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Department of Water Resources

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TWIN FALLS CO., IDAHO
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**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 33-00030**
)

On October 18, 2001, 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 33-00030 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED December 5, 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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 33-00030

2001 DEC -5 PM 3:03

DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
TWIN FALLS CO., IDAHO
FILED RJ

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

SOURCE: SAWMILL CREEK TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 0.18 CFS

THE QUANTITY OF WATER THAT MAY BE DELIVERED AT THE POINT(S)
OF RE-DIVERSION DESCRIBED BELOW IS 0.14 CFS. THIS REDUCTION IN
QUANTITY IS DUE TO THE HISTORICAL PRACTICE OF ASSESSING A
CONVEYANCE LOSS FOR THE DELIVERY OF THE RIGHT.

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED
ABOVE AT THE POINT OF MEASUREMENT IN T10N R26E S12 NESW.

PRIORITY DATE: 05/25/1891

POINT OF DIVERSION: T05N R29E S04 SESESE (Rediversion) Within Butte County
T10N R27E S18 NWSSEW

POINT OF REDIVERSION FROM LITTLE LOST RIVER.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.18 CFS

PLACE OF USE:	Irrigation	Within Butte County
	T05N R29E S10	NESE 23.0 NWSE 40.0 SWSE 40.0 SESE 40.0
	S11	NESW 40.0 NWSW 28.0 SWSW 40.0 SESW 40.0 NESE 40.0 NWSE 31.0 SWSE 40.0 SESE 40.0
	S12	NESW 40.0 NWSW 40.0 SWSW 40.0 SESW 40.0 NENE 40.0 NWNE 40.0 SWNE 40.0 SENE 40.0 NENW 40.0 NWNW 40.0 SWNW 40.0 SENW 40.0 NESW 32.0 NWSW 16.0 SWSW 17.0 SESW 39.0 NESE 40.0 NWSE 40.0 SWSE 40.0 SESE 40.0
	S13	NENE 40.0 NWNE 40.0 SWNE 40.0 SENE 40.0 NENW 40.0 NWNW 40.0 SWNW 40.0 SENW 40.0 NESW 32.0 NWSW 16.0 SWSW 17.0 SESW 39.0 NESE 40.0 NWSE 40.0 SWSE 40.0 SESE 40.0
	S14	NENE 40.0 NWNE 40.0 SWNE 40.0 SENE 40.0 NENW 28.0 SENW 24.0 NESE 34.0 NWSE 32.0
	1464.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 9 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 680 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00024, 33-00025,
33-00026C, 33-00027, 33-00028, 33-00029, 33-00115, AND 33-00065.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 1464 ACRES IN A SINGLE

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

PLACE OF USE (continued)

IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00024, 33-00025,
33-00026C, 33-00027, 33-00028, 33-00029, 33-00065,
33-00115, 33-02117A, 33-07027, 33-10109, AND 33-10999.

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 DEC 05 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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 33-00030

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 33-00030 was mailed
on December 05, 2001, 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