

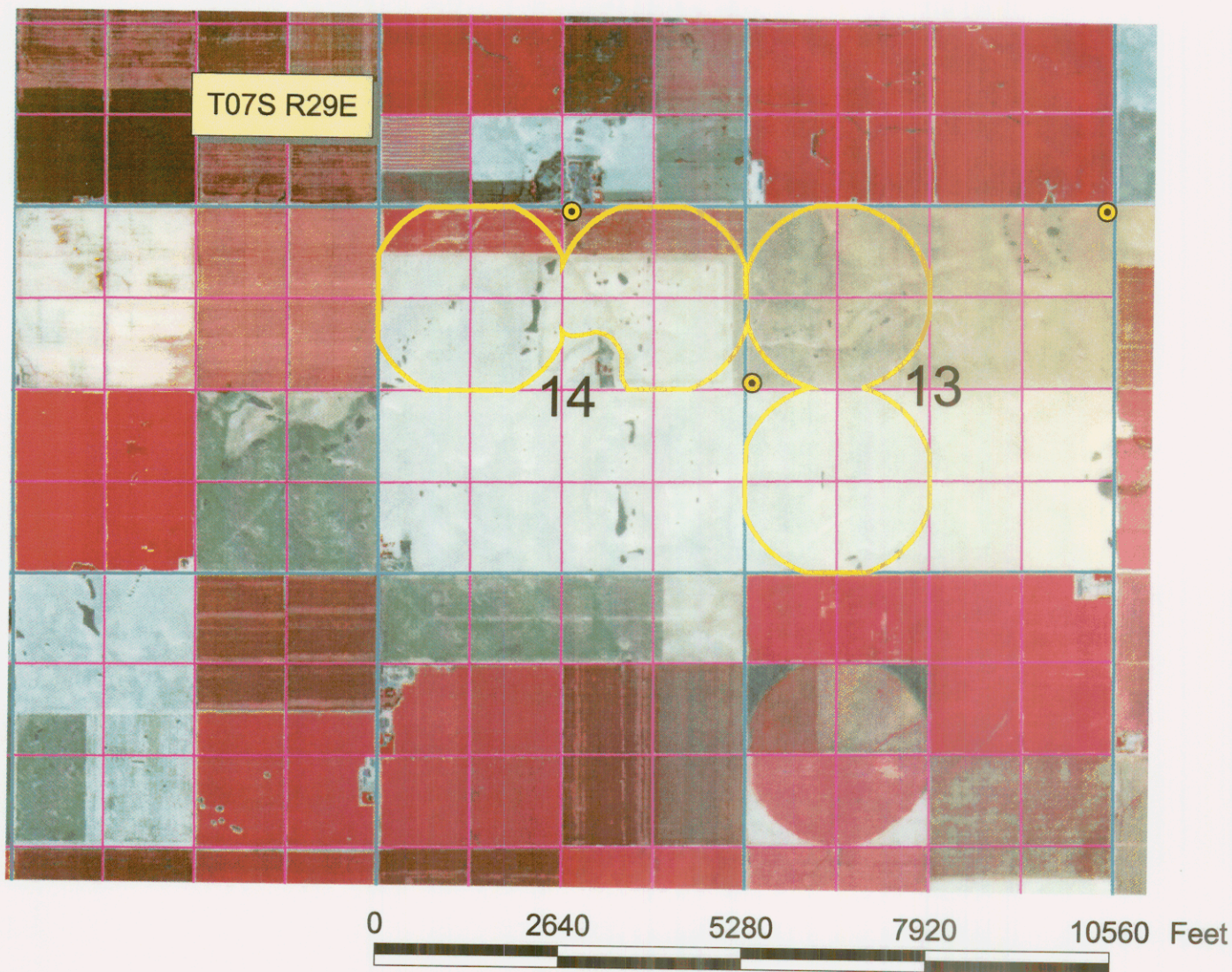


STATE OF IDAHO

Department of Water Resources

Eastern Region

Water Right(s): 35-07161A,
35-07162A, □ 35-07977B



LEGEND



Point of Diversion



Place of Use



Section Line



Quarter-section line



GIS Place of Use illustration
1987/1988 NAPP photography
Prepared by: E. Carlsen
Date: February 2000

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~~ **AMENDED** PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 35-07977B

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

OCT - 2 2002

By _____ Clerk

Deputy Clerk

NAME AND ADDRESS: LARRY S BETHKE
2745 BREIDING RD
AMERICAN FALLS, ID 83211

SOURCE: GROUNDWATER

QUANTITY: 1.23 CFS
312.00 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 8.32 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 2136.8 AF. COMBINED RIGHT
NOS.: 35-07161A, 35-07162A, 35-07977B, 35-08046 AND 35-08050.

