

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 31-00080**

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 31-00080 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 31-00080

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTIN
USDA ARS
US SHEEP EXPERIMENT STATION
HC 62 BOX 2010
DUBOIS, ID 83423

SOURCE: DRY CREEK TRIBUTARY: SPRING CREEK

QUANTITY: 4.20 CFS

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 31-00326 SHALL
PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 09/02/1922

POINT OF DIVERSION: T13N R40E S05 SWSWSE Within Clark County
S30 NWNESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-31	4.20 CFS
	Stockwater	05-01 TO 10-31	0.11 CFS

PLACE OF USE:	Irrigation	Within Clark County
T13N R39E S25	NESE 7.0 SESE 38.0	SWSE 10.0
R40E S30	NWNE 17.0 SENE 7.0 SENW 20.0	SWNE 39.0 NENW 8.0 NESW 20.0
LOT 03	(NWSW) 30.0	NWSE 13.0
209.0 Acres Total		

Stockwater	Within Clark County
T13N R39E S25	SENE NESE SESE
R40E S19	SENW NESW
S30	SWNE NENW SENW NESW NWSE
	LOT 03 (NWSW)

USE OF THIS RIGHT WITH RIGHT NO. 31-00326 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 209 ACRES IN A SINGLE
IRRIGATION SEASON.

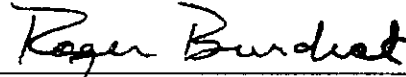
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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In Re SRBA)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 31-00080

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 31-00080 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 ACTIN
USDA ARS
US SHEEP EXPERIMENT STATION
HC 62 BOX 2010
DUBOIS, ID 83423
Phone: 208-374-5409

ROBBIN GLATZ
Chief Deputy Clerk