

RECEIVED

JUL 19 2002

Department of Water Resources

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUL 19 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

In Re SRBA

Case No. 39576

)
) **ORDER OF PARTIAL DECREE**
)
) **For Water Right 51-2117**
)

On May 22, 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 51-2117 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

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

JUL 18 2002

By _____ Clerk

Deputy Clerk

In Re SRBA) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 51-02117

NAME AND ADDRESS: BRUNEAU CATTLE CO
C/O ERIC DAVIS
HC 85 BOX 138
BRUNEAU, ID 83604

SOURCE: GROUNDWATER

QUANTITY: 4.48 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 20.48 CFS. COMBINED RIGHT NOS.:
51-02015, 51-02039, 51-02111, 51-02112, 51-02113, 51-02124,
51-02131, 51-02254, 51-02164 & 51-10377.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 13.93 CFS. COMBINED RIGHT NOS.:
51-02113 & 51-02164.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4196 AF. COMBINED
RIGHT NOS.: 51-02113 & 51-02164.

PRIORITY DATE: 12/06/1950

POINT OF DIVERSION:	T06S R05E S21	SENE	(Rediversion)	Within Owyhee County
	S28	NENE	(Rediversion)	
		SSE	(Rediversion)	
	T07S R05E S05	SSE	(Rediversion)	
		SSE	(Rediversion)	
		SSE	(Rediversion)	
	S07	SSE		
	S08	SSE		

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	4.48 CFS

PLACE OF USE:	Irrigation		Within Owyhee County
	T06S R05E S20	SENE 25.0	NESE 39.0
		NWSE 3.0	SWSE 18.0
		SESE 41.0	
	S21	NESW 2.7	NWSW 19.1
		SWSW 41.0	SESW 28.3
		NWSE 0.2	SWSE 3.0
	S28	NWNE 2.1	SWNE 0.1
		NENW 32.3	NWNW 36.0
		SWNW 32.0	SENW 1.5
	S29	NENE 42.0	NWNE 33.0
		SWNE 36.0	SENE 42.0
		SENW 0.6	NESW 25.0
		SESW 34.0	NESE 11.0
		NWSE 42.0	SWSE 38.0
		SESE 1.2	
	S32	NWNE 18.0	SWNE 9.6
		SENE 14.0	NENW 41.0
		NWNW 16.0	SWNW 34.0
		SENW 41.0	NESW 41.0
		NWSW 42.0	SWSW 29.0
		SESW 23.0	NESE 38.0
		NWSE 2.2	SWSE 22.0
		SESE 11.0	

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

T07S R05E S06 SWNE 3.3 SENE 9.8
1024.0 Acres Total

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1024 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-2015, 51-02039, 51-02111, 51-02112, 51-02113, 51-02124, 51-02131, 51-02254, 51-02164 & 51-10377.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 298 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): 51-02117

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 51-02117 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

BRUNEAU CATTLE CO
C/O ERIC DAVIS
HC 85 BOX 138
BRUNEAU, ID 83604
Phone: 208-845-2762

ROBBIN GLATZ
Chief Deputy Clerk