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Department of Water Resources

2001 MAY -1 AM 8:49
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 32-00089
_____	)	

On March 27, 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 32-00089 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED MAY 01 2001 .



ROGER BURDICK
Presiding Judge of the
Snake River Basin Adjudication

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DISTRICT COURT - SRDA
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U.S. DISTRICT COURT - SEPA
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Department of Water Resources

USE OF THIS RIGHT WITH RIGHT NO. 32-00090A IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 560.0 AF.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	2.50 CFS
			560.00 AFY

PLACE OF USE:	Irrigation	Within Clark County
	T08N R31E S12	SESW 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 40.0 NWSW 40.0
		NESE 40.0 NWSE 39.0
	S14	NENE 39.0 SENE 39.0
	R32E S01 LOT 01 (NENE)34.0	LOT 02 (NWNE)34.0
		SWNE 40.0 SENE 40.0
	LOT 03 (NENW)34.0	LOT 05 (NWNW)22.0
		SWNW 40.0 SENW 40.0
		NESW 40.0 NWSW 40.0
		SWSW 40.0 SESW 40.0
		NESE 40.0 NWSE 40.0
		SWSE 40.0 SESE 40.0
	S02	SENE 24.0 SESW 26.0
		NESE 40.0 NWSE 24.0
		SWSE 40.0 SESE 40.0
	S10	NESW 40.0 LOT 03 (NWSW)41.0

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

PLACE OF USE (continued)

	LOT 04 (SWSW)41.0	SESW 40.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 40.0
S11	NENE 41.0	NWNE 41.0
	SENE 41.0	NENW 41.0
	NWNW 28.0	SWNW 41.0
	SENW 41.0	NESW 41.0
	NWSW 41.0	SWSW 41.0
	SESW 41.0	
S12	NWNE 40.0	NENW 40.0
	NWNW 40.0	SWNW 40.0
S14	NENW 40.0	NWNW 40.0
S15	NENE 40.0	NWNE 40.0
	SWNE 40.0	SENE 40.0
	NENW 40.0	LOT 01 (NWNW)42.0
	LOT 02 (SWNW)42.0	SENW 40.0
R33E S05	LOT 03 (NENW)34.0	LOT 04 (NWNW)34.0
	SWNW 40.0	SENW 40.0
	NWSW 40.0	SWSW 40.0
S06	LOT 01 (NENE)34.0	LOT 02 (NWNE)34.0
	SWNE 40.0	SENE 40.0
	LOT 03 (NENW)34.0	LOT 04 (NWNW)17.0
	LOT 05 (SWNW)20.0	SENW 40.0
	NESW 40.0	LOT 06 (NWSW)20.0
	LOT 07 (SWSW)20.0	SESW 40.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 40.0
S07	NENE 40.0	NWNE 40.0
	SWNE 40.0	SENE 40.0
	NENW 40.0	NESE 40.0
	NWSE 40.0	SWSE 40.0
	SESE 40.0	
S08	NENW 40.0	NWNW 40.0
	SWNW 40.0	SENW 40.0
	NESW 40.0	NWSW 40.0
	SWSW 40.0	SESW 40.0
T09N R32E S36	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 40.0	NWSW 40.0
	LOT 04 (SWSW)37.0	LOT 03 (SESW)40.0
	NESE 40.0	NWSE 40.0
	LOT 02 (SWSE)40.0	LOT 01 (SESE)40.0
R33E S31	NESW 40.0	LOT 03 (NWSW)40.0
	LOT 04 (SWSW)40.0	SESW 40.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 40.0
S32	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 40.0	NWSW 40.0
	SWSW 40.0	SESW 40.0

5723.0 Acres Total

USE OF THE RIGHTS OF THE RENO DITCH COMPANY LISTED ABOVE IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3,815 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160.0 ACRES WITHIN THE BOUNDARY OF THE RENO DITCH COMPANY IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT 32-00090A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 160.0 ACRES IN A SINGLE

PLACE OF USE (continued)

IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 960.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHTS: 32-0061C, 32-00068, 32-00069, 32-00073, 32-00077, 32-00078, 32-00079, 32-00085, 32-00086, 32-00087, 32-00090A, 32-00091, 32-00092, 32-00093, 32-00102.

THE USE OF WATER WITHIN T08N R32E S02 SESW, NWSE, AND SENE, T08N S32 S11 NWNW DOES NOT INCLUDE ANY FEDERAL PUBLIC LANDS.

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

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Department of Water Resources

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): 32-00089

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 32-00089 was mailed
on May 01, 2001, with sufficient first-class postage prepaid
to the following:

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

RENO DITCH COMPANY 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

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

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05/01/01