

RECEIVED

JUN - 8 2001

Department of Water Resources
Adjudication Bureau

2001 JUN -6 PM 3:01

FILED
TWIN FALLS CO. IDAHO
SRBA

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 72-04144C

On April 6, 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.

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 72-04144C. 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 72-04144C is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED JUN 06 2001



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 72-04144C

2001 JUN -6 PM 3:01
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: 1.44 CFS
84.00 AFY

USE OF THIS RIGHT WITH RIGHT NOS. 72-04144D, 72-07097 AND
72-07435 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME
OF 255.5 AF.

PRIORITY DATE: 04/01/1920

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

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.44 CFS 84.00 AFY

PLACE OF USE: Irrigation Within Custer County
T13N R19E S10 NENW 15.0 LOT 03 (SENE) 9.0
24.0 Acres Total

USE OF THIS RIGHT WITH RIGHT NO. 72-04144D, 72-07097 AND
72-07435 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 73.0
ACRES IN A SINGLE IRRIGATION SEASON.

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

JOE CHESTER

NANCY CHESTER

PO BOX 759

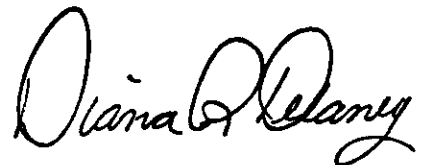
CHALLIS, ID 83226

Phone: 208-879-4463

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

A handwritten signature in cursive script, reading "Diana B. Delaney". The signature is written in dark ink and is located in the lower right quadrant of the page.