

2002 MAY -1 AM 9:35

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

)
)
)
)

ORDER OF PARTIAL DECREE

For Water Right 33-00035A

On March 8, 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 33-00035A is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED May 1, 2002



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

In Re SRBA)
)
Case No. 39576)
_____)

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

Water Right 33-00035A

2002 MAY -1 AM 9:36

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: PANCHERI INC
C/O JERRY PANCHERI PRES
HC 65 BOX 2104
HOWE, ID 83244

SOURCE: BADGER CREEK TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 0.72 CFS

USE OF THIS RIGHT WITH RIGHT NO. 33-02068A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.28 CFS AND TO A TOTAL
CIMBINED ANNUAL DIVERSION VOLUME OF 430.5 AF.

PRIORITY DATE: 03/06/1907

POINT OF DIVERSION: T09N R27E S34 NESESW Within Butte County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.72 CFS

PLACE OF USE:	Irrigation	Within Butte County
	T08N R27E S03 LOT 02 (NWNE) 24.0	LOT 03 (NENW) 38.0
	LOT 04 (NWNW) 3.6	SENW 3.2
	T09N R27E S34 NWSW 6.1	SWSW 17.0
	SESW 14.0	
	105.9 Acres Total	

USE OF THIS RIGHT WITH RIGHT NO. 33-2068A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 114 ACRES IN A SINGLE
IRRIGATION SEASON.

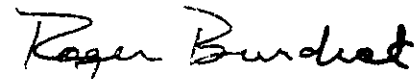
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 123 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 33-00035A, 33-02068A, 33-10997.

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

2002 MAY 01 PM 02:00
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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In Re SRBA)
)
Case No. 39576)
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CERTIFICATE OF MAILING

Water Right(s): 33-00035A

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 33-00035A was mailed
on May 01, 2002, with sufficient first-class postage prepaid
to the following:

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

PANCHERI INC
Represented by:
KENT W FOSTER
PO BOX 50130
IDAHO FALLS, ID 83405
Phone: 208-523-0620

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

ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

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