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Department of Water Resources

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

2003 MAR 4 PM 1 35

**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

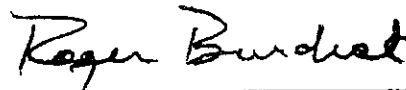
)
) **ORDER OF PARTIAL DECREE**
)
) **For Water Right 61-02048**
)

On 01-23-2003, 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 61-02048 is hereby decreed as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED March 4, 2003



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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In Re SRBA)
)
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_____)

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

2003 MAR 4 PM 1 35

Water Right 61-02048

NAME AND ADDRESS: BARBER CAVEN RANCHES
6874 FAIRVIEW
BOISE, ID 83704

SOURCE: COLD SPRINGS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.40 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.46 CFS. COMBINED RIGHT NOS.:
61-00346 & 61-00317.

PRIORITY DATE: 07/16/1916

POINT OF DIVERSION: T05S R09E S08 SWSWSE Within Elmore County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	02-15 TO 11-15	0.40 CFS

PLACE OF USE:	Irrigation		Within Elmore County
	T05S R09E S17	NENE 3.5	NWNE 20.0
		SWNE 35.0	SENE 13.5
		SESW 2.0	NESE 8.3
		NWSE 35.3	SWSE 35.2
		SESE 2.9	
	S20	NWNE 23.0	
	178.7 Acres Total		

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 178.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-00346 & 61-00317.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 18 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