

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-11116

1996 NOV 15 AM 10:29
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILE _____

NAME & ADDRESS: IDAHO ACRES DAIRY
RT 3 BOX 191
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 05/20/1958

POINT OF DIVERSION: T08S R25E S09 NWSNW Within MINIDOKA County

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

PLACE OF USE: STOCKWATER Within MINIDOKA County
T08S R25E S09 SWNW

DOMESTIC Within MINIDOKA County
T08S R25E S09 SWNW

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.

DATED: NOV 15 1996

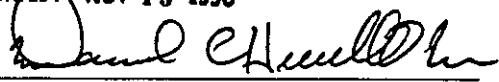


DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

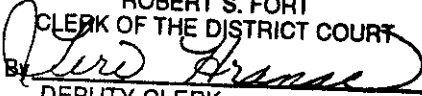
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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.

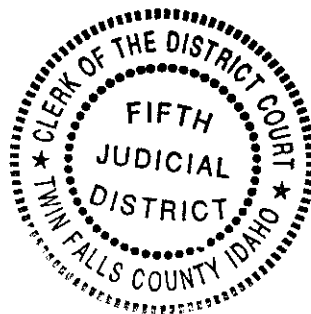
DATED: NOV 15 1996



DANIEL C. HURLBUTT
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



RECEIVED

SEP - 8 2000

Department of Water Resources

2000 SEP -6 AM 11: 25

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

)
)
)
)

ORDER OF AMENDED PARTIAL DECREE
NUNC PRO TUNC

For Water Right 36-11116

On June 24, 1998, this Court entered an *Order Adopting Special Master's Report and Recommendation and Setting Aside Partial Decree*. The *Order* allowed the Claimant of water right 36-11116 and the Idaho Department of Water Resources to execute a *Standard Form 5* to correct legal descriptions as to point of diversion and place of use, and included a change of address.

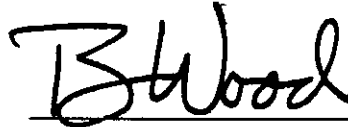
Pursuant to the *Order*, a *Standard Form 5* was filed September 2, 1998.

On April 18, 2000, a *Special Master's Report* was filed, recommending an amended partial decree be entered *nunc pro tunc* adjudicating water right 36-11116 as described in the September 2, 1998 *Standard Form 5*. No challenges were filed to the *Special Master's Report* 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 36-11116 is hereby **decreed** *nunc pro tunc* as set forth in the attached ***Amended Partial Decree Pursuant to I.R.C.P. 54(b)***.

DATED SEP 8 2000, *nunc pro tunc* November 15, 1996.

A handwritten signature in black ink, appearing to read "B Wood", is written over a horizontal line.

BARRY WOOD

Administrative District Judge and
Presiding Judge of the
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

Case No. 39576

AMENDED Nunc Pro Tunc
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 36-11116

200 SEP -6 AM 11:25

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: IDAHO ACRES DAIRY
864 NORTH 700 EAST
RUPERT, ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY

PRIORITY DATE: 05/20/1958

POINT OF DIVERSION: T08S R25E S10 NWSNW Within Minidoka County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS
	Stockwater	01-01 TO 12-31	0.04 CFS

PLACE OF USE: Stockwater Within Minidoka County
T08S R25E S10 SWNW

Domestic Within Minidoka County
T08S R25E S10 SWNW

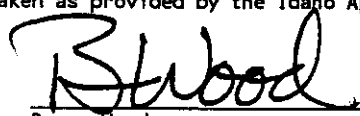
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF AMENDED PARTIAL DECREE NUNC PRO TUNC AND AMENDED NUNC PRO TUNC PARTIAL DECREE was mailed on September 06, 2000, with sufficient first-class postage to the following:

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

IDAHO ACRES DAIRY
864 NORTH 700 EAST
RUPERT, ID 83350
Phone: 208-531-5212