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AUG 29 2002

Department of Water Resources

2002 AUG 28 PM 1:49
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

)
)
)
)
)

ORDER OF PARTIAL DECREE

For Water Right 61-02209A and 61-02209B

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 61-02209A and 61-02209B is hereby **decreed** as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED August 27, 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 61-02209B

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TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: UNITED STATES OF AMERICA
USDI BUREAU OF LAND MANAGEMENT
1387 S VINNELL WAY
BOISE, ID 83709-1657

SOURCE: GROUNDWATER

QUANTITY: 0.01 CFS

RIGHT NOS. 61-2095B, 61-2199B, 61-2209B, AND 61-11887B ARE
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.19 CFS AND TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 64 AF.

RIGHT NOS. 61-2095B, 61-2199B AND 61-2209B ARE LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 48 AF.

PRIORITY DATE: 09/12/1966

POINT OF DIVERSION: T04S R09E S10 NESWNE Within Elmore County
NENWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.01 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF
WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS
SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR
LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A
PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: Irrigation Within Elmore County
T04S R09E S09 NESW 16.0
16.0 Acres Total

RIGHT NOS. 61-2095B, 61-2199B, 61-2209B AND 61-11887B ARE
LIMITED TO THE IRRIGATION OF 16.0 ACRES WITHIN A PLACE OF USE
DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

RIGHT NOS. 61-2199B AND 61-2209B ARE LIMITED TO THE IRRIGATION
OF 8 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE
IRRIGATION SEASON.

RIGHT NOS. 61-2095B, 61-2199B AND 61-2209B ARE LIMITED TO
THE IRRIGATION OF 12 ACRES WITHIN THE PLACE OF USE DESCRIBED
ABOVE 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

2002 AUG 28 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): 61-02209B

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 61-02209B was mailed
on August 28, 2002, with sufficient first-class postage prepaid
to the following:

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

UNITED STATES OF AMERICA
USDI BUREAU OF LAND MANAGEMENT
1387 S VINNELL WAY
BOISE, ID 83709-1657

ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

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08/28/02