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Department of Water Resources

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

2003 MAY 6 AM 10 31

**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 65-02858A, 65-03803C,
65-09417A and 65-10963**

On March 25, 2003, a *Special Master's Report and Recommendation* was filed for the above water rights. 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 65-02858A, 65-03803C, 65-09417A and 65-10963 are hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED May 6, 2003.



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
TWIN FALLS CO., IDAHO
FILED

2003 MAY 6 AM 10 31

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 65-02858A

NAME AND ADDRESS: O & D PARTNERSHIP
PO BOX 366
HORSESHOE BEND, ID 83629

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 2.57 CFS
634.50 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.02 CFS AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 4.5 AF AT FIELD HEADGATE. COMBINED
RIGHT NOS.: 65-10963, 65-3104B.

PRIORITY DATE: 07/29/1966

POINT OF DIVERSION: T07N R02E S11 LOT 1 (NENW) Within Boise County
LOT 1 (NENW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.57 CFS 634.50 AFY

PLACE OF USE:	Irrigation	Within Boise County
	T07N R02E S02 LOT 7 (SESW) 11.0	SWSE 1.0
		SESE 13.0
	S11 NENE 24.0	NWNE 24.0
		SWNE 18.0
		SENE 26.0
	LOT 1 (NENW) 24.0	
	141.0 Acres Total	

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

Roger Burdick
Presiding Judge of the
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
TWIN FALLS CO., IDAHO
FILED _____

2003 MAY 6 AM 10 31

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 65-03803C

NAME AND ADDRESS: O & D PARTNERSHIP
PO BOX 366
HORSESHOE BEND, ID 83629

SOURCE: HILL CREEK TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.55 CFS

PRIORITY DATE: 12/23/1888

POINT OF DIVERSION: T07N R02E S02 NESE Within Boise County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.55 CFS

PLACE OF USE: Irrigation Within Boise County
T07N R02E S02 SWSE 15.0 SESE 9.0
24.0 Acres Total

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

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Roger Burdick
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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS CO., IDAHO
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 65-09417A

2003 MAY 6 AM 10 31

NAME AND ADDRESS: O & D PARTNERSHIP
PO BOX 366
HORSESHOE BEND, ID 83629

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.98 CFS
220.50 AFY

USE OF THIS RIGHT WITH RIGHT NO. 65-10963 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.02 CFS AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 4.5 AF PER ACRE AT FIELD HEADGATE.

PRIORITY DATE: 04/01/1958

POINT OF DIVERSION: T07N R02E S11 LOT 1 (NENW) Within Boise County
LOT 1 (NENW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.98 CFS 220.50 AFY

PLACE OF USE: Irrigation Within Boise County
T07N R02E S02 NESW 3.1 LOT 7 (SESW) 11.1
NESE 3.0 NWSE 2.4
SWSE 14.2 SESE 15.2
49.0 Acres Total

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

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NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

2003 MAY 6 AM 10 32

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

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

Water Right 65-10963

NAME AND ADDRESS: O & D PARTNERSHIP
PO BOX 366
HORSESHOE BEND, ID 83629

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 3.84 CFS
864.00 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.02 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 4.5 AF PER ACRE AT FIELD
HEADGATE. COMBINED RIGHT NOS.: 65-2858A, 65-9417A, 65-3104B.

PRIORITY DATE: 07/07/1969

POINT OF DIVERSION: T07N R02E S11 LOT 1 (NENW) Within Boise County
LOT 1 (NENW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	3.84 CFS 864.00 AFY

PLACE OF USE:	Irrigation	Within Boise County
	T07N R02E S02 LOT 7 (SESW) 13.0	SWSE 20.0
		SESE 20.0
	S11 NENE 35.0	NWNE 34.0
		SWNE 19.0
	LOT 1 (NENW) 18.0	SENE 32.0
		SENE 1.0
	192.0 Acres Total	

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

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NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
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