

2003 MAR 3 AM 10 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	)	FINAL ORDER DISALLOWING WATER
	)	RIGHT CLAIM 61-07196
	)	
Case No. 39576	)	ORDER OF PARTIAL DECREE FOR
	)	WATER RIGHTS 61-12016 and 61-12017
	)	

On September 19, 2002, the Idaho Department of Water Resources (IDWR) filed a *Notice of Completed Administrative Proceeding* and an attached *Amended Director's Report* recommending that water right 61-07196 be split into water rights 61-12016 and 61-12017. No objections were filed to the recommendations and the time for filing objections has now expired.

THEREFORE IT IS ORDERED AND ADJUDGED that water right claim 61-07196 is hereby **disallowed with prejudice** and shall not be confirmed in any partial decree or in any final decree entered in the SRBA, Case No. 39576, in whatever form that final decree may take or be styled.

IT IS FURTHER ORDERED AND ADJUDGED that water rights 61-12016 and 61-12017 be decreed with the elements as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

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.

DATED: March 3, 2003.



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

FILED
2003 MAR 3 AM 10 35

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 61-12016

NAME AND ADDRESS: CARL F REYNOLDS & SONS
CINDER CONE FARMS
1115 W 24TH S
MOUNTAIN HOME, ID 83647

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS
0.60 APY

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

RIGHTS 61-12016 AND 61-12017 WHEN COMBINED SHALL NOT EXCEED A
TOTAL DIVERSION RATE OF 6.40 CFS.

PRIORITY DATE: 09/06/1974

POINT OF DIVERSION: T03S R05E S07 SENW Within Elmore County

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

PLACE OF USE: Domestic Within Elmore County
T03S R05E S06 SESW

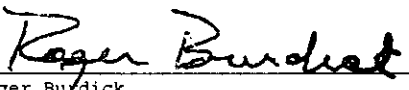
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES OF
WATER IN THE SNAKE RIVER AND SHALL BE ADMINISTERED CONJUNCTIVELY.

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

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
TWIN FALLS CO., IDAHO
FILED

2003 MAR 3 AM 10 36

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 61-12017

NAME AND ADDRESS: CARL F REYNOLDS & SONS
CINDER CONE FARMS
1115 W 24TH S
MOUNTAIN HOME, ID 83647

SOURCE: GROUNDWATER

QUANTITY: 6.40 CFS
1440.00 AFY

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO
MORE THAN 0.02 CFS PER ACRE NOR MORE THAN 4.5 AFA PER ACRE AT THE
FIELD HEADGATE FOR IRRIGATION OF THE LANDS ABOVE.

THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF
DIVERSION UNDER RIGHTS 61-7204, 61-7206C, 61-7330, 61-12015 AND
61-12017 SHALL NOT EXCEED 17.92 CFS, A TOTAL COMBINED ANNUAL
VOLUME OF 4037.5 AF, AND THE IRRIGATION OF 924 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

RIGHTS 61-12016 AND 61-012017 WHEN COMBINED SHALL NOT EXCEED
A TOTAL DIVERSION RATE OF 6.40 CFS.

PRIORITY DATE: 09/06/1974

POINT OF DIVERSION: T02S R04E S35 SENE Within Elmore County
R05E S19 SWNW
T03S R05E S06 NESW

TWO POINTS OF DIVERSION LOCATED IN T03S, R05E, S06, NESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	6.40 CFS 1440.00 AFY

PLACE OF USE:	Irrigation	Within Elmore County
	T02S R04E S12	NENW 40.0 NWNW 40.0 SENE 40.0 NWSW 40.0 SESE 40.0
	S26	NENW 40.0 SENE 40.0 NWSW 40.0 SESE 40.0
	S34	NESE 40.0 NWSE 40.0 SESE 40.0
	S35	NENE 40.0 NWNE 40.0 SENE 40.0 NENW 40.0 NWNW 40.0 SENE 40.0 NWSW 40.0 SESE 40.0 NESE 40.0 NWSE 40.0 SESE 40.0
	R05E S19	NENW 40.0 NWNW 40.0 SENE 40.0 NWSW 40.0 SESE 40.0
	T03S R04E S13	NENE 40.0 NWNE 40.0 SENE 40.0

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 40.0
ROSE S06	NESW 40.0	NWSW 40.0
	SWSW 40.0	SESW 40.0
S07	NENW 40.0	NWNW 40.0
	SWNW 40.0	SENW 40.0
	NESW 40.0	SESW 40.0
	NWSE 40.0	SWSE 40.0
S18	NENW 40.0	NWNW 40.0
	SWNW 40.0	SENW 40.0
2640.0 Acres Total		

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 163 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 61: WATER RIGHT NO. _____ SOURCE NONE
NONE THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. _____
SOURCE NONE NONE ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY THIS TRANSFER WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL OR BY 9/3/03.

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
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