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Department of Water Resources

FILED  
TWIN FALLS, IDAHO  
SRBA

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 57-00111

On April 22, 1998, 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.

On July 26, 1999, in response to the Idaho Supreme Court decision in *A&B Irrigation District v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), IDWR filed a *Supplemental Director's Report, Reporting Area 2, IDWR Basin 57, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions* which included a recommendation for the irrigation season of use for this water right. No objections to this Supplemental Report were filed and the time period for filing objections has now expired.

Therefore, IT IS ORDERED that water right 57-00111 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED 9-10-, 2001.

  
\_\_\_\_\_  
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 57-00111

2001 SEP 10 PM 3:57

FILED T-SRBA  
TWIN FALLS, IDAHO  
J.M.

NAME AND ADDRESS: MICHAEL W RANDALL  
CHARLENE R RANDALL  
7761 MURPHY ROAD  
MELBA, ID 83641-5141

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.60 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 57-00101, 57-0084,  
57-00133, 57-00146 AND 57-02210A IS LIMITED TO A TOTAL COMBINED  
DIVERSION RATE OF 2.18 CFS.

PRIORITY DATE: 04/01/1890

POINT OF DIVERSION: T05S R01E S21 SESENW Within Owyhee County  
S29 NWSESE

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-01 TO 10-15 | 0.60 CFS |

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS  
EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,  
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE  
OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 15 UNDER THIS  
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED  
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE  
DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

| PLACE OF USE: | Irrigation        | Within Owyhee County |
|---------------|-------------------|----------------------|
|               | T05S R01E S21     | NENW 23.0 SWNW 16.0  |
|               |                   | SENW 30.0 NESW 12.0  |
|               |                   | NWSW 28.0            |
|               | 109.0 Acres Total |                      |

USE OF THIS RIGHT WITH RIGHT NOS. 57-00101, 57-00084,  
57-00133, 57-00146 AND 57-02210A IS LIMITED TO THE IRRIGATION OF  
A COMBINED TOTAL OF 109.0 ACRES IN A SINGLE IRRIGATION SEASON.

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

THIS RIGHT INCLUDES A CHANGE IN USE APPROVED BY ADMINISTRATIVE  
ORDER OF IDWR. THE CHANGE IN USE SHALL BE ACCOMPLISHED WITHIN  
ONE (1) YEAR OF THE DATE OF THE ADMINISTRATIVE ORDER APPROVING  
THE CHANGE.

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

2001 SEP 10 PM 02:00  
DISTRICT COURT - SRBA  
TWIN FALLS CO, IDAHO  
FILED *JMC*

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 )  
\_\_\_\_\_ )

CERTIFICATE OF MAILING

Water Right(s): 57-00111

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 57-00111 was mailed  
on September 10, 2001, with sufficient first-class postage prepaid  
to the following:

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

STATE OF IDAHO  
Represented by:  
CLIVE STRONG  
NATURAL RESOURCES  
DEP AG OFFICE OF ATTY GEN  
STATEHOUSE MAIL  
BOISE, ID 83720-0010  
Phone: 208-334-2400

MICHAEL W RANDALL  
Represented by:  
DANIEL V. STEENSON  
PO BOX 2773  
BOISE, ID 83701-2773  
Phone: 208-342-4591

CERTIFICATE OF MAILING

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09/10/01

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Represented by:

US DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724  
Phone: 208-387-0835

EVA M. JOHNSTON  
507 5TH AVENUE S  
NAMPA, ID 83651

A handwritten signature in cursive script, reading "Lettie Messick".

LETTIE MESSICK  
Chief Deputy Clerk