

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_  
2002 DEC 30 PM 1 20

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 36-02046**  
 )

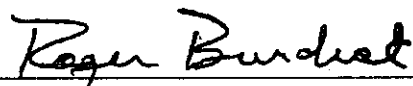
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On November 25, 2002, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

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 36-02046 is hereby **decreed** as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED December 30, 2002.

  
\_\_\_\_\_  
ROGER S. BURDICK  
Presiding Judge  
Snake River Basin Adjudication

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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 36-02046

NAME AND ADDRESS: SALMON FALLS LAND & LIVESTOCK  
CO INC  
123 BELL RAPIDS ROAD  
HAGERMAN, ID 83332

SOURCE: RILEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 3.50 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-00136B IS LIMITED TO A TOTAL  
COMBINED DIVERSION RATE OF 6.60 CFS.

PRIORITY DATE: 12/01/1939

POINT OF DIVERSION: T08S R13E S01 LOT 6 (SESWNE) Within Gooding County

PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------|----------------|----------------|----------|
|                | Irrigation     | 02-15 TO 11-30 | 3.50 CFS |
|                | Stockwater     | 01-01 TO 12-31 | 0.30 CFS |

PLACE OF USE: Irrigation Within Twin Falls County

|                     |            |           |
|---------------------|------------|-----------|
| T08S R13E S01 LOT 5 | (SWNW) 2.9 | NWSW 8.1  |
| S02                 | SWNE 17.0  | SENE 22.0 |
| LOT 4               | (NWNW) 0.3 | SWNW 37.0 |
|                     | SENW 24.0  | NWSW 2.5  |
|                     | NESE 5.2   |           |
| S03 LOT 1           | (NENE) 5.5 | SWNE 1.9  |
|                     | SENE 39.0  | NESE 5.0  |
| 170.4 Acres Total   |            |           |

Stockwater Within Twin Falls County

|               |        |      |
|---------------|--------|------|
| T08S R13E S02 | SWNE   | SENE |
| LOT 4         | (NWNW) | SWNW |
|               | SENW   |      |

USE OF THIS RIGHT WITH RIGHT NO. 36-00136B IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 170.4 ACRES IN A SINGLE  
IRRIGATION SEASON.  
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 157.5 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