

2002 MAY -1 AM 9:35

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

)
)
)
)

ORDER OF PARTIAL DECREE

For Water Right 31-00085

On March 21, 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 31-00085 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED May 1, 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)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 31-00085

2002 MAY -1 AM 9:36
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: RALPH L HILLMAN AND SONS
1223 HOMER AVE
IDAHO FALLS, ID 83401

SOURCE: WEST CAMAS CREEK TRIBUTARY: CAMAS CREEK

POINT OF INJECTION INTO CRAB CREEK. POINT OF REDIVERSION FROM
CRAB CREEK.

QUANTITY: 4.00 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 13.32 CFS. COMBINED RIGHT NOS.:
31-82, 31-83, 31-84, 31-85, 31-86, 31-11700, 31-11701.

PRIORITY DATE: 08/16/1899

POINT OF DIVERSION: T13N R38E S22 SWNNWN Within Clark County
SWNNWN (Injection)
NENWSE (Rediversion)
NESESE
NWSESE (Rediversion)
S23 SWNNWN
SWSESW
SWSWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-31	4.00 CFS
	Stockwater	05-01 TO 10-31	0.05 CFS

PLACE OF USE:	Irrigation		Within Clark County
	T13N R38E S22	SENE 12.0	NESE 9.0
		SWSE 7.0	SESE 28.0
	S23	SWNE 1.0	SWNW 29.0
		SENE 13.0	NESW 36.0
		NWSW 26.0	SWSW 23.0
		SESE 24.0	NESE 13.0
		NWSE 34.0	SWSE 34.0
		SESE 39.0	
	S25	NENW 39.0	NWNW 38.0
		SWNW 34.0	SENE 40.0
	S26	NENE 24.0	NWNE 22.0
		SWNE 10.0	SENE 16.0
		NENW 21.0	NWNW 32.0
		SWNW 11.0	SENE 36.0
	S27	NENE 15.0	
	666.0 Acres Total		

Stockwater Within Clark County
Same as Irrigation

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 666 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 31-82, 31-83, 31-84, 31-85, 31-86,
31-11700, 31-11701.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 320 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR 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 MAY 01 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): 31-00085

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 31-00085 was mailed
on May 01, 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:
DAVID NEGRI
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATURAL RESOURCE
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

RALPH L HILLMAN AND SONS
1223 HOMER AVE
IDAHO FALLS, ID 83401
Phone: 208-529-0723

ROBBIN GLATZ
Chief Deputy Clerk