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MAY -3 2001

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 32-00076

)

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 32-00076 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

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 32-00076

2001 MAY -1 PM 1:54  
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TWIN FALLS CO., IDAHO  
FILED

NAME AND ADDRESS: RENO DITCH COMPANY INC  
PO BOX 5  
REXBURG, ID 83440

SOURCE: BIRCH CREEK

TRIBUTARY: SINKS

QUANTITY: 0.80 CFS  
339.60 AFY

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Department of Water Resources

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 77.06 CFS AND TO A TOTAL  
COMBINED ANNUAL DIVERSION VOLUME OF 12,937.2 AF. RIGHTS OF THE  
RENO DITCH COMPANY: 32-00058, 32-00059, 32-00060, 32-00061C,  
32-00061D, 32-00062, 32-00063, 32-00064, 32-00065, 32-00066,  
32-00068, 32-00069, 32-00070A, 32-00070B, 32-00073, 32-00074,  
32-00075, 32-00076, 32-00077, 32-00078, 32-00079, 32-00080,  
32-00083, 32-00085, 32-00086, 32-00087, 32-00089, 32-00090A,  
32-00091, 32-00092, 32-00093, 32-00101, 32-00102, 32-02043,  
32-02045 AND 32-11224.

PRIORITY DATE: 05/15/1912

POINT OF DIVERSION: T09N R30E S34 SESESW Within Clark County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|----------------------------|----------------|----------------|------------------------|
| Irrigation                 |                | 04-01 TO 11-01 | 0.80 CFS<br>339.60 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   |
|               | 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           |

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

PLACE OF USE (continued)

|               |        |            |                   |
|---------------|--------|------------|-------------------|
|               |        | 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 | SENE 40.0         |
| R33E S05      | LOT 03 | (NENW)34.0 | LOT 04 (NWNW)34.0 |
|               |        | SWNW 40.0  | SENE 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 | SENE 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  | SENE 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  | SENE 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  | SENE 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 RIGHTS 32-00074 AND 32-00075 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 160.0 ACRES IN A SINGLE IRRIGATION SEASON.

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

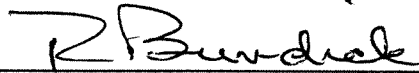
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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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In Re SRBA

Case No. 39576

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CERTIFICATE OF MAILING

Water Right(s): 32-00076

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 32-00076 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