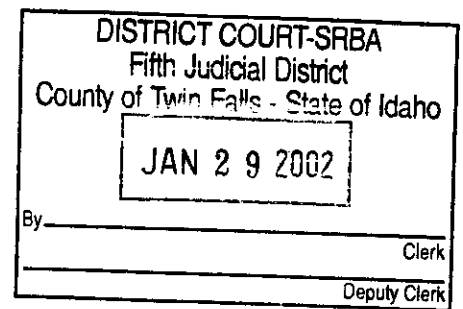




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	FINAL ORDER DISALLOWING WATER
	)	RIGHT CLAIM 34-02374
	)	
Case No. 39576	)	ORDER FOR PARTIAL DECREES FOR
	)	WATER RIGHT CLAIMS 34-02374A
	)	AND 34-02374B
	)	

On April 13, 1998, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding* and an attached *Amended Director's Report* recommending that the above water right claim be split and decreed as 34-02374A and 34-02374B. No objections were filed to the *Amended Director's Reports* and the time for filing objections has expired.

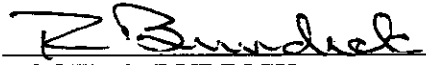
THEREFORE IT IS ORDERED AND ADJUDGED that water right claim 34-02374 is hereby **disallowed with prejudice** and shall not be confirmed in any partial decree or in any final decree entered in the SRBA, Case No. 39576, in whatever form that final decree may take or be styled.

IT IS FURTHER ORDERED that water rights 34-02374A and 34-02374B be decreed with the elements as set forth in the attached *Partial Decrees*.

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 January 29, 2002.



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

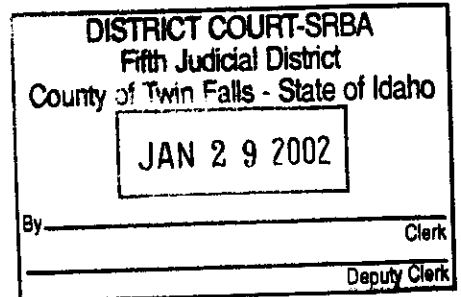
08/09/2001

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 34-2374A

NAME AND ADDRESS: LYNN J METCALF
3816 W 4050 N
MOORE ID 83255

VELMA L METCALF
3816 W 4050 N
MOORE ID 83255



SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.380 CFS
973.00 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 9.33 CFS. COMBINED RIGHT NOS.: 34-02374B,
34-10740, 34-10742 AND 34-10744.

PRIORITY DATE: 07/11/1960

POINT OF DIVERSION:

T06N R25E S2 NWSWS Within CUSTER County
T06N R25E S10 NESENW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

IRRIGATION

PERIOD OF USE

4/01 10/31

5.380 CFS
973.00 AFY

PLACE OF USE:

IRRIGATION Within CUSTER County

T06N R25E S02 Lot 4 NWNW	8.0	T06N R25E S02	NWSW	40.0	
T06N R25E S02	SWSW	40.0	T06N R25E S03	SESE	40.0
T06N R25E S10	NENE	40.0	T06N R25E S10	SWNE	23.5
T06N R25E S10	SENE	22.0	T06N R25E S10	SWNW	0.5
T06N R25E S10	SENW	12.0	T06N R25E S11	NWNW	40.0
T06N R25E S11	SWNW	32.0			

298 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 362 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 34-02374B, 34-10740, 34-10742 AND
34-10744.

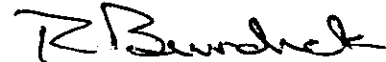
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 278 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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. SECTION 42-1412(6), IDAHO CODE.

RULE 54(b) CERTIFICATE

With respect to the issue 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 judgement 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
Administrative District Judge
Presiding Judge of the Snake
River Basin Adjudication

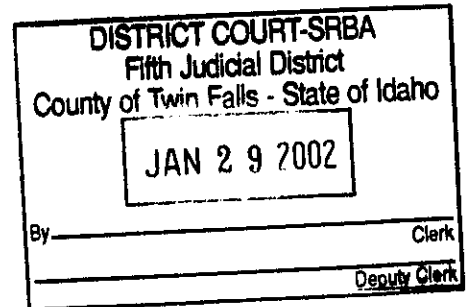
08/09/2001

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 34-2374B

NAME AND ADDRESS: LYNN METCALF
3816 W 4050 N
MOORE ID 83255

VELMA METCALF
3816 W 4050 N
MOORE ID 83255



SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.620 CFS
112.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 9.33 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF
905 AF. COMBINED RIGHT NOS.: 34-02374A, 34-02374B, 34-10740, 34-10742 AND
34-10744.

PRIORITY DATE: 07/11/1960

POINT OF DIVERSION:
T06N R25E S5 NESE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	
IRRIGATION	04/15 10/15	0.620 CFS 112.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY
AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER
ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL
15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL
WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE
AND A PRIORITY DATE EARLIER THAN MARCH 6, 2000.

PLACE OF USE:

IRRIGATION Within CUSTER County

T06N R25E S05 NESE 26.0 T06N R25E S05 NWSE 6.0

32 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 362 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.:
34-02374A, 34-02374B, 34-10740, 34-10742 AND 34-10744.

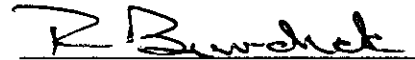
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. SECTION 42-1412(6), IDAHO CODE.

THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUND WATER DIVERTED UNDER THIS RIGHT AND SHALL ONLY DIVERT GROUND WATER UNDER THIS RIGHT WHEN WATER FROM THE APPURTENANT SURFACE WATER RIGHTS CANNOT BE DELIVERED TO THE RIGHT HOLDER.

RULE 54(b) CERTIFICATE

With respect to the issue 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 judgement 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
Administrative District Judge
Presiding Judge of the Snake
River Basin Adjudication