

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 35-07142B

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho SEP 17 2002 By _____ Clerk _____ Deputy Clerk

NAME AND ADDRESS: CAPITAL LENDING INC
3905 STATE ST #7148
SANTA BARBARA, CA 93105

SOURCE: UNNAMED STREAM TRIBUTARY: SNAKE RIVER

QUANTITY: 0.65 CFS
140.00 AFY

PRIORITY DATE: 04/08/1970

POINT OF DIVERSION: T04S R33E S30 NWSW Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation		04-01 TO 10-31	0.65 CFS 140.00 AFY

PLACE OF USE: Irrigation Within Bingham County
T04S R32E S25 SWNE 10.0 SENE 30.0
40.0 Acres Total

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
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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 35-7142B
Date Received: 10/3/2000
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

CAPITAL LENDING INC Phone: (805) 683-0303

1475 TERMINAL WAY STE E
RENO NV USA 89502

2. Date of Priority: 04/08/1970

3. Source: UNNAMED STREAM Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04S	33E	30	NW SW	BINGHAM	

5. Description of diverting works:

PUMPED DIRECTLY FROM THE UNNAMED STREAM AT ABOVE DESCRIBED LOCATION WITHOUT ANY
DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.65	140

7. Total Quantity Appropriated is:
0.65 C.F.S. and/or 140 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
04S	32E	25	SW NE	IRRIGATION	10
			SE NE	IRRIGATION	30

A3507142B



Section Acres	40
Total Acres	40

11. Place of use in counties: BINGHAM

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

OTHER WATER RIGHTS: 35-47 AND 35-2016. (THE PLACE OF USE WHICH IS COMMON TO ALL THREE RIGHTS IS 30 ACRES IN SE1/4NE1/4 AND 10 ACRES IN SW1/4NE1/4, ALL IN S25, T4S, R32E. CLAIMANT ONLY CLAIMS 40 ACRES OF THE 162 TOTAL ACRES BASED ON DEED OF 40 ACRES FROM NORTH FORK ENERGY.

15. Basis of Claim: License