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CLERK OF DISTRICT COURT
TWIN FALLS, IDAHO

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 Rights 43-2567B, 43-2568, 43-2579,
43-7046, 43-7047, 43-7052 and 43-7088A

On July 31, 2002, a *Special Master's Report and Recommendation* was filed for the above water rights. 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 rights 43-2567B, 43-2568, 43-2579, 43-7046, 43-7047, 43-7052 and 43-7088A are hereby **decreed** as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED 9/12/02



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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Water Right 43-02579

QUANTITY: 2.37 CFS

PRIORITY DATE: 10/01/1964

TWO POINTS OF DIVERSION LOCATED IN T09S, R28E, S30, SWSESE.

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 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 31 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.

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PLACE OF USE (continued)

LOT 2	(SNNW) 45.0		SENE 40.0
	NESW 40.0	LOT 3	(NWSW) 46.0
LOT 4	(SWSW) 36.0		SESE 39.0
	NESE 41.0		NWSE 41.0
	SWSE 41.0		SESE 41.0
S31	NENE 29.0		NWNE 19.0
	NENW 12.0	LOT 1	(NWNW) 24.0
LOT 2	(SNNW) 12.0		
S32	NENE 4.3		NWNE 11.0
	NENW 17.0		NWNW 24.0
S33	NWNW 3.9		
1832.8 Acres Total			

USE OF THIS RIGHT WITH RIGHT NO. 43-02568 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1544 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1832.8 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2567B, 43-02568, 43-02579, 43-07046, 43-07047, 43-07052, & 43-07088A.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1544 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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE FOR WATER RIGHTS IN BASIN 43 was mailed on September 12, 2002, with sufficient first-class postage to the following:

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DIRECTOR OF IDWR
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