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APR 04 2012

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
APR - 3 2012	
By _____	Clerk _____
	Deputy Clerk _____

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

)

ORDER OF PARTIAL DECREE

)

Case No. 39576

)

Subcase No. 27-10028

)

(Gardner)

)

On February 7, 2012, a *Special Master's Report and Recommendation* was filed for the above-captioned 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 Recommendation* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water right be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED

April 3, 2012


ERIC J. WILDMAN

Presiding Judge

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 SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 27-10028

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

APR - 3 2012

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: BONNIE P GARDNER
LEON J GARDNER
469 E 400 N
BLACKFOOT, ID 83221

SOURCE: SAND CREEK TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 2.83 CFS

The appropriator is entitled to the quantity of water described
herein at the point of measurement in T2S, R37E, S7, NWNW Lot 1.

PRIORITY DATE: 04/01/1901

POINT OF DIVERSION: T02S R36E S14 NWNENE Within Bingham County
NWNENE
SENWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.83 CFS
	Stockwater	03-01 TO 11-30	0.94 CFS
			8.40 AFY

PLACE OF USE:	Irrigation	Within Bingham County
	T02S R36E S14	NENE 9.6 NWNE 22.0
		SWNE 11.0 SENW 18.0
	60.6 Acres Total	

Stockwater	Within Bingham County
Same as Irrigation	

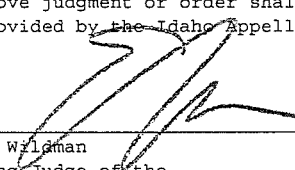
The rights listed below are limited to the irrigation of a
combined total of 60.6 acres in a single irrigation season.
Combined Right Nos.: 27-10028 and 27-12013.

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.



Eric J. Wilgman
Presiding Judge of the
Snake River Basin Adjudication

2012 APR 03 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): 27-10028

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 27-10028 was mailed
on April 03, 2012, with sufficient first-class postage prepaid
to the following:

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

COMMITTEE OF NINE
Represented by:
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25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

COMMITTEE OF NINE
Represented by:
JOHN K SIMPSON
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
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BONNIE P GARDNER
LEON J & BONNIE P GARDNER
LEON J GARDNER
469 E 400 N
BLACKFOOT, ID 83221
Phone: 208-785-1688

JULIE MURPHY
Chief Deputy Clerk