

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
OCT - 8 2002	
By _____	Clerk
_____	Deputy Clerk

**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 65-02696
_____	)	

On August 15, 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 right 65-02696 is hereby **decreed** as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED October 8, 2002



 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

DISTRICT COURT-SRBA

Fifth Judicial District
County of Twin Falls - State of Idaho

OCT - 8 2002

In Re SRBA)
Case No. 39576)
_____)

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

Water Right 65-02696

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: DUANE PANCHERI
LAURA PANCHERI
19010 S CAN-ADA RD
MELBA, ID 83641

DARWIN PANCHERI
JOAN L PANCHERI
9325 MISSOURI AVE
NAMPA, ID 83686

SOURCE: PAYETTE RIVER, NORTH FORK TRIBUTARY: PAYETTE RIVER

QUANTITY: 14.96 CFS

THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 65-02534, 65-06628 &
65-11250 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE NOR MORE THAN
3.0 AFA PER ACRE AT THE FIELD HEADGATE FOR THE IRRIGATION OF THE
PLACE OF USE.

PRIORITY DATE: 07/28/1961

POINT OF DIVERSION: T13N R04E S06 LOT 13 (SWNE) Within Valley County
S17 LOT 4 (SWNW)
LOT 14 (SESW)
S19 LOT 5 (NENE)
S20 LOT 11 (NWSW)
S29 LOT 4 (NWNW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	14.96 CFS

PLACE OF USE:	Irrigation	Within Valley County
T13N R04E S17 LOT 3	(NWNW) 14.0	LOT 4 (SWNW) 14.0
LOT 12	(NESW) 26.0	NWSW 40.0
LOT 13	(SWSW) 32.0	LOT 14 (SESW) 13.0
S18	NENE 39.0	NWNE 38.0
	SWNE 38.0	SENE 39.0
	NESE 34.0	NWSE 26.0
	SWSE 39.0	LOT 5 (SESE) 38.0
S19 LOT 5	(NENE) 32.0	NWNE 40.0
	SWNE 40.0	LOT 6 (SENE) 21.0
	NENW 5.0	SENE 15.0
	NESE 40.0	NWSE 20.0
	SESE 40.0	
S20 LOT 12	(SWSW) 20.0	
S29 LOT 4	(NWNW) 17.0	
S30 LOT 5	(NENE) 27.0	
747.0 Acres Total		

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

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY THE
TRANSFER REFLECTED IN THE NOTICE OF COMPLETED ADMINISTRATIVE
PROCEEDING FILED WITH THE SRBA DISTRICT COURT ON MAY 13, 2002,
WITHIN ONE (1) YEAR OF THAT DATE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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

2002 OCT 08 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): 65-02696

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 65-02696 was mailed
on October 08, 2002, with sufficient first-class postage prepaid
to the following:

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

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

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CERTIFICATE OF MAILING

ROBBIN HALL
Chief Deputy Clerk

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10/08/02