

|                                                                                         |       |
|-----------------------------------------------------------------------------------------|-------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |       |
| JUL 18 2002                                                                             |       |
| By _____                                                                                | Clerk |
| Deputy Clerk                                                                            |       |

**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>     | ) |                                |
|                       | ) | <b>ORDER OF PARTIAL DECREE</b> |
| <b>Case No. 39576</b> | ) |                                |
|                       | ) | <b>For Water Right 51-2190</b> |
| _____                 | ) |                                |

On May 29, 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 51-2190 is hereby **decreed** as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED July 18, 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

DISTRICT COURT-SRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho

In Re SRBA )  
 )  
Case No. 39576 )  
\_\_\_\_\_ )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR

Water Right 51-02190

JUL 18 2002

By \_\_\_\_\_ Clerk  
\_\_\_\_\_  
Deputy Clerk

NAME AND ADDRESS: W L PARNELL  
301 N 8th  
BUHL, ID 83316

SOURCE: GROUNDWATER

QUANTITY: 1.86 CFS

USE OF THIS RIGHT WITH RIGHT NO. 51-07034 IS LIMITED TO A  
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1836 AF.

PRIORITY DATE: 12/30/1963

POINT OF DIVERSION: T09S R12E S17 SWSNW Within Owyhee County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-15 TO 10-15 | 1.86 CFS |

| PLACE OF USE: | Irrigation        | Within Owyhee County |
|---------------|-------------------|----------------------|
|               | T09S R12E S07     | SWNE 34.0 NESE 21.0  |
|               |                   | NWSE 39.0 SWSE 39.0  |
|               |                   | SESE 40.0            |
|               | S08               | SWSW 7.0             |
|               | S17               | SWNE 27.0 NENW 25.0  |
|               |                   | NWNW 39.0 SWNW 10.0  |
|               |                   | SENE 37.0 NESW 31.0  |
|               |                   | NWSE 28.0            |
|               | S18               | NENE 21.0            |
|               | 398.0 Acres Total |                      |

USE OF THIS RIGHT WITH RIGHT NO. 51-07034 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 459 ACRES IN A SINGLE  
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 210 ACRES WITHIN  
THE PLACE OF USE DESCRIBED ABOVE 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.



Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication

2002 JUL 18 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): 51-02190 |

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 51-02190 was mailed  
on July 18, 2002, with sufficient first-class postage prepaid  
to the following:

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

W L PARNELL  
301 N 8th  
BUHL, ID 83316  
Phone: 208-543-8427

ROBBIN GLATZ  
Chief Deputy Clerk