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Department of Water Resources
DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED RSB

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 AMENDED PARTIAL DECREE

For Water Right 72-07097

On December 14, 2001, a *Partial Decree* was issued for the above-captioned water right. On January 15, 2002, the claimant of the water right filed a *Motion to Correct Partial Decree Pursuant to I.R.C.P. 60(b) and Brief in Support*. The matter was referred to Special Master Cushman, and on April 1, 2002, a *Special Master's Recommendation* was filed, recommending that the relief sought in the claimant's *Motion* be granted. No Challenges were filed to the *Special Master's Recommendation* and the time for filing Challenges has now expired.

Therefore, IT IS ORDERED that water right 72-07097 is hereby **decreed** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*. The previously issued *Partial Decree* is replaced and superseded thereby.

DATED June 14, 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

AMENDED

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 72-07097

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DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED 79 79

NAME AND ADDRESS: JOE CHESTER
NANCY CHESTER
PO BOX 759
CHALLIS, ID 83226

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.54 CFS
94.50 AFY

USE OF THIS RIGHT WITH RIGHT NO. 72-07435 IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 150.5 AF.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 255.5 AF. COMBINED RIGHT
NOS. 72-04144C, 72-04144D AND 72-07435.

PRIORITY DATE: 04/29/1980

POINT OF DIVERSION: T13N R19E S16 LOT 6 (SWSWSE) Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.54 CFS
			94.50 AFY

PLACE OF USE: Irrigation Within Custer County
 T13N R19E S10 NWN 3.0 LOT 4 (SWNE) 30.0
 SENE 7.0 LOT 3 (SENE) 3.0
 43.0 Acres Total

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 27.0 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 72-07435 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 43.0 ACRES IN A SINGLE
IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 73.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIHT NOS. 72-04144C, 72-04144D,
AND 72-07435.

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.

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

Roger Byrdick
Presiding Judge of the
Snake River Basin Adjudication

2002 JUN 14 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)
)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 72-07097

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 72-07097 was mailed
on June 14, 2002, with sufficient first-class postage prepaid
to the following:

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

JOE CHESTER
NANCY CHESTER
Represented by:
CHARLES L. HONSINGER
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

ROBBIN GLATZ
Chief Deputy Clerk