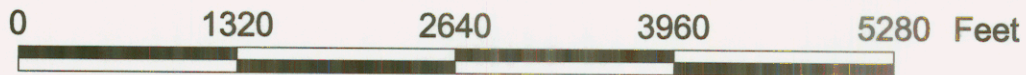
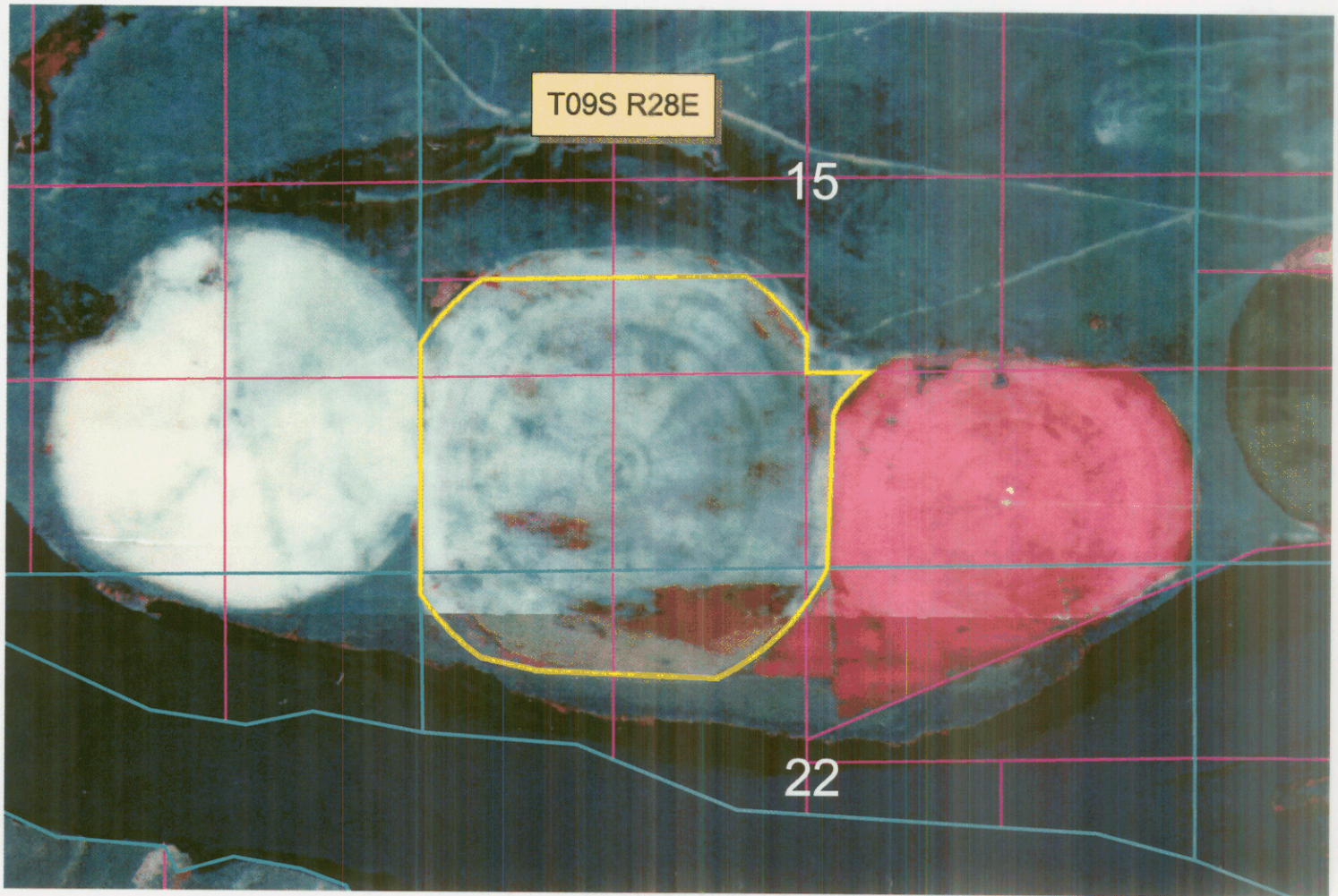




