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Department of Water Resources

2002 MAY 20 PM 4:15

DISTRICT COURT-SRBA
TWIN FALLS CO, IDAHO
FILED 39 39

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 33-02068B**
)

On March 12, 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 33-02068B is hereby **decreed** as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED May 20, 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

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAY 17 2002

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

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

Water Right 33-02068B

By RETA

Clerk

Deputy Clerk

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

SOURCE: GROUNDWATER

POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM LITTLE
LOST RIVER.

QUANTITY: 2.64 CFS
476.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 11.15 CFS. COMBINED RIGHT NOS.: 33-44, 33-45,
33-46, 33-47, 22-2068B, 33-2056, 33-2093, 33-2126B.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1950.2 AF. COMBINED RIGHT NOS.:
33-2056, 33-2068B, 33-2126B, 33-2093.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOAL COMBINED
DIVERSION RATE OF 5.64 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 987 AF. COMBINED RIGHT NOS.: 33-2068B AND 33-
2093.

PRIORITY DATE: 01/14/1953

POINT OF DIVERSION: T06N R29E S30 LOT 02 (SESWNW) (Rediversion) Within Butte County
T08N R27E S03 SENENW
NWSNW (Injection)

THE AMOUNT OF WATER DIVERTED FROM LITTLE LOST RIVER SHALL BE
REDUCED WHEN NECESSARY TO PREVENT INJURY TO APPROPRIATORS OF
WATER FROM LITTLE LOST RIVER DOWNSTREAM FROM THE POINT OF
REDIVERSION.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 10-31	2.64 CFS 476.00 AFY

PLACE OF USE:

Irrigation	Within Butte County
T05N R29E S04 LOT 04 (NWNW) 41.0	SWNW 34.0
S05 LOT 01 (NENE) 37.0	SENE 34.0
T06N R29E S19	NWSE 36.0
	SESE 38.0
S29	NWNE 39.0
	SENE 32.0
	NWNW 38.0
	SENW 40.0
	SWSW 35.0
	SESW 3.0
S30	SWSE 17.0
	SESE 35.0
S31	NWNE 39.0
	NENW 12.0
S32	NENW 16.0
	SENW 30.0

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

PLACE OF USE (continued)

NESE 36.0
SWSE 31.0

NWSE 18.0
SESE 28.0

991.0 Acres Total

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 136 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 282 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-2068B AND 33-2093.

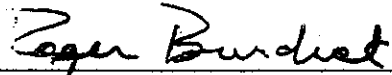
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 554 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-44, 33-45, 33-46, 33-47, 33-2068B, 33-2056, 33-2093, 33-2126B.

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 20 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): 33-02068B

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 33-02068B was mailed
on May 20, 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

ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

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