

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 35-12203

JUN 14 2002

By _____ Clerk

Deputy Clerk

NAME AND ADDRESS: SNAKE R SCHOOL DISTRICT NO 52
103 S 900 W
BLACKFOOT, ID 83221

SOURCE: GROUNDWATER

QUANTITY: 0.28 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.78 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 456 AF. COMBINED RIGHT NOS.: 35-07108 AND 35-12202

PRIORITY DATE: 05/01/1986

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

POINT OF DIVERSION: T03S R34E S04 SENWNW Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.28 CFS

PLACE OF USE: Irrigation Within Bingham County

T03S R34E S04 LOT 3	(NENW) 4.0	LOT 4	(NWNW) 32.0
	SWNW 38.0		SENW 40.0
114.0 Acres Total			

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 114 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-07108 AND 35-12202.

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

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 35-07108 PURSUANT TO SECTION 42-1426, IDAHO CODE. 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 JUN 13 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)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 35-12203

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 35-12203 was mailed
on June 14, 2002, with sufficient first-class postage prepaid
to the following:

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

SNAKE R SCHOOL DISTRICT NO 52
103 S 900 W
BLACKFOOT, ID 83221
Phone: 208-684-3001

ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
06/13/02

RECEIVED

2002 JUN 14 PM 4:06

JUN 19 2002

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

Department of Water Resources

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

Case No. 39576

)
) **ORDER OF PARTIAL DECREE**
)
) **For Water Right 35-12203**
)

On April 8, 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 35-12203 is hereby **decreed** as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED June 14, 2002



ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

[illegible]0.280 CFS

Stage: BENEFICIAL USE

BINGHAM County

SE

TOTAL ACRES

Other Rights: 35-07108, 35-12202, PEOPLES CANAL & IRRIGATION CO.

- | | | | |
|---|---|--------|--|
| - | THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A | | |
| - | PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED | | |
| - | AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS | | |
| - | BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION | | |
| - | 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR | | |
| - | RIGHT. | | |
| - | THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER | | |
| - | IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER | | |
| - | RIGHTS IN BASIN 35: | | |
| - | WATER RIGHT NO. | SOURCE | |
| - | NONE | NONE | |
| - | THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER | | |
| - | IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER | | |
| - | RIGHTS IN THE SNAKE RIVER BASIN: | | |
| - | WATER RIGHT NO. | SOURCE | |
| - | NONE | NONE | |
| - | ALL WATER RIGHTS WITHIN BASIN 35 ARE FROM CONNECTED SOURCES | | |
| - | OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED | | |
| - | CONJUNCTIVELY. | | |

Remarks: QNT

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.78 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 456 AF. COMBINED RIGHT
NOS.: 35-07108 AND 35-12202

POU1

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THE IRRIGATION OF A COMBINED TOTAL OF 114 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-07108 AND 35-12202.

GEN

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT
NO. 35-07108 PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXP

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 35-07108 & 35-12202.
THIS RIGHT IS FOR AN ENLARGEMENT OF 18 ACRES WITHIN THE
PLACE OF USE DESCRIBED FOR THIS RIGHT.

Dates:

Exam Made Date: 04/20/1993

Verified Date:

Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag:
Presumption Flag: E

DATE: 06/05/98
PAGE: 1

Stage: BENEFICIAL USE

BINGHAM County

MS

114.0

Other Rights: 35-07108, 35-12202, PEOPLES CANAL & IRRIGATION CO.

Conditions of Approval:

C11

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Misc: Water District Number: Field Inspection Flag:

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: A35-12203
Date Received: 6/27/1989
Receipt No: COO9294
Received By: Pa

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LAWRENCE STANDER 208-684-4584
Address: 50 S. 900 W.
BLACKFOOT, ID 83221
OR
Name: GAYLEN STANDER 208-684-4584
Address: 50 S. 900 W.
BLACKFOOT, ID 83221
OR
Name: SNAKE RIVER SCHOOL DITS. #52 208-684-3001
Address: 103 S. 900 W.
BLACKFOOT, ID 83221



2. Date of Priority: MAY 01, 1986

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03S	34E	4	NE	SW	NW		BINGHAM

5. Description of diverting works:
210' WELL 50HP TURBINE PUMP TO CENTER PIVOT. SOLID LINES IN CORN.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.350		

7. Total Quantity Appropriated is:
0.350 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 54.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A35-12203

Page 1

Date: 06/27/89

MICROFILMED

DEC 11 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	34E	4	NW	NW	4	IRR	18.0
Section Acres							18.0
Total Acres							18.0

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:
PEOPLE'S CANAL COMP./35-07108

14. Remarks:
THIS CLAIM IS FILED AS AN EXPANSION OF LICENSE 35-07108. THE
STANDER'S HAVE A LEASE AGREEMENT WITH THE SCHOOL DISTRICT TO
FARM THIS ADDITIONAL 18 ACRES. THEY HAVE IRRIGATED IT FROM
THE WELL SINCE 1986. PARTIAL PAYMENT OF ACREAGE FEE HAS BEEN
MADE BY PEOPLE'S CANAL CO.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Gayle Starlin Date: 6/27/89

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 27 day
of June 19 89

[Signature]
Notary Public

Residing at Ho. Falls, Id
My Commission Expires 22 Aug 1994

