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MAY -3 2001

Department of Water Resources

2001 MAY -1 AM 8:46

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

) ORDER OF PARTIAL DECREE

Case No. 39576

) For Water Right 65-02489

On March 13, 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 65-02489 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED MAY 01 2001.



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

In Re SRBA)
Case No. 39576)
_____)

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

Water Right 65-02489

2001 MAY -1 PM 1:59

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: MARY NAHAS FAMILY TRUST
RONALD NAHAS FAMILY TRUST
3840 HAPPY VALLEY RD
LAFAYETTE, CA 94549

SOURCE: MUD CREEK TRIBUTARY: CASCADE RESERVOIR

QUANTITY: 2.00 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
DIVERSION RATE OF .02 CFS PER ACRE AT THE FIELD HEADGATE.
COMBINED RIGHT NOS. 65-03704, 65-03204, 65-02198, 65-03212 AND
65-02487.

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PRIORITY DATE: 11/03/1947

POINT OF DIVERSION: T17N R03E S17 NENESE Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	2.00 CFS

PLACE OF USE:	Irrigation	Within Valley County
	T17N R03E S30 LOT 07 (NESW) 12.0	LOT 10 (SESW) 9.0
	NESE 10.0	NWSE 11.0
	SWSE 26.0	
	S31 NENE 8.0	NWNE 28.0
	SWNE 6.0	SENE 3.0
	113.0 Acres Total	

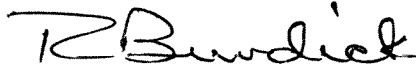
THE IRRIGATION IN THE SWNE, SECTION 31 IS LIMITED TO
IRRIGATION IN THE E1/2 SWNE, SECTION 31.

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

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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): 65-02489

)

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 65-02489 was mailed
on May 01, 2001, with sufficient first-class postage prepaid
to the following:

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

MARY NAHAS FAMILY TRUST
RONALD NAHAS FAMILY TRUST
3840 HAPPY VALLEY RD
LAFAYETTE, CA 94549

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

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05/01/01