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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho<br><div style="border: 1px solid black; padding: 5px; text-align: center;"> DEC 30 2002 </div> By _____<br><div style="text-align: right;"> Clerk<br/> Deputy Clerk </div> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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

|                                                                              |                  |                                                                               |
|------------------------------------------------------------------------------|------------------|-------------------------------------------------------------------------------|
| <b>In Re SRBA</b><br><br><b>Case No. 39576</b><br><hr style="width: 100%;"/> | )<br>)<br>)<br>) | <b>ORDER OF AMENDED PARTIAL DECREE</b><br><br><b>For Water Right 57-01022</b> |
|------------------------------------------------------------------------------|------------------|-------------------------------------------------------------------------------|

On October 9, 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 57-01022 is hereby **decreed** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED December 30, 2002.


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**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

**AMENDED**

In Re SRBA )  
                  ) PARTIAL DECREE PURSUANT TO  
Case No. 39576 ) I.R.C.P. 54(b) FOR  
                  ) Water Right 57-01022

NAME AND ADDRESS: ELIAS JACA  
INEZ JACA  
817 BLAINE AVE  
NAMPA, ID 83651

SOURCE: COAL MINE GULCH                      TRIBUTARY: REYNOLDS CREEK

QUANTITY: 0.70 CFS

USE OF THIS RIGHT WITH RIGHTS NOS. 57-00246, 57-00267 AND  
57-01023 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF  
1.97 CFS.

PRIORITY DATE: 09/21/1911

POINT OF DIVERSION: T03S R04W S12                      SESE                      Within Owyhee County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 03-15 TO 11-15 | 0.70 CFS |

| PLACE OF USE: | Irrigation       | Within Owyhee County |           |
|---------------|------------------|----------------------|-----------|
|               | T03S R04W S12    | SENE 16.0            | NESE 18.0 |
|               |                  | NWSE 8.0             | SESE 2.0  |
|               | 44.0 Acres Total |                      |           |

USE OF THIS RIGHT WITH RIGHTS NOS. 57-00246, 57-00267 AND  
57-01023 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF  
78 ACRES IN A SINGLE IRRIGATION SEASON.

THE PLACE OF USE IS LIMITED TO THE EAST 1/2 OF THE NWSE, S12  
T03S, R04W.

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*

Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication

RECEIVED

SEP 16 1997

Department of Water Resources  
Adjudication Bureau

1997 SEP -9 AM 10:20

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     | ) | ORDER OF PARTIAL DECREE  |
|                | ) |                          |
| Case No. 39576 | ) | For Water Right 57-01022 |
| _____          | ) |                          |

On June 20, 1997, 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 14a, 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 57-01022 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED September 9, 1997.

  
DANIEL C. HURLBUTT, JR.  
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 57-01022

FILED  
DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
1997 SEP -9 AM 10:20

NAME & ADDRESS: ELIAS JACA  
INEZ JACA  
817 BLAINE AVE  
NAMPA ID 83651

SOURCE: COAL MINE GULCH TRIBUTARY: REYNOLDS CREEK  
QUANTITY: 0.7 CFS

USE OF THIS RIGHT WITH RIGHTS NOS. 57-00246, 57-00267 AND  
57-01023 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.97  
CFS.

PRIORITY DATE: 09/21/1911

POINT OF DIVERSION: T03S R04W S12 SESE Within Owyhee County

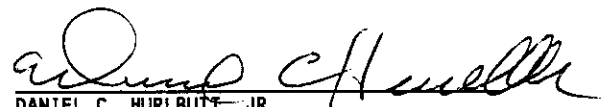
| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE     | QUANTITY |
|----------------------------|----------------|-------------------|----------|
|                            | IRRIGATION     | Irrigation Season | 0.7 CFS  |

| PLACE OF USE: | IRRIGATION     | Within Owyhee County |         |        |        |
|---------------|----------------|----------------------|---------|--------|--------|
|               | T03S R04W S12  | SENE 16              | NESE 18 | NWSE 8 | SESE 2 |
|               | 44 ACRES TOTAL |                      |         |        |        |

USE OF THIS RIGHT WITH RIGHTS NOS. 57-00246, 57-00267 AND  
57-01023 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 78  
ACRES IN A SINGLE IRRIGATION SEASON.

THE PLACE OF USE IS LIMITED TO THE EAST 1/2 OF THE NWSE, S12,  
T03S, R04W.

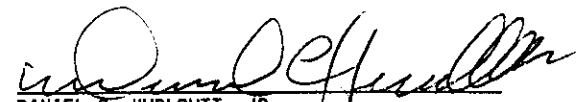
DATED: SEP 09 1997

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

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: SEP 09 1997

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

State of Idaho  
County of Twin Falls ss.  
PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b) hereby certify the foregoing to be a full,  
Water Right 57-01022 true and correct copy of the original on  
file in the above entitled action.

ROBERT S. FORT  
CLERK OF THE DISTRICT COURT  
By   
DEPUTY CLERK

