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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

)
)
)
)
)

ORDER OF PARTIAL DECREE

For Water Right 61-02095A and 61-02095B

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 61-02095A and 61-02095B 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)
Case No. 39576)
_____)

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

Water Right 61-02095A

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

SOURCE: GROUNDWATER

QUANTITY: 3.05 CFS
1260.00 AFY

RIGHT NOS. 61-2095A, 61-2199A, 61-2209A AND 61-11887A ARE
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 9.34 CFS AND TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 3203.6 AF.

RIGHT NOS. 61-2095A, 61-2199A AND 612209A ARE LIMITED TO
A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2392 AF.

PRIORITY DATE: 03/07/1953

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

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	3.05 CFS 1260.00 AFY

PLACE OF USE:	Irrigation	Within Elmore County	
	T04S R09E S03	NESW 3.7 NESE 0.9 SWSE 16.8 SESE 2.5	SESW 21.0 NWSE 3.7 SESE 22.0
	S08	SWNE 22.0	SENE 41.0
	S09	SWSW 25.0 NESE 38.0 SWSE 41.0	SESW 40.0 NWSE 40.0 SESE 28.0
	S10	NENE 7.4 SWNE 4.6 NWNW 3.3 NESW 22.0 SESW 38.0 SWSE 11.0	NWNE 16.0 NENW 11.0 SWNW 29.0 SWSW 18.6 NWSE 28.0
	S15	NENW 16.0 SWNW 10.6	NWNW 23.8
	S16	NENE 32.0 SWNE 6.9 NENW 38.0 SWNW 5.9 NESE 2.0	NWNE 18.0 SENE 28.0 NWNW 40.0 SENE 4.8
	S17	NENE 36.0	NWNE 4.4
	800.9 Acres Total		

RIGHT NOS. 61-2095A, 61-2199A, 61-2209A AND 61-11887A ARE
LIMITED TO THE IRRIGATION OF 800.9 ACRES WITHIN A PLACE OF USE
DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

RIGHT NOS. 61-301A, 61-301B, 61-332, 61-333, 61-334, 61-335,
61-336, 61-337, 61-338, 61-339, 61-340, 61-343, 61-364, 61-2008
61-2095A, 61-2199A, 61-2209A, 61-10363, 61-11844, 61-11847,
61-11854 AND 61-11887A ARE LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 1368 ACRES IN A SINGLE IRRIGATION SEASON.

PLACE OF USE (continued)

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 315 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
RIGHT NOS. 61-2095A, 61-2199A AND 61-2209A ARE LIMITED TO THE
IRRIGATION OF 598 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
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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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CERTIFICATE OF MAILING

Water Right(s): 61-02095A

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 61-02095A 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

CHARTER MOUNTAIN RANCH INC
RT 1 BOX 451
GLENN'S FERRY, ID 83623

ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

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