

2000 APR 25 AM 8:49  
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 )

) ORDER OF PARTIAL DECREE

Case No. 39576 )

) For Water Right 72-00244A

On December 23, 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.

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 72-00244A is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED APR 25 2000.



BARRY WOOD  
Administrative District Judge and  
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 72-00244A

200 APR 25 AM 8:49  
FILED  
TWIN FALLS, IDAHO

NAME AND ADDRESS: GERALD D HERRICK  
KATHRYN S HERRICK  
2027 SILVER CREEK LANE  
BOISE, ID 83706

SOURCE: LYON CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 1.25 CFS

PRIORITY DATE: 03/01/1884

POINT OF DIVERSION: T12N R18E S34 SESENE Within Custer County  
S35 SWSWNW

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-01 TO 10-31 | 1.25 CFS |

| PLACE OF USE: | Irrigation       | Within Custer County |
|---------------|------------------|----------------------|
|               | T12N R18E S35    | SENE 7.4<br>NWSW 1.5 |
|               | 32.1 Acres Total |                      |

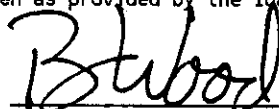
USE OF THIS RIGHT WITH RIGHT NO. 72-00245 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 32.1 ACRES IN A SINGLE  
IRRIGATION SEASON.

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.

  
Barry Wood  
Administrative District Judge  
Presiding Judge of the  
Snake River Basin Adjudication

2000 APR 25 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): 72-00244A

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 72-00244A was mailed  
on April 25, 2000, with sufficient first-class postage prepaid  
to the following:

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

GERALD D HERRICK  
KATHRYN S HERRICK  
Represented by:  
MURRAY D. FELDMAN  
PO BOX 2527  
101 S CAPITOL BLVD, STE 1400  
BOISE, ID 83701  
Phone: 208-342-5000

DIANA DELANEY  
Chief Deputy Clerk