

2002 DEC 23 PM 3 34

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 AMENDED PARTIAL DECREE

For Water Right 57-00277

On October 28, 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 57-00277 is hereby decreed as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED: December 23, 2002



ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

FILED

2002 DEC 23 PM 3 37

AMENDED

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 57-00277

NAME AND ADDRESS: EARLE G FOOTE JR
FOOTE, PATRICIA B
HC 79 BOX 52
MELBA, ID 83641

SOURCE: REYNOLDS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 10.00 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 57-01008, 57-02169, 02-07091,
02-02399 AND 02-02439 IS LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 18.08 CFS.

PRIORITY DATE: 12/24/1889

POINT OF DIVERSION: T01S R03W S11 NWNE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	10.00 CFS

PLACE OF USE:	Irrigation	Within Owyhee County
	T01S R02W S06	SESW 26.0
	S07	SWNE 20.0
	LOT 3	(NWNW) 36.0
		SENW 28.0
	LOT 5	(NWSW) 29.0
		SESW 23.0
		SWSE 39.0
	S18	NENE 20.0
	R03W S12	NENE 38.0
		SWNE 28.0
		NESE 34.0
		SESE 4.0
	578.0 Acres Total	

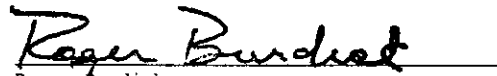
USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 904.0 ACRES IN A SINGLE
IRRIGATION SEASON.

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.

A handwritten signature in cursive script, reading "Roger Burdick", is written over a horizontal line.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2002 DEC 23 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): 57-00277)

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 57-00277 was mailed
on December 23, 2002, with sufficient first-class postage prepaid
to the following:

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

EARLE G FOOTE JR
FOOTE, PATRICIA B
HC 79 BOX 52
MELBA, ID 83641
Phone: 208-495-1121

ROBBIN HALL
Chief Deputy Clerk

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 57-00277

1998 FEB -9 AM 1:05

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: EARLE G FOOTE
PATRICIA B FOOTE
HC 79 BOX 52
MELBA ID 83641

SOURCE: REYNOLDS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 10.00 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 18.08 CFS. COMBINED RIGHT NOS.:
57-01008, 57-02169, 02-07091, 02-02399 & 02-02439

PRIORITY DATE: 12/24/1889

POINT OF DIVERSION: T01S R03W S11 NWNE Within Owyhee County

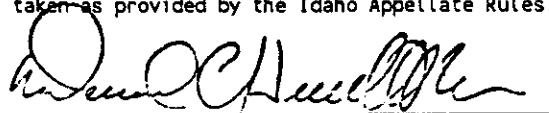
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	10.00 CFS

PLACE OF USE:	IRRIGATION	Within Owyhee County
	T01S R02W S06	SESW 26
	S07	SWNE 20 NENW 29 Lot 3 (NWNW)36 Lot 4 (SWNW)38
		SENW 28 NESW 40 Lot 5 (NWSW)29 Lot 6 (SWSW)12
		SESW 23 NWSE 29 SWSE 39 SESE 9
	S18	NENE 20 NWNE 20
	R03W S12	NENE 38 NWNE 39 SWNE 28 SENE 37
		NESE 34 SESE 4
	578 ACRES TOTAL	

USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 904.0 ACRES IN A SINGLE
IRRIGATION SEASON.

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.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication