

SEP 21 2001

Department of Water Resources

2001 SEP 20 PM 4:06

TWIN FALLS DISTRICT COURT
FILED *JM* SRBA
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

Case No. 39576

ORDER OF PARTIAL DECREE

For Water Right 34-00515A

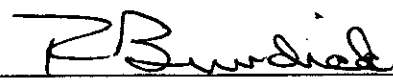
On March 4, 1998, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

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.

On June 24, 1999, in response to the Idaho Supreme Court decision in *A&B Irrigation District v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), IDWR filed a *Supplemental Director's Report, Reporting Area 1, IDWR Basin 34, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions* which included a recommendation for the irrigation season of use for this water right. No objections to this Supplemental Report were filed and the time period for filing objections has now expired.

Therefore, IT IS ORDERED that water right 34-00515A is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED September 20, 2001.



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

2001 SEP 20 PM 4:06

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 34-00515A

DISTRICT COURT-SRBA
TWIN FALLS, IDAHO
FILED *JK*

NAME AND ADDRESS: A GORDON PLAYER
ANTELOPE VALLEY RANCH
PO BOX 266
SUN VALLEY, ID 83353

SOURCE: CHERRY CREEK TRIBUTARY: ANTELOPE CREEK

QUANTITY: 3.16 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1536.5 AF.
COMBINED RIGHT NOS.: 34-00513A, 34-00514A AND 34-00560A.

PRIORITY DATE: 07/01/1904

POINT OF DIVERSION: T05N R24E S30 NENWS Within Custer County
S31 SWSNE
SENENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-15	3.16 CFS

THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE
EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING
DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF
THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.

PLACE OF USE:	Irrigation	Within Custer County
	T04N R24E S05	SWNE 26.0 LOT 03 (NENW) 24.0
	LOT 04 (NWNW)	40.0 SWNW 20.0
		SENE 20.0 NESW 36.0
		NWSW 24.0 NWSE 29.0
		SWSE 5.0 SESE 38.0
	S06 LOT 01 (NENE)	20.0
	T05N R24E S09	NWNW 25.0
	S31	NWNE 9.0 SENE 28.0
		SESE 17.0
	S32	NWSW 27.0 SWSW 36.0
		SESW 15.0
	439.0 Acres Total	

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 439 ACRES IN A SINGLE
IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00513A, 34-00514A AND 34-00560A.

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).

2001 SEP 20 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS 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

CERTIFICATE OF MAILING

Water Right(s): 34-00515A

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 34-00515A was mailed
on September 20, 2001, with sufficient first-class postage prepaid
to the following:

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

A GORDON PLAYER
Represented by:
GARY D. SLETTE
PO BOX 1906
TWIN FALLS, ID 83303
Phone: 208-734-0700


LETTIE MESSICK
Chief Deputy Clerk

CERTIFICATE OF MAILING

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09/20/01