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Department of Water Resources

1999 JUL 30 AM 10:13

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

) ORDER OF PARTIAL DECREE

Case No. 39576

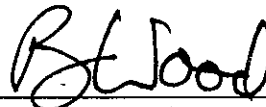
) For Water Right 35-02927
)
)
)

On June 22, 1999, 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 35-02927 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED JUL 30 1999.



BARRY WOOD
Administrative District Judge
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)
_____)

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

Water Right 35-02927

1999 JUL 30 AM 10:13

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME AND ADDRESS: BUTTE & MARKET LAKE CANAL CO
C/O MARIE WELLS
P O BOX 283
ROBERTS, ID 83444

SOURCE: TAYLOR SLOUGH TRIBUTARY: SNAKE RIVER

QUANTITY: 6.00 CFS

PRIORITY DATE: 03/25/1941

POINT OF DIVERSION: T05N R36E S36 NWENW Within Jefferson County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-01 TO 10-31 6.00 CFS

PLACE OF USE: Irrigation Within Jefferson County

T05N R36E S01 LOT 03 (NENW) 0.5	LOT 04 (NWNW) 11.0
SWNW 39.0	SENE 11.0
NESW 26.0	NWSW 39.0
SESW 39.0	SWSE 4.0
SWSW 39.0	
S02 LOT 03 () 9.0	LOT 08 () 10.0
LOT 04 (NWNW) 7.0	SENE 39.0
NESE 39.0	LOT 09 (NWNW) 12.0
LOT 10 (SESE) 35.0	LOT 07 (NENE) 13.0
S10 NENE 4.0	SWNE 9.0
SENE 36.0	NESE 1.0
NWSE 8.0	
S11 NENE 39.0	LOT 06 (NWNW) 31.0
SWNE 40.0	SENE 39.0
LOT 07 (NENW) 21.0	LOT 08 (NWNW) 34.0
LOT 03 (SWNW) 14.0	LOT 09 (SWNW) 25.0
SENE 39.0	LOT 10 (NENW) 37.6
LOT 04 (NWSW) 29.4	LOT 05 (SWSW) 19.0
LOT 11 (SESW) 22.0	NESE 39.0
NWSE 39.0	SWSE 38.0
SESE 39.0	
S12 SWNE 34.0	NENW 40.0
SWNW 39.0	SENE 40.0
NESW 40.0	NWSW 39.0
NESE 10.0	NWSE 40.0
SWSE 40.0	NWNW 39.0
SWSW 39.0	SESE 40.0
SESE 25.0	NWNE 18.0
S13 NENE 39.0	NWNE 40.0
SWNE 40.0	SENE 39.0
NENW 40.0	NWNW 39.0
SWNW 38.0	SENE 40.0
NESW 40.0	NWSW 39.0
SESW 38.0	NESE 39.0
NWSE 40.0	SESE 38.0
SWSW 37.0	SWSE 39.0
S14 NENE 39.0	NWNE 40.0
SWNE 40.0	SENE 33.0
LOT 05 (NENW) 40.0	LOT 06 (SWNW) 2.0
SENE 40.0	LOT 07 (NWSW) 20.0

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

	LOT 04 (SWSW)13.0	SESW 40.0
	NESE 39.0	NWSE 40.0
	SWSE 40.0	SESE 37.0
	NESW 40.0	LOT 03 (NWSW) 6.0
	LOT 08 (SWSW)26.0	
S15	SESW 13.0	NESE 9.0
	SWSE 25.0	SESE 37.0
S22	NENE 24.0	NWNE 32.0
	SWNE 39.0	SENE 29.0
	NENW 40.0	SWNW 40.0
	SENE 40.0	NESW 40.0
	NWSW 40.0	SWSW 40.0
	SESW 40.0	SWSE 39.0
	SESE 38.0	NWNW 38.0
	NESE 39.0	NWSE 40.0
S23	NENE 37.0	NWNE 40.0
	LOT 05 (SWNE)39.0	SENE 39.0
	LOT 01 (NWNW)16.0	LOT 03 (NWNW)23.0
	LOT 02 (SWNW)50.0	LOT 04 (SENE)30.0
	NESW 39.0	NWSW 30.0
	SWSW 2.0	SESW 36.0
	NESE 39.0	NWSE 40.0
	SWSE 39.0	SESE 38.0
	NENW 40.0	
S24	NENE 38.0	NWNE 35.0
	SWNE 40.0	NENW 39.0
	SWNW 36.0	SENE 40.0
	LOT 05 (NESW)49.0	LOT 01 (NWSW)37.0
	SWSW 38.0	LOT 02 (SESW)33.0
	NESE 39.0	NWSE 40.0
	LOT 06 (SWSE)18.0	LOT 07 (SESE)24.0
	SENE 36.0	LOT 03 (SWSE)15.0
	NWNW 38.0	LOT 04 (SESE)15.0
S25	NENE 38.0	NWNE 39.0
	SWNE 40.0	SENE 39.0
	NWNW 38.0	SENE 40.0
	NESW 37.0	NWSW 35.0
	SWSW 25.0	SESW 39.0
	NESE 38.0	NWSE 40.0
	SWSE 40.0	SESE 36.0
	SWNW 39.0	NENW 38.0
S26	NENE 38.0	NWNE 38.0
	SWNE 18.0	SENE 26.0
	NENW 39.0	NWNW 6.0
	SWNW 26.0	SENE 37.0
	NESW 34.0	NWSW 31.0
	SWSW 20.0	SESW 35.0
	NESE 31.0	NWSE 30.0
	SWSE 40.0	SESE 32.0
S27	SESE 2.0	
S34	NENE 2.0	
S35	NENW 24.0	NWNW 28.0
S36	NENE 14.0	NWNE 16.0
	NENW 6.0	
R37E S18	NWSW 27.0	SWSW 27.0
T06N R36E S35	NESE 3.0	NWSE 15.0
	SWSE 30.0	SESE 19.0

5782.5 Acres Total

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 5080 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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In Re SRBA)
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CERTIFICATE OF MAILING

Water Right(s): 35-02927

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 35-02927 was mailed
on July 30, 1999, with sufficient first-class postage prepaid
to the following:

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

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

BUTTE & MARKET LAKE CANAL CO
C/O MARIE WELLS
P O BOX 283
ROBERTS, ID 83444
Phone: 208-228-3692

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

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07/30/99