

MAY - 7 2003

Department of Water Resources

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

2003 MAY 6 AM 10 33

**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 65-22348 and 65-22347

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 65-22348 and 65-22347 are hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED May 6, 2003.

Roger Burdick

ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 65-22348

2003 MAY 6 AM 10 33

NAME AND ADDRESS: PAUL R & GRETEL M KLEINT
PO BOX 42
DONNELLY, ID 83615

SOURCE: GOLD FORK RIVER TRIBUTARY: CASCADE RESERVOIR

QUANTITY: 0.20 CFS
30.00 AFY

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE
NO MORE THAN 0.02 CFS PER ACRE NOR MORE THAN 3.0 AFA PER ACRE AT
THE FIELD HEADGATE FOR IRRIGATION OF THE LANDS ABOVE.

PRIORITY DATE: 04/27/2001

POINT OF DIVERSION: T16N R03E S25 NWNWNW Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	0.20 CFS
			30.00 AFY

PLACE OF USE: Irrigation Within Valley County
T16N R03E S23 NENW 10.0
10.0 Acres Total

PLACE OF USE DESCRIBED ABOVE DOES NOT INCLUDE THE
IRRIGATION OF FEDERAL LANDS.

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

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

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

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

2003 MAY 6 AM 10 33

Water Right 65-22347

NAME AND ADDRESS: ESTATE OF MARGARET E KLEINT
PO BOX 42
DONNELLY, ID 83615

SOURCE: UNNAMED STREAMS TRIBUTARY: NORTH FORK PAYETTE RIVER

QUANTITY: 0.80 CFS

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE
AND SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 03/29/1945

POINT OF DIVERSION: T16N R02E S12 NESE Within Valley County
SESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	0.80 CFS
	Domestic	01-01 TO 12-31	0.02 CFS

PLACE OF USE: Irrigation Within Valley County
T16N R03E S07 SWSW 10.0
S18 NWNW 20.0
30.0 Acres Total

Domestic Within Valley County
Same as Irrigation

PLACE OF USE DESCRIBED ABOVE DOES NOT INCLUDE THE IRRIGATION
OF FEDERAL LAND.

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

SOURCE IS KNOWN LOCALLY AS KLEINT CREEK.
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
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