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Department of Water Resources

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

SEP 16 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

ORDER OF PARTIAL DECREE

For Water Rights 43-00368, 43-00369A,
43-00369B, 43-00370, 43-00417A, 43-00417B,
43-07080

On July 29, 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 rights 43-00368, 43-00369A, 43-00369B, 43-00370, 43-00417A, 43-00417B, 43-07080 are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED September 16, 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

In Re SRBA)
)
Case No. 39576)
_____)

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

Water Right 43-00370

SEP 16 2002

By _____ Clerk

Deputy Clerk

NAME AND ADDRESS: NOEL B BOWCUT
KEY RANCH
19 GRANADA PL
BURLEY, ID 83318

SOURCE: BLACKSMITH CREEK TRIBUTARY: CASSIA CREEK
SIBLEY CREEK BLACKSMITH CREEK
MAHOGANY SPRINGS BLACKSMITH CREEK

QUANTITY: 1.20 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.45 CFS. COMBINED RIGHTS: 43-00368,
43-00369A, 43-00369B, 43-00370, 43-00417A, 43-00417B AND
43-07080.

PRIORITY DATE: 04/30/1885

POINT OF DIVERSION: T13S R25E S10 NWSWSW Within Cassia County
NESWSW
NWSWSE
S11 SWNWNE
NWSESW
NWSWSE
S14 NENENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.20 CFS

PLACE OF USE:	Irrigation	Within Cassia County
T13S R25E S11	SWNE 9.7	SENE 3.3
	NESW 16.0	SESW 34.0
	NWSE 5.7	SWSE 3.3
S14	NENW 38.0	NWNW 27.0
	SWNW 40.0	SENE 34.0
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 RIGHTS: 43-00368, 43-00369A, 43-00369B, 43-00370,
43-00417A, 43-00417B AND 43-07080. USE OF THE RIGHTS LISTED
BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 166
ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHTS:
43-00369A, AND 43-00370.

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.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE FOR WATER RIGHTS IN BASIN 43 was mailed on September 16, 2002, with sufficient first-class postage to the following:

UNITED STATES OF AMERICA

Represented by:

US DEPARTMENT OF JUSTICE

ENVIRONMENT & NATL' RESOURCES

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Phone: 208-387-0835

NOEL B BOWCUT

KEY RANCH

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DIRECTOR OF IDWR

PO BOX 83720

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Rebbin