

2003 MAR 26 AM 9 06

**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

) **FINAL ORDER DISALLOWING WATER**
) **RIGHT CLAIM 43-13162**

) **ORDER OF PARTIAL DECREE FOR**
) **WATER RIGHTS 43-13067 and 43-13068**
)

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 right 43-13162 be split into water rights 43-13067 and 43-13068. No objections were filed to the recommendations and the time for filing objections has now expired.

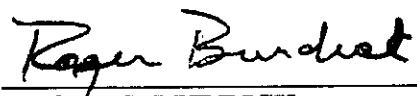
THEREFORE IT IS ORDERED AND ADJUDGED that water right claim 43-13162 is hereby **disallowed with prejudice** and shall not be confirmed in any partial decree or in any final decree entered in the SRBA, Case No. 39576, in whatever form that final decree may take or be styled.

IT IS FURTHER ORDERED AND ADJUDGED that water rights 43-13067 and 43-13068 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

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
TWIN FALLS CO., IDAHO
FILED

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In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 43-13067

NAME AND ADDRESS: DIANE BAKER
MARK BAKER
2050 E 1000 S
DECLO, ID 83323-6000

SOURCE: GROUND WATER

QUANTITY: 0.07 CFS
18.80 AFY

PRIORITY DATE: 03/16/1963

POINT OF DIVERSION: T12S R26E S10 NWNESE Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.07 CFS 18.80 AFY

PLACE OF USE: Irrigation Within Cassia County
T12S R26E S10 NWSE 4.7
4.7 Acres Total

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).

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Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

DISTRICT COURT - CRBA
TWIN FALLS CO., IDAHO
FILED _____

2003 MAR 26 AM 9 06

PAGE 1
Mar-26-2003

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

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication