

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
OCT - 8 - 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	)	
	)	ORDER OF PARTIAL DECREE
Case No. 39576	)	
	)	For Water Right 43-13229 and 43-13230
_____	)	

On August 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 43-13229 and 43-13230 is hereby **decreed** as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED October 8, 2002



 ROGER S. BURDICK
 Presiding Judge
 Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
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. 19576)
_____)

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

Water Right 43-13229

OCT - 8 2002

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: WEBB BASIN DAIRY
HC 76 BOX 1050
AMERICAN FALLS, ID 83211

SOURCE: GROUND WATER

QUANTITY: 3.94 CFS
903.10 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 15.02 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 4145.6 AF. COMBINED RIGHT NOS.: 43-13239,
43-13231, 43-13233, & 43-13235.

PRIORITY DATE: 04/20/1956

POINT OF DIVERSION: T09S R27E S35 SESWS Within Cassia County
T10S R27E S02 LOT 2 (NWNWNE)
NWNWSW
S11 NWNENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation		04-01 TO 11-01	3.94 CFS 903.10 AFY

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 NOVEMBER 1 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.

PLACE OF USE:	Irrigation	Within Cassia County
	T09S R27E S34 SESE 34.8	
	S35 NWSW 5.1	SWSW 40.1
	SESW 18.2	
	T10S R27E S02 LOT 1 (NENE) 30.4	LOT 2 (NWNE) 28.3
	SWNE 30.3	SENE 25.3
	LOT 3 (NENW) 37.9	LOT 4 (NWNW) 40.3
	SWNW 33.2	SENE 39.3
	NESW 32.9	NWSW 39.0
	SWSW 40.3	SESE 37.3
	NESE 36.8	NWSE 40.1
	SWSE 37.9	SESE 40.4
	S03 LOT 1 (NENE) 33.9	SENE 8.6
	NESE 7.2	SESE 13.4
	S10 NENE 29.7	SENE 9.6
	S11 NENE 26.6	NWNE 40.3
	SWNE 40.3	NENW 38.8
	NWNW 40.3	SWNW 39.0
	SENE 40.3	
	1035.9 Acres Total	

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 1035.9 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 43-13229, 43-13231, 43-13233, &

PLACE OF USE (continued)

43-13235.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 225.8 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 OCT 08 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)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 43-13229

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 43-13229 was mailed
on October 08, 2002, with sufficient first-class postage prepaid
to the following:

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

WEBB BASIN DAIRY
HC 76 BOX 1050
AMERICAN FALLS, ID 83211

ROBBIN HALL
Chief Deputy Clerk

CERTIFICATE OF MAILING

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10/08/02

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

OCT - 8 2002

By _____ Clerk
_____ Deputy Clerk

By _____ Clerk

Deputy Clerk

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Oct-08-2002

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Roger Burdick
Presiding Judge of the
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In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 43-13230

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 43-13230 was mailed
on October 08, 2002, with sufficient first-class postage prepaid
to the following:

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

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

ROBBIN HALL
Chief Deputy Clerk

CERTIFICATE OF MAILING

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10/08/02