

FEB 10 2023

By _____ Clerk

Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

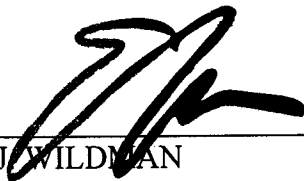
In Re PRBA) ORDER OF PARTIAL DECREE
Case No. 59576) Subcase No: 87-10185
_____) (Bagby
_____)

On November 15, 2022 a *Special Master's Report and Recommendation* was filed for the above-captioned 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(j), this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report and Recommendation* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 87-10185 be **decreed** as set forth in the attached *Partial Decree Pursuant to IRCP 54(b)*.

Dated February 10, 2023.



ERIC J. WILDMAN
Presiding Judge
Palouse 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

DISTRICT COURT - PRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

In Re PRBA)
)
Case No. 59576)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 87-10185

FEB 10 2023

NAME AND ADDRESS: JAMES BAGBY
MARY VANCITTERS-BAGBY
2301 N MOUNTAIN VIEW RD
MOSCOW, ID 83843

By _____
Clerk
Deputy Clerk

SOURCE: GROUND WATER

QUANTITY: 0.06 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 08/15/1994

POINT OF DIVERSION: T39N R05W S04 LOT 3 (NENW) Within Latah County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

Domestic

Stockwater

PERIOD OF USE

01-01 TO 12-31

01-01 TO 12-31

QUANTITY

0.04 CFS

0.02 CFS

Domestic use is for 1 home.

PLACE OF USE:

Stockwater

T39N R05W S04 LOT 3 (NENW)

Within Latah County

Domestic

T39N R05W S04 LOT 3 (NENW)

Within Latah County

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

The quantity of water decreed for this water right is not a
determination of historical beneficial use.

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.

Eric J. Wildman
Presiding Judge of the
Palouse River Basin Adjudication

2023 FEB 10 PM 02:00
DISTRICT COURT - PRBA
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 PRBA)

Case No. 59576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 87-10185

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 87-10185 was mailed
on February 10, 2023, with sufficient first-class postage prepaid
to the following:

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

JAMES BAGBY
MARY VANCITTERS-BAGBY
Represented by:
CODY R MOORE
530 S ASBURY ST STE 2
MOSCOW, ID 83843
Phone: 208-883-1520

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING