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Department of Water Resources

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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**

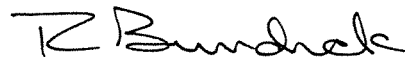
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 33-00097A
_____	)	

On November 30, 2000, 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 33-00097A is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED JAN 16 2001 .



ROGER BURDICK
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 33-00097A

2001 JAN 16 PM 2:21
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: BRENDA ANDREASON
DARYL ANDREASON
PO BOX 22
HOWE, ID 83244

SOURCE: DRY CREEK TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 3.20 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.65 CFS. COMBINED RIGHT NOS.:
33-00001A, 33-00095A, 33-00096A, 33-02080.

THE AMOUNT OF WATER REDIVERTED FROM THE LITTLE LOST RIVER
SHALL BE REDUCED WHEN NECESSARY TO PREVENT INJURY TO
APPROPRIATORS OF WATER FROM THE LITTLE LOST RIVER DOWNSTREAM FROM
THE POINT OF REDIVERSION PURSUANT TO SECTION 42-105, IDAHO CODE.

PRIORITY DATE: 04/15/1891

POINT OF DIVERSION: T10N R25E S31 SWNENW Within Butte County
R26E S36 NWSWN (Injection)
R27E S29 SWNESE (Rediversion)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	3.20 CFS

PLACE OF USE:	Irrigation		Within Butte County
	T10N R27E S29	SENE 2.1	NESE 27.5
		SESE 30.6	
	S32	NENE 14.1	
	S33	NWNW 40.0	SWNW 29.2
		SENW 35.4	NESW 37.6
		NWSW 6.9	SESW 9.3
	232.7 Acres Total		

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 232.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00001A, 33-00095A,
33-00096A, 33-02080.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

THE USE OF WATER WITHIN SENE S29, T10N, R27E IS LIMITED TO THE
S-1/2 OF THE SE OF THAT PLACE OF USE.

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).

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.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2001 JAN 17 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)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 33-00097A

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 33-00097A was mailed
on January 17, 2001, 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

BRENDA ANDREASON
DARYL ANDREASON
PO BOX 22
HOWE, ID 83244
Phone: 208-767-3204

DIANA DELANEY
Chief Deputy Clerk