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JAN 18 2001

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 33-00017B

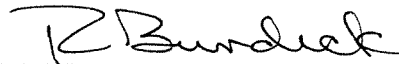
)

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 33-00017B 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 33-00017B

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DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED

NAME AND ADDRESS: R ROBERT AND WILMA I MAYS  
FAMILY TRUST  
1493 HWY 22  
HOWE, ID 83244-8719

SOURCE: LITTLE LOST RIVER TRIBUTARY: SINKS

QUANTITY: 1.30 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 14.23 CFS. COMBINED RIGHT NOS:  
33-00018B, 33-00019B, 33-00020B, 33-00021B, 33-00022B,  
33-00023B, 33-02114, 33-07192, 33-10057, 33-10989.

PRIORITY DATE: 04/01/1883

POINT OF DIVERSION: T05N R29E S09 NENENE Within Butte County  
S10 NWNWNW

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-01 TO 11-01 | 1.30 CFS |

| PLACE OF USE: | Irrigation        |           | Within Butte County |
|---------------|-------------------|-----------|---------------------|
|               | T05N R29E S09     | NENE 28.0 | SENE 18.0           |
|               | S10               | NENE 40.0 | NWNE 35.0           |
|               |                   | SWNE 40.0 | SENE 40.0           |
|               |                   | NENW 40.0 | NWNW 33.0           |
|               |                   | SWNW 40.0 | SENE 39.0           |
|               | S11               | NENE 38.0 | NWNE 39.0           |
|               |                   | SWNE 40.0 | SENE 39.0           |
|               |                   | SWNW 38.0 | SENE 39.0           |
|               | S12               | NENE 40.0 | NWNE 38.0           |
|               |                   | SWNE 40.0 | SENE 40.0           |
|               |                   | NENW 40.0 | NWNW 39.0           |
|               |                   | SWNW 38.0 | SENE 40.0           |
|               | 901.0 Acres Total |           |                     |

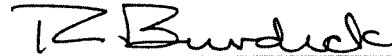
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 65 ACRES WITHIN  
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.  
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO  
THE IRRIGATION OF A COMBINED TOTAL OF 901 ACRES IN A SINGLE  
IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00018B,  
33-00019B, 33-00020B, 33-00021B, 33-00022B, 33-00023B, 33-02114,  
33-07192, 33-10057, 33-10989.

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.

A handwritten signature in black ink, appearing to read "R. Burdick", is written over a horizontal line.

Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication

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2001 JAN 17 PM 02:00  
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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  
\_\_\_\_\_

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)  
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CERTIFICATE OF MAILING

Water Right(s): 33-00017B

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 33-00017B 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

R ROBERT AND WILMA I MAYS  
FAMILY TRUST  
1493 HWY 22  
HOWE, ID 83244-8719  
Phone: 208-767-3470

DIANA DELANEY  
Chief Deputy Clerk

CERTIFICATE OF MAILING

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01/16/01