

2002 APR 11 AM 9:11

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

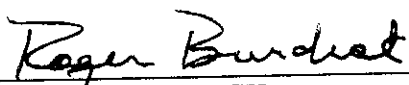
For Water Right 65-08850

On February 27, 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 65-08850 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED 4/11/02



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 65-08850

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DISTRICT COURT-SRBA
TWIN FALLS CO, IDAHO
FILED _____

NAME AND ADDRESS: LENORA B BARNES
5120 SORRENTO DR
BOISE, ID 83704

SOURCE: ALDER CREEK

TRIBUTARY: PAYETTE RIVER, SOUTH FORK

QUANTITY: 2.57 CFS
3.29 AFY

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-11324 SHALL PROVIDE
NO MORE THAN .02 CFS PER ACRE AT THE FIELD HEADGATE.

PRIORITY DATE: 04/01/1900

POINT OF DIVERSION: T08N R04E S02 SWNE Within Boise County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	2.51 CFS
	Stockwater	01-01 TO 12-31	0.06 CFS
			3.29 AFY

PLACE OF USE: Irrigation Within Boise County
T09N R04E S35 LOT 06 (NESW) 27.0 LOT 05 (NWSW) 51.0
SWSW 10.0 SESW 8.0
LOT 07 (SWSE) 7.0
103.0 Acres Total

Stockwater Within Boise County
Same as Irrigation

USE OF THIS RIGHT WITH RIGHT NO. 65-11324 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 110 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

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CERTIFICATE OF MAILING

Water Right(s): 65-08850

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 65-08850 was mailed
on April 11, 2002, with sufficient first-class postage prepaid
to the following:

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

CHARTER MOUNTAIN RANCH
Represented by:
BRUCE M. SMITH
225 NORTH 9TH ST, STE 420
BOISE, ID 83702
Phone: 208-331-1800

LENORA B BARNES
Represented by:
SCOTT L. CAMPBELL
101 S CAPITOL BLVD, 10TH FLOOR
PO BOX 829
BOISE, ID 83701-0829
Phone: 208-345-2000

CERTIFICATE OF MAILING

PAGE 1
04/11/02

CHARTER MOUNTAIN RANCH, INC
Represented by:
TAMMY A. ZOKAN
225 N 9TH STREET, SUITE 420
BOISE, ID 83702
Phone: 208-331-1800


ROBBIN GLATZ
Chief Deputy Clerk