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TWIN FALLS CO., IDAHO

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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)
) **ORDER OF PARTIAL DECREE**
Case No. 39576)
) **For Water Right 31-07270**
)
_____)

On May 29, 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 31-07270 is hereby **decreed** as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED July 31, 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 31-07270

31 JUL 31 2002 32
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: LOREN MCGARRY RANCHES
HC 69 BOX 1070
HAMER, ID 83425

SOURCE: GROUND WATER

QUANTITY: 4.64 CFS
696.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 5.70 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1044.7 AF. COMBINED RIGHT NOS.: 31-62A,
31-63A, 31-7270, 31-11605 AND 31-11619.

USE OF THIS RIGHT WITH RIGHT NO. 31-11619 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.64 CFS.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 5.70 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 881.5 AF. COMBINED RIGHT NOS.: 31-00062A,
31-00063A, 31-07270.

PRIORITY DATE: 10/28/1977

POINT OF DIVERSION: T07N R36E S33 SENWSE Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	4.64 CFS 696.00 AFY

PLACE OF USE:	Irrigation	Within Jefferson County
	T07N R36E S33	NENE 30.0 NWNE 18.0 SWNE 19.0 SENE 39.0 NESE 40.0 NWSE 19.0 SWSE 14.0 SESE 40.0 S34 NWSW 11.0 SWSW 13.0
	243.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 232 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 31-11619 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 243 ACRES IN A SINGLE
IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 285 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 31-62A, 31-63A, 31-7270.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 339 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 31-62A, 31-63A, 31-7270, 31-11605 AND
31-11619.

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 JUL 31 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): 31-07270

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 31-07270 was mailed
on July 31, 2002, with sufficient first-class postage prepaid
to the following:

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

IDAHO DEPARTMENT OF LANDS

Represented by:
STEVEN J. SCHUSTER
PO BOX 83720
BOISE, ID 83720-0010
Phone: 208-332-3542

LOREN MCGARRY RANCHES
HC 69 BOX 1070
HAMER, ID 83425
Phone: 208-662-5227

ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

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