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Department of Water Resources

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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

Case No. 39576

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ORDER OF PARTIAL DECREE

For Water Right 61-00339, 61-10363,

61-11844, 61-11847 and 61-11854

On June 19, 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 61-00339, 61-10363, 61-11844, 61-11847 and 61-11854 is hereby **decreed** as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED September 5, 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

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 61-00339

2002 SEP -5 PM 2:46

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: CHARTER MOUNTAIN RANCH INC
RT 1 BOX 451
GLENN'S FERRY, ID 83623

SOURCE: COLD SPRINGS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 1.50 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 17.02 CFS. COMBINED RIGHT NOS.:
61-00301, 61-00332, 61-00333, 61-00334, 61-00335, 61-00336,
61-00337, 61-00338, 61-00340, 61-00343, 61-00364, 61-02008,
61-02095, 61-02199, 61-02209, 61-10363, 61-11844, 61-11847,
61-11854 & 61-11887.

PRIORITY DATE: 05/01/1875

POINT OF DIVERSION: T03S R09E S35 NWSWNE Within Elmore County
T04S R09E S10 SWNWNE
NENENW
SENEENW
NWNESW
S16 SENENE

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 02-15 TO 11-15 1.50 CFS

PLACE OF USE: Irrigation Within Elmore County
T03S R09E S35 LOT 4 (SWSW) 10.8 LOT 3 (SESW) 4.1
T04S R09E S02 LOT 4 (NWNW) 16.3 SWNW 22.0
NWSW 20.0
S03 LOT 1 (NENE) 4.1 SWNE 3.5
SENE 25.6 NESW 5.0
SESW 21.2 NESE 32.2
NWSE 26.9 SWSE 22.8
SESE 13.2
S09 NENE 2.2 SESE 20.0
S10 NENE 17.0 NWNE 20.1
SWNE 25.5 NENW 15.0
SWNW 11.0 SENW 17.7
NESW 26.5 NWSW 37.0
SWSW 34.6 SESW 38.2
NWSE 28.0 SWSE 11.0
S15 NENW 16.0 NWNW 32.7
SWNW 15.2
S16 NENE 32.4 NWNE 11.9
SWNE 9.8 SENE 28.0
NENW 1.3 SENW 5.5
NESE 2.0
S29 NENE 33.0 SENE 39.0
NESE 27.0 NWSE 36.0
SWSE 26.0
847.3 Acres Total

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 1368.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-00301A, 61-00332,

PLACE OF USE (continued)

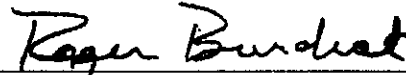
61-00333, 61-00334, 61-00335, 61-00336, 61-00337, 61-00338,
61-00340, 61-00343, 61-00364, 61-02008, 61-02095A, 61-02095B,
61-02199, 61-02209A, 61-02209B, 61-10363, 61-11844, 61-11847,
61-11854 & 61-11887.

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

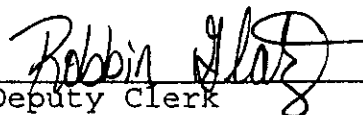
CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE was mailed on September 05, 2002, with sufficient first-class postage to the following:

CHARTER MOUNTAIN RANCH INC
JOHN MCCALLUM

Represented by:
BRUCE M. SMITH
225 NORTH 9TH ST, STE 420
BOISE, ID 83702
Phone: 208-331-1800

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


Robbin Glass