

|                                                                                         |              |
|-----------------------------------------------------------------------------------------|--------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>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     | ) |                                              |
|                | ) | <b>ORDER OF PARTIAL DECREE</b>               |
| Case No. 39576 | ) |                                              |
|                | ) | <b>For Water Right 65-22488 and 65-22353</b> |
| _____          | ) |                                              |

On August 27, 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 65-22488 and 65-22353 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

DISTRICT COURT-SRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho  
TWIN FALLS

OCT - 8 2002

By \_\_\_\_\_ Clerk  
\_\_\_\_\_  
Deputy Clerk

In Re SRBA ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 65-22488

NAME AND ADDRESS: FRED C HUMPHREYS ESTATE  
10495 STONE QUARRY RD  
PAYETTE, ID 83661

**SOURCE:** GROUND WATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 01/17/1978

POINT OF DIVERSION: T09N R03W S16 SWSW Within Payette County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Domestic       | 01-01 TO 12-31 | 0.04 CFS |

|               |               |                       |
|---------------|---------------|-----------------------|
| PLACE OF USE: | Domestic      | Within Payette County |
|               | T09N R03W S21 | NENW                  |
|               |               | NWNW                  |

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

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

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 )

CERTIFICATE OF MAILING

Case No. 39576 )  
\_\_\_\_\_ )

Water Right(s): 65-22488

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 65-22488 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

FRED C HUMPHREYS ESTATE  
10495 STONE QUARRY RD  
PAYETTE, ID 83661  
Phone: 208-642-7137

ROBBIN HALL  
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1  
10/08/02

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 )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 65-22353

By \_\_\_\_\_ Clerk  
Deputy Clerk

NAME AND ADDRESS: DOUGLAS A COATES  
SHARON COATES  
7100 LITTLE WILLOW RD  
PAYETTE, ID 83661

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY

PRIORITY DATE: 01/17/1978

POINT OF DIVERSION: T09N R03W S16 SWSW Within Payette County

PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------|----------------|----------------|----------|
|                | Domestic       | 01-01 TO 12-31 | 0.04 CFS |

| PLACE OF USE: | Domestic      |      | Within Payette County |
|---------------|---------------|------|-----------------------|
|               | T09N R03W S21 | NENW | NWNW                  |

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).

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*Roger Burdick*

Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication

2002 OCT 08 PM 02:00  
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TWIN FALLS CO., IDAHO  
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CERTIFICATE OF MAILING

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CERTIFICATE OF MAILING

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

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

DOUGLAS A COATES  
7100 LITTLE WILLOW RD  
PAYETTE, ID 00008

DOUGLAS A COATES  
SHARON COATES  
7100 LITTLE WILLOW RD  
PAYETTE, ID 83661  
Phone: 208-642-2071

ROBBIN HALL  
Chief Deputy Clerk

CERTIFICATE OF MAILING

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10/08/02