

FILED
1997 DEC 29
CLERK OF DISTRICT COURT
FIFTH JUDICIAL DISTRICT
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	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 36-14326
_____	)	

On October 28, 1997, 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 36-14326 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED December 29, 1997.



DANIEL C. HURLBUTT, JR.
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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 36-14326

NAME & ADDRESS: JERRY CALLEN
PATRICIA CALLEN
500 S 427-A W
JEROME ID 83338

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 36-07975 AND 36-15514 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.06 CFS.
USE OF THIS RIGHT WITH RIGHT NOS. 36-07975 AND 36-15514 IS
LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 41.4 AF.

PRIORITY DATE: 07/15/1919

POINT OF DIVERSION: T09S R16E S17 NWNWNE Within JEROME County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.03 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within JEROME County
T09S R16E S17 NWNE
DOMESTIC Within JEROME County
T09S R16E S17 NWNE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

1997 DEC 29 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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s) : 36-14326

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 36-14326 was mailed
on December 29, 1997, with sufficient first-class postage prepaid
to the following:

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

JERRY & PATRICIA CALLEN
Represented by:
NORMAN M. SEMANKO
PO BOX 1906
TWIN FALLS, ID 83303
Phone: 208-734-0700

DIANA DELANEY
Chief Deputy Clerk

RECEIVED

DEC 11 1996

Department of Water Resources

CLERK OF COURT

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CLERK OF COURT

CLERK OF COURT

CLERK OF COURT

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

)

Subcases: See Attached Exhibit A

)

Case No. 39576

)

PARTIAL DECREE OF DISALLOWED
WATER RIGHTS

)

On November 2, 1992, the Director of the Idaho Department of Water Resources filed the *Director's Report For Reporting Area 3 (Basin 36)* recommending that the water rights listed on the attached Exhibit A be disallowed. The time period for objecting to this recommendation has passed.

As this court has previously determined, all claims reported to the court by the Director of IDWR shall appear in a decree. This is required so that there is no confusion over action taken by the court on all claims reported to it.

THEREFORE, it is ordered that the water right claims listed on the attached Exhibit A are hereby **decreed** disallowed.

IT IS ORDERED.

DATED December 5, 1996.



DANIEL C. HURLBUTT, JR.

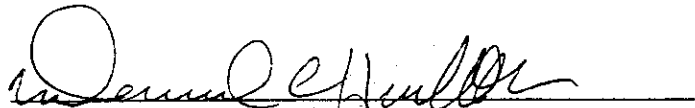
Presiding Judge

Snake River Basin Adjudication

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 December 5, 1996.



DANIEL C. HURLBUTT, JR.

Presiding Judge

Snake River Basin Adjudication

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.

ROBERT S. FORT
CLERK OF THE DISTRICT COURT

By

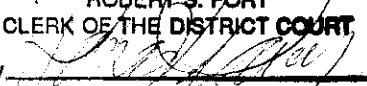

DEPUTY CLERK

EXHIBIT A

Subcase Nos:

36-00025	36-10510
36-00035F	36-10601
36-00040A	36-10677
36-00042	36-10727
36-00047B	36-10795
36-00049A	36-10827
36-00086B	36-10860
36-00088	36-10877
36-00093	36-10878
36-00102A	36-11118
36-00103A	36-11265
36-00122A	36-11288
36-02054	36-11310
36-02057	36-11339
36-02308	36-11568
36-02314	36-11927
36-02354	36-12021
36-02383B	36-12153
36-02492	36-12456
36-02510A	36-12611
36-02542	36-12884
36-02583	36-12945
36-02654	36-13452
36-02905	36-13460
36-04014	36-13734
36-04065	36-13761
36-04203A	36-13786
36-04204A	36-13945
36-04248	36-14093
36-04256	36-14094
36-04265	36-14095
36-07312	36-14267
36-07321	36-14326
36-07437A	36-14723
36-07437B	36-14870
36-07669A	36-15078
36-07922	36-15079
36-07976	36-15083
36-08277	36-15265
36-08323	36-15266
36-10064	36-15310
36-10127	36-15373
36-10139	36-15391
36-10167	36-15402
36-10185	36-15455
36-10200	
36-10218	
36-10259	
36-10322	
36-10370	

(Subcase list: DISS36JEFF)

CERTIFICATE OF MAILING

I certify that a true and correct copy of the CERTIFICATE OF MAILING FOR PARTIAL DECREE OF DISALLOWED WATER RIGHT was mailed on December 03, 1996, with sufficient first-class postage to the following: *ID*

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(Certificate of mailing continued)

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(Certificate of mailing continued)

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Page 6
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CERTIFICATE OF MAILING

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(Certificate of mailing continued)

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12/05/96

(Certificate of mailing continued)

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