

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
2003-0000-111 2 12

In Re SRBA	)	FINAL ORDER DISALLOWING WATER
	)	RIGHT CLAIMS 43-2303A, 43-10586
	)	and 43-10587
Case No. 39576	)	
	)	ORDER OF PARTIAL DECREE FOR
	)	WATER RIGHTS 43-2223A, 43-2224A,
	)	43-2300A, 43-2322, 43-4169, and 43-10585
	)	

On January 25, 2002, the Idaho Department of Water Resources (IDWR) filed a *Notice of Completed Administrative Proceeding* and an attached *Amended Director's Report* recommending that water rights 43-2303A, 43-10586 and 43-10587 be disallowed. No objections were filed to the recommendations and the time for filing objections has now expired.

THEREFORE IT IS ORDERED AND ADJUDGED that water right claims 43-2303A, 43-10586 and 43-10587 are hereby **disallowed with prejudice** and shall not be confirmed in any partial decree or in any final decree entered in the SRBA, Case No. 39576, in whatever form that final decree may take or be styled.

IT IS FURTHER ORDERED AND ADJUDGED that water rights 43-2223A, 43-2224A, 43-2300A, 43-2322, 43-4169 and 43-10585 be decreed with the elements as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

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: March 26, 2003.



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

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TWIN FALLS CO., IDAHO
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2003 MAR 26 PM 2 12

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 43-02223A

NAME AND ADDRESS: JOSEPHINE R NEDDO
ROGER C NEDDO
1831 S 2330 E
MALTA, ID 83342

SOURCE: RAFT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 1.10 CFS

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 43-2300A SHALL
PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 07/16/1917

POINT OF DIVERSION: T13S R27E S30 NWSE Within Cassia County
S31 NWNE

THE POINTS OF DIVERSION DESCRIBED ABOVE REPRESENTS AN UNUSED
FACILITY DUE TO INFREQUENT AVAILABILITY OF WATER. BEFORE WATER
MAY BE DIVERTED UNDER THIS WATER RIGHT, THE WATERUSER MUST FILE
A TRANSFER TO ESTABLISH AN ACTIVE POINT OF DIVERSION, OR SHOW
THAT AN EASEMENT AND MEANS TO CONVEY WATER FROM THE DIVERSION TO
THE PLACE OF USE EXISTS.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.10 CFS

PLACE OF USE:	Irrigation	Within Cassia County
	T13S R27E S30	NENE 35.0 SENE 37.0 NESE 19.0
	91.0 Acres Total	

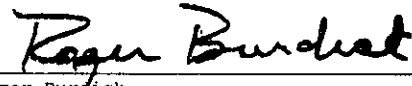
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 55 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 43-2300A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 91 ACRES IN A SINGLE
IRRIGATION SEASON.

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.

A handwritten signature in black ink, reading "Roger Burdick", is written over a horizontal line.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication