES  
2355 E 2425 S BOX 2221  
MALTA, ID 83342  
  
HAZEL R JONES  
2425 S 2385 E BOX 2220  
MALTA, ID 83342

SOURCE: RAFT RIVER TRIBUTARY: SNAKE RIVER  
QUANTITY: 4.22 CFS

WHEN COMBINED THE FOLLOWING RIGHT NOS. SHALL PROVIDE NO MORE  
THAN .02 CFS PER ACRE.: 43-00177A, 43-02333, 43-02334,  
43-02415A, & 43-02415B.

PRIORITY DATE: 05/24/1909

POINT OF DIVERSION: T14S R27E S30 SENESE Within Cassia County  
S32 NWNWNW

PURPOSE AND  
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY  
Irrigation 03-15 TO 11-15 4.22 CFS

PLACE OF USE: Irrigation Within Cassia County  
T14S R27E S29 NENW 40.0 NWNW 40.0  
SWNW 26.0 SENW 38.0  
NESW 39.0 NWSW 28.0  
211.0 Acres Total

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION  
OF A COMBINED TOTAL OF 211 ACRES IN A SINGLE IRRIGATION SEASON.  
COMBINED RIGHT NOS.: 43-00177A, 43-02333, 43-02334, 43-02315A, &  
43-02315B.

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

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.

A handwritten signature in black ink, reading "Roger Burdick", is written over a horizontal line.

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): 43-00177A

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 43-00177A 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

GLENN L JONES  
HC 72 BOX 2220  
MALTA, ID 83342  
Phone: 208-645-2446

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HAZEL R JONES  
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Phone: 208-645-2446

ROBBIN HALL  
Chief Deputy Clerk

CERTIFICATE OF MAILING

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10/08/02