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Department of Water Resources
Adjudication Bureau

2001 JUN -6 PM 2: 59

RECEIVED - SRBA
TWIN FALLS, 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 72-04144D

On November 15, 1999, 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.

On December 22, 1999, a *Notice of Administrative Proceeding* was filed by the Idaho Department of Water Resources, notifying this Court that a transfer was pending on water right 72-04144D. The transfer was completed and a *Notice of Completed Administrative Proceeding* was filed on April 6, 2001. Notice of the transfer appeared on the SBRA Monthly Docket Sheet for May 2001. No objections were filed, and time for the filing objections has 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 with the exception of the point of diversion, which was changed to reflect the legal description according to the completed transfer.

Therefore, IT IS ORDERED that water right 72-04144D is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

JUN 06 2001

DATED _____



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 72-04144D

2001 JUN -6 PM 2: 59

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.18 CFS
21.00 AFY

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, 72-07097 AND 72-07435.

PRIORITY DATE: 04/01/1920

POINT OF DIVERSION: T13N R19E S16 LOT 06 (SWSWE) Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.18 CFS 21.00 AFY

PLACE OF USE: Irrigation Within Custer County
T13N R19E S10 LOT 03 (SENW) 6.0
6.0 Acres Total

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 RIGHT NOS.: 72-04144C, 72-07097
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.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE was mailed on June 06, 2001, with sufficient first-class postage to the following:

JOE & NANCY CHESTER

Represented by:
WASHINGTON COUNTY COURTHOUSE
256 E COURT
WEISER, ID 83672

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