PRIORITY DATE: 04/21/1981

POINT OF DIVERSION: T07S R29E S13 NENE Within Power County
S14 SWNW
NWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	1.23 CFS 312.00 AFY

PLACE OF USE:	Irrigation		Within Power County
	T07S R29E S13	NENW 33.0	NWNW 33.0
		SWNW 33.0	SENW 33.0
		NESW 33.0	NWSW 33.0
		SWSW 33.0	SESW 33.0
	S14	NENE 33.4	NWNE 33.4
		SWNE 20.0	SENE 33.0
		NENW 37.2	NWNW 37.2
		SWNW 38.0	SENW 38.0
	534.2 Acres Total		

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 78 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 534.2 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-07161A, 35-07162A,
35-07977B, 35-08046, 35-08050.

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).

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 35-07977B

2002 AUG 12 PM 12:53

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: LARRY S BETHKE
2745 BREDDING RD
AMERICAN FALLS, ID 83211

SOURCE: GROUNDWATER

QUANTITY: 1.23 CFS
312.00 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 8.32 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 2136.8 AF. COMBINED RIGHT
NOS.: 35-07161A, 35-07162A, 35-07977B, 35-08046 AND 35-08050.

PRIORITY DATE: 04/21/1981

POINT OF DIVERSION: T07S R29E S13 NENE Within Power County
S14 SWSW
NWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	1.23 CFS 312.00 AFY

PLACE OF USE:	Irrigation	Within Power County	
	T07S R29E S13	NENW 33.0	NWNW 33.0
		SWNW 33.0	SENE 33.0
		NESW 33.0	NWSW 33.0
		SWSW 33.0	SESW 33.0
	S14	NENE 33.4	NWNE 33.4
		SWNE 20.0	SENE 33.0
		NENW 37.2	NWNW 37.2
		SWNW 38.0	SENE 38.0
	534.2 Acres Total		

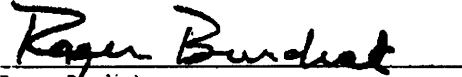
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 78 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 534.2 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-07161A, 35-07162A,
35-07977B, 35-08046, 35-08050.

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.

A handwritten signature in cursive script, reading "Roger Burdick", is written over a horizontal line.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 35-07977B

NAME & ADDRESS: LARRY S BETHKE
2745 BREIDING RD
AMERICAN FALLS ID 83211

SOURCE: GROUNDWATER

QUANTITY: 1.23 CFS
312.0 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 8.32 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 2136.8 AF. COMBINED RIGHT
NOS.: 35-07161A, 35-07162A, 35-07977B, 35-08046 AND 35-08050.

PRIORITY DATE: 04/21/1981

POINT OF DIVERSION: T07S R29E S13 NENE Within POWER County
S14 SWNW
NWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 11-01	1.23 CFS 312.0 AFY

PLACE OF USE:	IRRIGATION	Within POWER County		
	T07S R29E S13	NENW 33	NWNW 33	SWNW 33
		NESW 33	NWSW 33	SWSW 33
	S14	NENE 33.4	NWNE 33.4	SWNE 20
		NENW 37.2	NWNW 37.2	SWNW 38
	534.2 ACRES TOTAL			SENE 33 SENE 38

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 78 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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, SECTION 42-1412(6) IDAHO CODE.

A3507977B



RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 35-07977B (CONT)

OTHER PROVISIONS: (CONT)

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY
TRANSFER NO. 5369 BY AUGUST 6, 2000.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 35-07161A, 35-07162A, 35-07977B,
35-08046 AND 35-08050.

RIGHTS 35-07161B AND 35-07162B ARE ALSO DIVERTED THROUGH THE
POINT OF DIVERSION IN TWP 07S RNG 29E SECT 13 NE1/4NE1/4.