

2003 JAN 10 PM 4 28

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

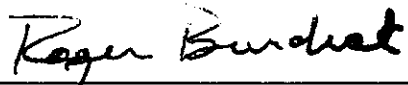
In Re SRBA)
) **ORDER OF PARTIAL DECREE**
Case No. 39576)
) **For Water Right 33-7087**
_____)

On 11-20-2002, 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 33-7087 is hereby **decreed** as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED January 10, 2003



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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

2003 JAN 10 PM 4 28

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 33-07087

NAME AND ADDRESS: PANCHERI INC
C/O HOLDEN KIDWELL HAHN CRAPO
PO BOX 50130
IDAHO FALLS, ID 83405

SOURCE: BELL MOUNTAIN CREEK TRIBUTARY: SINKS
MAHOGANY CREEK SINKS
UNNAMED STREAM SINKS

QUANTITY: 7.00 CFS
5070.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 7.0 CFS. COMBINED RIGHT NOS.: 33-65 AND 33-7087

PRIORITY DATE: 01/08/1981

THE RIGHTS FOR THE USE OF WATER UNDER THIS RIGHT SHALL BE
JUNIOR AND SUBORDINATE TO ALL RIGHTS FOR THE USE OF WATER OTHER
THAN HYDROPOWER, WITHIN THE STATE OF IDAHO THAT ARE INITIATED
LATER IN TIME THAN THE PRIORITY OF THIS RIGHT AND SHALL NOT GIVE
RISE TO ANY RIGHT OR CLAIM AGAINST ANY FUTURE RIGHTS FOR THE USE
OF WATER, OTHER THAN HYDROPOWER, WITHIN THE STATE OF IDAHO
INITIATED LATER IN TIME THAN THE PRIORITY OF THIS RIGHT.

POINT OF DIVERSION: T10N R27E S05 SESENE Within Butte County
LOT 4 (NENWNW)
T11N R27E S30 NESENE
S31 SENWNE
NESESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Power		01-01 TO 12-31	7.00 CFS 5070.00 AFY

PLACE OF USE: Power Within Butte County
T10N R27E S18 LOT 1 (NWNW)

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).

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

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

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication