

2003 FEB 6 PM 4 38

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 GRANTING MOTION FOR RELIEF
) FROM PARTIAL DECREE and ORDER
) AMENDING PARTIAL DECREES
)

For Water Rights 31-07605, 31-07607, 31-07608,
31-07613 and 341-07616

On March 5, 2002, a *Special Master's Report and Recommendation* was filed for the above water rights recommending that this Court grant the *Motion for Relief from Partial Decree to Correct Clerical Mistakes* and amend the *Partial Decrees* that were entered August 1, 2002. 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 the *Motion for Relief from Partial Decree to Correct Clerical Mistakes* is **granted**.

IT IS FURTHER ORDERED that water rights 31-07605, 31-07607, 31-07608, 31-07613 and 31-07616 are hereby decreed as set forth in the attached *Amended Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED February 6, 2003.



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

AMENDED

PAGE 1
Nov-25-2002

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE USE OF WATER WITHIN THE SENE, S28, T09N, R36E IS LIMITED
TO THE EAST HALF OF THAT PLACE OF USE.

THE RIGHT HOLDER SHALL PROVIDE AN ANNUAL SUMMARY OF PUMPING
VOLUMES TO THE DEPARTMENT AS PUBLIC RECORD.

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

2003 FEB 06 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): 31-07607

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 31-07607 was mailed
on February 06, 2003, with sufficient first-class postage prepaid
to the following:

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

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

BLAINE L LARSEN
CONNIE LARSEN
PO BOX 188
HAMER, ID 83425-0188
Phone: 208-662-5501

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
02/06/03

2003 FEB 06 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): 31-07608

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 31-07608 was mailed
on February 06, 2003, with sufficient first-class postage prepaid
to the following:

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

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

BLAINE L LARSEN
CONNIE LARSEN
PO BOX 188
HAMER, ID 83425-0188
Phone: 208-662-5501

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
02/06/03

2003 FEB 06 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): 31-07613

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 31-07613 was mailed
on February 06, 2003, with sufficient first-class postage prepaid
to the following:

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

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

BLAINE L LARSEN
PO BOX 188
HAMER, ID 83425-0188
Phone: 208-662-5501

DIANA DELANEY
Chief Deputy Clerk

2003 FEB 06 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): 31-07616

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 31-07616 was mailed
on February 06, 2003, with sufficient first-class postage prepaid
to the following:

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

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

BLAINE L LARSEN
CONNIE LARSEN
PO BOX 188
HAMER, ID 83425-0188
Phone: 208-622-5501

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
02/06/03

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2002 AUG 1 12:56
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

2002 AUG -1 PM 12: 56

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

)
) **ORDER OF PARTIAL DECREE**
)
) **For Water Right 31-07616**
)

On June 27, 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 31-07616 is hereby **decreed** as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED August 1, 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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 31-07616

2002 AUG -1 PM 12: 58
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: BLAINE L LARSEN
CONNIE LARSEN
PO BOX 188
HAMER, ID 83425-0188

SOURCE: GROUND WATER

QUANTITY: 0.37 CFS
105.00 AFY

USE OF THIS RIGHT WITH 31-07608 IS LIMITED TO A FIVE YEAR
AVERAGE ANNUAL DIVERSION VOLUME OF 92 AF. THE COMBINED
DIVERSION VOLUME OF RIGHTS LISTED BELOW IS LIMITED TO A FIVE
YEAR AVERAGE ANNUAL VOLUME OF 413 AF. COMBINED RIGHT
NOS.: 31-07605, 31-07607, 31-07608, 31-07613, 31-07616. THE
COMBINED DIVERSION VOLUME OF RIGHTS LISTED BELOW SHALL NOT
EXCEED 7540 AF PER YEAR WHEN AVERAGED OVER A ROLLING FIVE YEAR
PERIOD. COMBINED RIGHTS: 31-07052C, 31-7052N, 31-07052P, 31-07214,
31-07214D, 31-07368A, 31-07368B, 31-07369B, 31-07369C, 31-07069D,
31-07439B, 31-07605, 31-07606, 31-07607, 31-07608, 31-07609, 31-07610,
31-07611, 31-07612, 31-07613, 31-07614, 31-07615, 31-07616, 31-07617,
31-07618, 31-07619, 31-07620, 31-07621, 31-07622, 31-07623, 31-07624,
31-07625, 31-07626, 31-07627, 31-07628, 31-07629, 31-07630, 31-07631,
31-07632, 31-07633, 31-07634, 31-07635, 31-07636, 31-07637, 31-07638.

PRIORITY DATE: 05/02/1978

POINT OF DIVERSION: T09N R36E S27 NESWN Within Clark County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	0.37 CFS 105.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE [APRIL 15] AND AFTER [OCTOBER 15] UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN
THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:	Irrigation		Within Clark County
	T09N R36E S27	NENW 19.1	NWNW 34.0
		SWNW 40.0	SENW 32.0
		NESW 7.1	NWSW 18.0
	S28	NENE 8.2	SENE 18.0
	176.4 Acres Total		

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 44.7 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 176.4 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT
NOS.: 31-07605, 31-07607, 31-07608 31-07613 AND 31-07616.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

OTHER PROVISIONS (continued)

THE USE OF WATER WITHIN THE SENE, S28, T09N, R36E IS LIMITED
TO THE EAST HALF OF THAT PLACE OF USE.

THE RIGHT HOLDER SHALL PROVIDE AN ANNUAL SUMMARY OF PUMPING
VOLUMES TO THE DEPARTMENT AS PUBLIC RECORD.

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 AUG 01 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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In Re SRBA)
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CERTIFICATE OF MAILING

Water Right(s): 31-07616

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 31-07616 was mailed
on August 01, 2002, with sufficient first-class postage prepaid
to the following:

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

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
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Phone: 208-622-5501

ROBBIN GLATZ
Chief Deputy Clerk