

RECEIVED

SEP - 6 2002

Department of Water Resources

2002 SEP -5 PM 2: 46

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 61-00339, 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 61-11854

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: SPRINGS TRIBUTARY: COLD SPRINGS CREEK

QUANTITY: 0.42 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.22 CFS. COMBINED RIGHT NOS.:
61-00301, 61-02095, 61-02199, 61-02209, 61-11887.

PRIORITY DATE: 04/01/1910

POINT OF DIVERSION: T04S R09E S16 SESWNE Within Elmore County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	02-15 TO 11-15	0.42 CFS

PLACE OF USE:	Irrigation	Within Elmore County
	T04S R09E S29	NENE 33.0 SENE 39.0
		NESE 27.0 NWSE 36.0
		SWSE 26.0
	161.0 Acres Total	

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 1371.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-00301, 61-00333,
61-00334, 61-00335, 61-00336, 61-00337, 61-00338, 61-00339,
61-00340, 61-00343, 61-00364, 61-02008, 61-02095, 61-02199,
61-02209, 61-10363, 61-11844, 61-11847, 61-00332 & 61-11887.

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.

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