STATE OF IDAHO

Department of Water Resources

Water Right(s): 35-7991B
35-7668



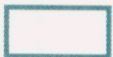
LEGEND



Point of Diversion



Place of Use



Section Line



Quarter-section line

Acres Irrigated = 154



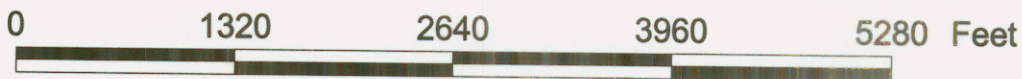
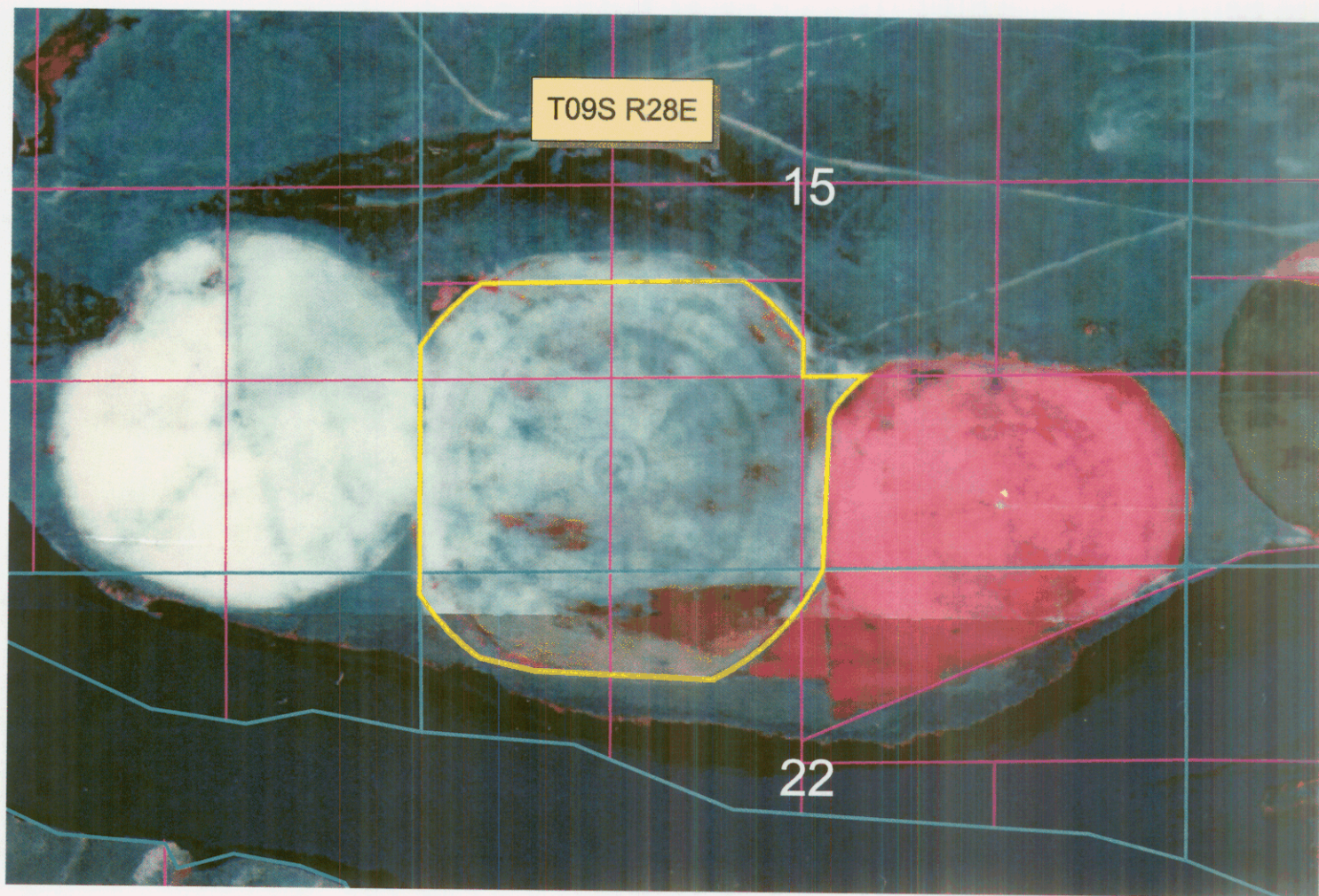
GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: E. Carlsen
Date: December 2000



STATE OF IDAHO

Department of Water Resources

Water Right(s): 35-7991B
35-7668



LEGEND



Point of Diversion



Place of Use

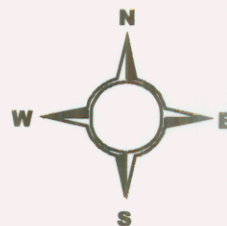


Section Line



Quarter-section line

Acres Irrigated = 154



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

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

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

JUL 18 2002

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 35-07991B

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: BEN CAVANESS
2761 MOONLIGHT LN
AMERICAN FALLS, ID 83211-5432

SOURCE: GROUNDWATER

QUANTITY: 0.41 CFS
108.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 35-7668 IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 616.0 AF.

