

2001 DEC -5 AM 9: 59

FILED 74
TWIN FALLS, IDAHO
CLERK OF DISTRICT COURT - 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

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)
)

ORDER OF PARTIAL DECREE

For Water Right 72-02147B

On October 30, 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 72-02147B is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED December 5, 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

2001 DEC -5 AM 9:59

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 72-02147B

FILED
TWIN FALLS, IDAHO
R#

NAME AND ADDRESS: THOMAS A BUTTS
PO BOX 6
CHALLIS, ID 83226

SOURCE: CHALLIS CREEK LAKES TRIBUTARY: CHALLIS CREEK

QUANTITY: 15.75 AFY

PRIORITY DATE: 07/18/1946

POINT OF DIVERSION: T14N R17E S07 SESWSW Within Custer County
R19E S07 LOT 10 (SNNWNW) (Rediversion)
S20 NESENE (Rediversion)

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation Storage	01-01 TO 12-31	15.75 AFY
Irrigation from Storage	04-01 TO 10-31	15.75 AFY

PLACE OF USE:

Irrigation from Storage	Within Custer County
T14N R19E S20 NENE 34.0	SENE 32.0
66.0 Acres Total	
Irrigation Storage	Within Custer County
Same as Irrigation from Storage	

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

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2001 DEC 05 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): 72-02147B

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 72-02147B was mailed
on December 05, 2001, with sufficient first-class postage prepaid --
to the following:

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

ROBERTA H GREEN
PO BOX 213
CHALLIS, ID 83226
Phone: 208-879-2320

THOMAS A BUTTS
PO BOX 6
CHALLIS, ID 83226
Phone: 208-879-2239

ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

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