

DISTRICT COURT  
SNAKE RIVER BASIN ADJUDICATION  
STATE OF IDAHO



ROGER BURDICK  
PRESIDING JUDGE  
(208) 736-3011  
FAX (208) 736-2121

SRBA CHAMBERS  
P.O. BOX 2707  
TWIN FALLS, IDAHO 83303-2707

March 7, 2003

Attention Water Right Claimant,

Enclosed is an *Amended Partial Decree* which amends and supercedes the partial decree previously issued for your water right to contain the following provision:

Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations after October 18, 1977.

This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in event of injury.

The provision was recommended in the *Special Master's Report and Recommendation* to be included in the *Partial Decree* for your water right, but was inadvertently omitted due to a clerical error.

Should you have any questions regarding this matter, please contact the Clerk of the Court for the SRBA at (208) 736-3011.

Sincerely,

A handwritten signature in dark ink, appearing to read "Diana Delaney", written over the typed name.

Diana Delaney

DD:sb  
Enc.

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  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 65-08290

NAME AND ADDRESS: PINE TREE RANCH INC  
GARDEN VALLEY, ID 83622

SOURCE: SCRIVER CREEK TRIBUTARY: PAYETTE RIVER, MIDDLE FORK

QUANTITY: 0.32 CFS

PRIORITY DATE: 02/04/1928

POINT OF DIVERSION: T10N R04E S22 NWSW Within Boise County

PURPOSE AND  
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY  
Irrigation 04-01 TO 11-01 0.32 CFS

PLACE OF USE: Irrigation Within Boise County  
T10N R04E S22 LOT 2 (SWSE) 1.0 LOT 1 (SESE) 12.0  
S23 SWNW 3.0 SENW 1.0  
NESW 33.0 NWSW 39.0  
SWSW 29.0 SESW 16.0  
S26 NWNW 2.0 SWNW 1.0  
S27 NENE 22.0 NWNE 2.0  
161.0 Acres Total

USE OF THIS RIGHT WITH RIGHT NO. 65-03222 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 161.0 ACRES IN A SINGLE  
IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

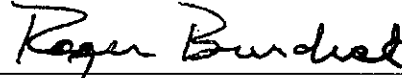
BASIN 65 GENERAL PROVISIONS NO 3, THE SEPARATE STREAMS GENERAL  
PROVISION, DOES NOT APPLY TO APPROPRIATIONS OF WATER AFTER  
OCTOBER 18, 1977.

THIS WATER RIGHT SHALL BE ADMINISTERED AS BEING FROM A  
SEPARATE SOURCE PURSUANT TO BASIN 65 GENERAL PROVISIONS NO 3. IF  
THE HOLDER OF THIS RIGHT SEEKS TO CHANGE THE RIGHT PURSUANT TO  
IDAHO CODE SEC 42-222 OR SUCCESSOR STATUTE, NOTHING IN THIS  
GENERAL PROVISION SHALL PRECLUDE ANY OTHER PERSON OR ENTITY FROM  
DEMONSTRATING THAT SUCH CHANGE IN USE WOULD CAUSE INJURY TO ITS  
WATER RIGHT OR FROM RECEIVING ANY RELIEF PROVIDED BY LAW IN THE  
EVENT OF INJURY.

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, reading "Roger Burdick", is written over a horizontal line.

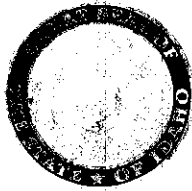
Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication

RECEIVED

MAR 10 2003

DISTRICT COURT  
SNAKE RIVER BASIN ADJUDICATION  
STATE OF IDAHO

Department of Water Resources



ROGER BURDICK  
PRESIDING JUDGE  
(208) 736-3011  
FAX (208) 736-2121

SRBA CHAMBERS  
P.O. BOX 2707  
TWIN FALLS, IDAHO 83303-2707

March 7, 2003

Attention Water Right Claimant,

Enclosed is an *Amended Partial Decree* which amends and supercedes the partial decree previously issued for your water right to contain the following provision:

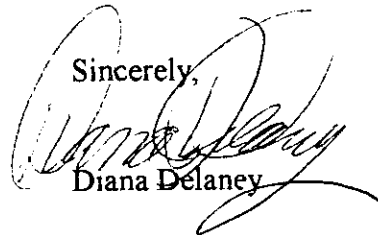
Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations after October 18, 1977.

This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in event of injury.

The provision was recommended in the *Special Master's Report and Recommendation* to be included in the *Partial Decree* for your water right, but was inadvertently omitted due to a clerical error.

Should you have any questions regarding this matter, please contact the Clerk of the Court for the SRBA at (208) 736-3011.

Sincerely,



Diana Delaney

DD:sb  
Enc.

In Re SRBA ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 65-08290

PAGE 1  
Mar-07-2003

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, reading "Roger Burdick", is written over a horizontal line.

Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication

2003 FEB 13 AM 9 42

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 Rights 65-03222, 65-03223, 65-  
03224, 65-03225 and 65-08290

On 10-17-2002, 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 rights 65-03222, 65-03223, 65-03224, 65-03225 and 65-08290 are hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED February 13, 2003.



ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

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  
FILED

In Re SRBA )  
Case No. 39576 )  
\_\_\_\_\_ )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR

2003 FEB 13 AM 9 42

Water Right 65-03222

NAME AND ADDRESS: PINE TREE RANCH INC  
GARDEN VALLEY, ID 83622

SOURCE: SCRIVER CREEK TRIBUTARY: PAYETTE RIVER, MIDDLE FORK

QUANTITY: 2.90 CFS

PRIORITY DATE: 09/26/1881

POINT OF DIVERSION: T10N R04E S22 NWSW Within Boise County

PURPOSE AND

PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY  
Irrigation 04-01 TO 11-01 2.90 CFS

PLACE OF USE: Irrigation Within Boise County  
T10N R04E S22 LOT 2 (SWSE) 1.0 LOT 1 (SESE) 12.0  
S23 SWNW 3.0 SENW 1.0  
NESW 33.0 NWSW 39.0  
SWSW 29.0 SESW 16.0  
S26 NWNW 2.0 SWNW 1.0  
S27 NENE 22.0 NWNE 2.0  
161.0 Acres Total

USE OF THIS RIGHT WITH RIGHT NO. 65-08290 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 161.0 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

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS  
FILED

2003 FEB 13 AM 9 42

In Re SRBA )  
 )  
Case No. 39576 )  
\_\_\_\_\_ )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 65-03223

NAME AND ADDRESS: PINE TREE RANCH INC  
GARDEN VALLEY, ID 83622

SOURCE: SCRIVER CREEK TRIBUTARY: PAYETTE RIVER, MIDDLE FORK

QUANTITY: 0.54 CFS

PRIORITY DATE: 04/01/1882

POINT OF DIVERSION: T10N R04E S22 NWSW Within Boise County

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

| PLACE OF USE: | Irrigation       | Within Boise County |
|---------------|------------------|---------------------|
|               | T10N R04E S26    | SWNW 4.0            |
|               | S27              | NENE 8.0            |
|               |                  | SENE 12.0           |
|               | 34.0 Acres Total |                     |

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

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED

In Re SRBA )  
 )  
Case No. 39576 )  
 )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR

Water Right 65-03224

2003 FEB 13 AM 9 42

NAME AND ADDRESS: PINE TREE RANCH INC  
GARDEN VALLEY, ID 83622

SOURCE: SCRIVER CREEK TRIBUTARY: PAYETTE RIVER, MIDDLE FORK

QUANTITY: 1.24 CFS

PRIORITY DATE: 07/23/1883

POINT OF DIVERSION: T10N R04E S22 NWSW Within Boise County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-01 TO 11-01 | 1.24 CFS |

| PLACE OF USE: | Irrigation       | Within Boise County |
|---------------|------------------|---------------------|
|               | T10N R04E S27    | NENW 20.0           |
|               |                  | SENE 10.0           |
|               |                  | NWSE 7.0            |
|               | 67.0 Acres Total |                     |

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

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Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED

2003 FEB 13 AM 9 42

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR

Water Right 65-03225

NAME AND ADDRESS: PINE TREE RANCH INC  
GARDEN VALLEY, ID 83622

SOURCE: SCRIVER CREEK

TRIBUTARY: PAYETTE RIVER, MIDDLE FORK

QUANTITY: 1.97 CFS

THIS RIGHT SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE WHEN  
MEASURED AT FIELD HEADGATE.

PRIORITY DATE: 07/23/1883

POINT OF DIVERSION: T10N R04E S22 NWSW Within Boise County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Irrigation     | 04-01 TO 11-01 | 1.97 CFS |

| PLACE OF USE: | Irrigation       | Within Boise County                 |
|---------------|------------------|-------------------------------------|
|               | T10N R04E S27    | NWSE 15.0<br>SWSE 32.0              |
|               | S34              | SESE 15.0<br>NENE 11.0<br>NWNE 10.0 |
|               | 83.0 Acres Total |                                     |

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  
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ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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*Roger Burdick*

Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication

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 )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) \*FOR

2003 FEB 13 AM 9 42

Water Right 65-08290

NAME AND ADDRESS: PINE TREE RANCH INC  
GARDEN VALLEY, ID 83622

SOURCE: SCRIVER CREEK TRIBUTARY: PAYETTE RIVER, MIDDLE FORK

QUANTITY: 0.32 CFS

PRIORITY DATE: 02/04/1928

POINT OF DIVERSION: T10N R04E S22 NWSW Within Boise County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY  
Irrigation 04-01 TO 11-01 0.32 CFS

PLACE OF USE: Irrigation Within Boise County

|                                |                   |
|--------------------------------|-------------------|
| T10N R04E S22 LOT 2 (SWSE) 1.0 | LOT 1 (SESE) 12.0 |
| S23 SWNW 3.0                   | SENE 1.0          |
| NESW 33.0                      | NWSW 39.0         |
| SWSW 29.0                      | SESW 16.0         |
| S26 NWNW 2.0                   | SWNW 1.0          |
| S27 NENE 22.0                  | NWNE 2.0          |
| 161.0 Acres Total              |                   |

USE OF THIS RIGHT WITH RIGHT NO. 65-03222 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 161.0 ACRES IN A SINGLE  
IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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