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Department of Water Resources

2002 MAY 20 PM 4:15

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED 33-02126B

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 Right 33-02126B

On March 12, 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.

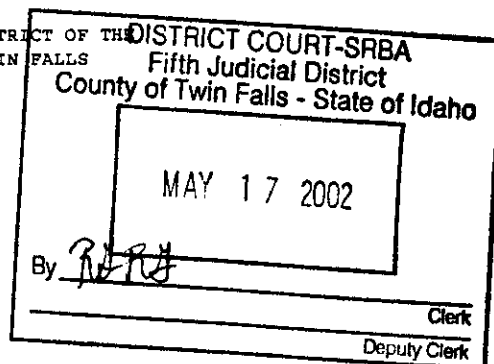
Therefore, IT IS ORDERED that water right 33-02126B is hereby decreed as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED May 20, 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



In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 33-02126B

NAME AND ADDRESS: PANCHERI INC
C/O HOLDEN KIDWELL
HAHN & CRAPO
PO BOX 50130
IDHAQ FALLS, ID 83405

SOURCE: GROUNDWATER

POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM LITTLE
LOST RIVER.

QUANTITY: 4.04 CFS
962.50 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 11.15 CFS. COMBINED RIGHT NOS;
33-00044, 33-00045, 33-00046, 33-00047, 33-02068B, 33-02056,
33-02093, 33-2126B.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1950.2 AF.
COMBINED RIGHT NOS.: 33-02056, 33-02068B, 33-02126B, 33-2093.

PRIORITY DATE: 07/22/1966

POINT OF DIVERSION: T06N R29E S19 NENWNE Within Butte County
S32 SWNWNW (Injection)
SWNWNW (Rediversion)

THE AMOUNT OF WATER DIVERTED FROM LITTLE LOST RIVER SHALL BE
REDUCED WHEN NECESSARY TO PREVENT INJURY TO APPROPRIATORS OF
WATER FROM LITTLE LOST RIVER DOWNSTREAM FROM THE POINT OF
REDIVERSION.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	4.04 CFS 962.50 AFY

PLACE OF USE:	Irrigation	Within Butte County
	T05N R29E S04 LOT 04 (NWNW) 41.0	SWNW 34.0
	S05 LOT 01 (NENE) 37.0	SENE 34.0
	T06N R29E S19 NESE 40.0	NWSE 36.0
	SWSE 14.0	SESE 38.0
	S29 NENE 33.0	NWNE 39.0
	SENE 39.0	SENE 32.0
	NENW 39.0	NWNW 38.0
	SWNW 26.0	SENW 40.0
	NWSW 15.0	SWSW 35.0
	SESW 3.0	
	S30 SESW 26.0	SWSE 37.0
	SESE 35.0	
	S31 NENE 28.0	NWNE 39.0
	NENW 12.0	
	S32 SWNE 11.0	NENW 16.0
	NWNW 31.0	SENW 30.0
	NESE 36.0	NWSE 18.0
	SWSE 31.0	SESE 28.0
	991.0 Acres Total	

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 275 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 554 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 33-00044, 33-00045, 33-00046, 33-00047,
33-02068B, 33-02056, 33-02093, 33-02126B.

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

2002 MAY 20 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): 33-02126B

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 33-02126B was mailed
on May 20, 2002, with sufficient first-class postage prepaid
to the following:

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

PANCHERI INC
Represented by:
KENT W FOSTER
PO BOX 50130
IDAHO FALLS, ID 83405
Phone: 208-523-0620

ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

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