

2001 MAY -1 PM 1:36

FILED
TWIN FALLS CO., IDAHO
JULY 11 2001

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	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 37-14284C
_____	)	

On March 8, 2001, 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 37-14284C is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED MAY 01 2001 .



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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-14284C

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TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: BARBER CAVEN RANCHES
6874 FAIRVIEW AVE
BOISE, ID 83704

SOURCE: CAMAS CREEK TRIBUTARY: MALAD RIVER

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/17/1914

POINT OF DIVERSION: T02S R10E S07 SWNE (Instream Beginning Point) Within Elmore County
S10 NWSE (Instream Ending Point)

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Stockwater 04-01 TO 11-30 0.02 CFS

PLACE OF USE: Stockwater Within Elmore County
T02S R10E S04 SWSW SESW
S05 SWSE
S07 SWSW
NENE NWNE
SWNE
S08 NENE NWNE
NENW NWNW
S09 NENE NWNE
SENE NWNW
S10 SWNW SENW
NESW NWSE

PLACE OF USE DOES NOT INCLUDE THOSE LANDS IN T02S R10E S08
N-1/2 NE-1/4 AND NE-1/4 NW-1/4 LYING NORTH OF THE CENTER LINE OF
CAMAS CREEK (ALSO KNOWN LOCALLY AS THE MALAD RIVER).

PLACE OF USE DOES NOT INCLUDE THOSE LANDS IN T02S R10E S09
N-1/2 NE-1/4 AND NW-1/4 NW-1/4 LYING NORTH OF THE CENTER LINE OF
CAMAS CREEK (ALSO KNOWN LOCALLY AS THE MALAD RIVER).

PLACE OF USE DOES NOT INCLUDE THOSE LANDS IN T02S R10E S04
SW-1/4 SE-1/4 AND S-1/2 SW-1/4 LYING NORTH OF THE CENTER LINE OF
CAMAS CREEK (ALSO KNOWN LOCALLY AS THE MALAD RIVER).

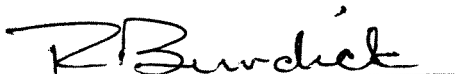
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT 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.

A handwritten signature in black ink, appearing to read "R. Burdick", is written over a horizontal line.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2001 MAY 02 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): 37-14284C

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 37-14284C was mailed
on May 02, 2001, with sufficient first-class postage prepaid
to the following:

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

BARBER CAVEN RANCHES
6874 FAIRVIEW AVE
BOISE, ID 83704

DIANA DELANEY
Chief Deputy Clerk