

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 35-02178H

2002 MAY 20 PM 4:15

DISTRICT COURT-SRBA
TWIN FALLS CO, IDAHO
FILED *[Signature]*

NAME AND ADDRESS: ALBERT T WADA
CHRISTINE WADA
326 S 1400 W
PINGREE, ID 83262-1137

SOURCE: GROUNDWATER

QUANTITY: 0.24 CFS
76.80 AFY

PRIORITY DATE: 07/08/1950

POINT OF DIVERSION: T03S R33E S22 NENE Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Commercial	10-01 TO 07-31	0.24 CFS 76.80 AFY

COMMERCIAL USE IS FOR A FRESH PACK POTATO PLANT AND INCLUDES
LAND APPLICATION OF RESULTING WASTEWATER.

PLACE OF USE:	Commercial	Within Bingham County
	T03S R33E S22	NENE SWNE SENE NWSE

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

PROFILED

SCANNED
AUG 05 2005

AJ5859NP

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

DATE: NOV-10-1998

PAGE: A-1

RIGHT NUMBER: 35-02178E

SEE NOS. 35-02178G AND 35-02178H.

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AUG 05 2005

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 35-02178H

NAME & ADDRESS: ALBERT T WADA
CHRISTINE WADA
326 S 1400 W
PINGREE ID 83262-1137

SOURCE: GROUNDWATER

QUANTITY: 0.24 CFS
76.8 AFY

PRIORITY DATE: 07/08/1950

POINT OF DIVERSION: T03S R33E S22 NENE Within BINGHAM County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	COMMERCIAL	10-01 07-31	0.24 CFS
			76.8 AFY

COMMERCIAL USE IS FOR A FRESH PACK POTATO PLANT AND INCLUDES
LAND APPLICATION OF RESULTING WATERWATER.

PLACE OF USE:	COMMERCIAL	Within BINGHAM County			
	T03S R33E S22	NENE	SWNE	SENE	NESE
		NWSE	SWSE		

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

FAILURE TO COMPLY WITH THE CONDITIONS OF THE ADMINISTRATIVE
ORDER IS CAUSE FOR IDWR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE
APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

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AUG 05 2005

IDAHO DEPARTMENT OF WATER RESOURCES

ALBERT & CHRISTINE WADA

Water Right No(s).

35-02178H



0 1320 2640 Feet



Point of Diversion
Location



Place of Use
Boundary

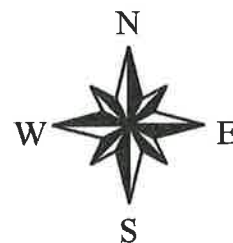


Section Lines



Quarter/Quarter Lines

Township(s) 03S, Range(s) 33E
Section(s) 22



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: Greg Taylor
Date: Oct. 3, 1998

PROFILED
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AUG 05 2005

IDAHO DEPARTMENT OF WATER RESOURCES

ALBERT & CHRISTINE WADA

Water Right No(s).

35-02178H



0 1320 2640 Feet



Point of Diversion
Location



Place of Use
Boundary



Section Lines



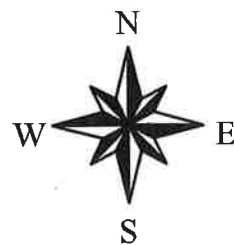
Quarter/Quarter Lines

Township(s) 03S, Range(s) 33E
Section(s) 22

PROFILED

SCANVEL

AUG 05 2005



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: Greg Taylor
Date: Oct. 3, 1998

RECEIVED

MAY 22 2002

Department of Water Resources

MAY 20 PM 4:13

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

)
) ORDER OF PARTIAL DECREE
)
) For Water Right 35-02178G & 35-02178H
)

On March 11, 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 35-02178G and 35-02178H is hereby decreed as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).
DATED May 20, 2002

Roger Burdick
ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

ORDER OF PARTIAL DECREE

PROFILED

SCANNED 1
AUG 05 2005

2002 MAY 20 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): 35-02178H

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 35-02178H was mailed
on May 20, 2002, with sufficient first-class postage prepaid
to the following:

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

ALBERT T WADA
CHRISTINE WADA
Represented by:
JEFFREY C. FEREDAY
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

SCANNED PAGE 1
05/20/02

AUG 05 2005

PROFILED



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 16, 1998

ALBERT & CHRISTINE WADA
326 S 1400 W
PINGREE ID 83262-1137

RE: Transfer #5058 (adjudication claims 35-02178E, 35-02178G, 35-02178H) and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. and Mrs. Wada:

On July 8, 1997, the Idaho Department of Water Resources (IDWR) approved Transfer #5058, modifying a portion of the above referenced water right(s). Based on this transfer, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Hoagland
Technical Records Specialist

Enclosure: NCAP

PROFILED

SCANNED
AUG 05 2005

CERTIFICATE OF MAILING

I certify that on 11-16, 1998, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
ALBERT & CHRISTINE WADA
326 S 1400 W
PINGREE ID 83262-1137
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
N/A
4. One Copy to:
Each party in the subcase or attorney of record:
N/A
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Jennifer Haglund
Signature of person or attorney mailing the form

SCANNED
AUG 05 2005

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: **R35-02178H**
Date Received: 5/26/1989
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: ALBERT T WADA
Address: 326 S 1400 W
PINGREE ID

208-684-9801

83262-1137

Name: CHRISTINE WADA
Address: 326 S 1400 W
PINGREE ID

208-684-9801

83262-1137

2. Date of Priority: JUL 8, 1950

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	33E	22	NE	NE			BINGHAM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
COMMERCIAL	10/01	07/31	0.240		76.80

7. Total Quantity Appropriated is:

0.240 C.F.S. (and/or) 76.80 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	33E	22	NE	NE		COMMER	

R35-02178H

Page

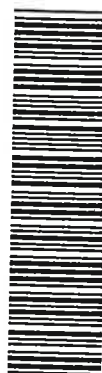
1

SCANNED

Date: 11/09/98

AUG 05 2005

A3502178H



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	33E	22	SW	NE		COMMER	
			SE	NE		COMMER	
			NE	SE		COMMER	
			NW	SE		COMMER	
			SW	SE		COMMER	

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:

COMMERCIAL USE IS FOR A FRESH PACK POTATO PLANT AND INCLUDES
LAND APPLICATION OF RESULTING WATERWATER.

15. Basis of Claim: LICENSE

Water Right Number: 21612

PROFILED

AUG 05 2005