PRIORITY DATE: 07/02/1981

POINT OF DIVERSION: T09S R28E S15 SESW Within Power County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.41 CFS 108.00 AFY

PLACE OF USE:	Irrigation	Within Power County
	T09S R28E S15	NESW 16.0 NWSW 16.0 SWSW 40.0 SESW 40.0 SWSE 5.7 NWNE 0.3 NENW 19.0 NWNW 17.0
	S22	
	154.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 27 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 35-7668 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 154 ACRES IN A SINGLE
IRRIGATION SEASON.

THE USE OF WATER WITHIN T09S, R28E, S15, NESW AND NWSW IS
LIMITED TO THE S1/2 OF THOSE PLACE OF USE.

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 18 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): 35-07991B

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 35-07991B was mailed
on July 18, 2002, with sufficient first-class postage prepaid
to the following:

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

BEN CAVANESS
2761 MOONLIGHT LN
AMERICAN FALLS, ID 83211-5432

ROBBIN GLATZ
Chief Deputy Clerk

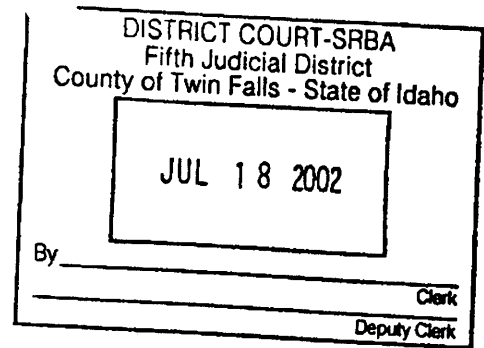
CERTIFICATE OF MAILING

PAGE 1
07/18/02

RECEIVED

JUL 19 2002

Department of Water Resources



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 35-07991B**
)

On May 6, 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 35-07991B is hereby decreed as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED July 18, 2002

ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

ORDER OF PARTIAL DECREE

05/03/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 35-7991B
NAME AND ADDRESS: BEN CAVANESS
2761 MOONLIGHT LN
AMERICAN FALLS ID 83211-5432

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.410 CFS
108.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 35-7668 IS LIMITED TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 616.0 AF.

PRIORITY DATE: 07/02/1981

POINT OF
DIVERSION: T09S R28E S15 SESW Within POWER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.410 CFS 108.00 AFY

PLACE OF USE: IRRIGATION Within POWER County

T09S R28E S15	NESW	16.0	T09S R28E S15	NWSW	16.0
T09S R28E S15	SWSW	40.0	T09S R28E S15	SESW	40.0
T09S R28E S15	SWSE	5.7	T09S R28E S22	NWNE	0.3
T09S R28E S22	NENW	19.0	T09S R28E S22	NWNW	17.0

154 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 27 ACRES WITHIN THE PLACE OF USE
DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 35-7668 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 154 ACRES IN A SINGLE IRRIGATION SEASON.
THE USE OF WATER WITHIN T09S, R28E, S15, NESW AND NWSW IS LIMITED TO THE
S1/2 OF THOSE PLACES OF USE.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

A3507991B



IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

12/07/2000

RIGHT NUMBER: 35-7991B

NAME AND ADDRESS: BEN CAVANESS
895 FILMORE
AMERICAN FALLS, ID 83211

SOURCE: GROUND WATER

QUANTITY: 0.41 CFS
108 AFY

USE OF THIS RIGHT WITH RIGHT NO. 35-7668 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 616.0 AF.

PRIORITY DATE: 07/02/1981

POINT OF DIVERSION: T09S R28E S15 SESW Within POWER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 11-01	0.41 CFS 108.00 AFY

PLACE OF USE:

<u>IRRIGATION Within POWER County</u>					
T09S R28E S15	NESW	16	T09S R28E S15	NWSW	16
T09S R28E S15	SWSW	40	T09S R28E S15	SESW	40
T09S R28E S15	SWSE	5.7	T09S R28E S22	NWNE	0.3
T09S R28E S22	NENW	19	T09S R28E S22	NWNW	17

154 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 27 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 35-7668 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 154 ACRES IN A SINGLE
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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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License