

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 34-02424A

7:02 FEB -7 AM 7:49

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED *DM*

NAME AND ADDRESS: JERRY L BROWNE
TERESA L BROWNE
RT 1 BOX 26
MOORE, ID 83255

SOURCE: GROUNDWATER

QUANTITY: 3.03 CFS
493.50 AFY

PRIORITY DATE: 06/13/1961

POINT OF DIVERSION: T05N R26E S33 SWSNW Within Butte County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	3.03 CFS 493.50 AFY

PLACE OF USE:	Irrigation	Within Butte County
	T05N R26E S33	SWNW 34.0 SWSW 37.0
		NWSW 38.0 SESW 32.0
	141.0 Acres Total	

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

USE OF THIS RIGHT WITH RIGHT NOS. 34-00014 AND 34-00218B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.78 CFS AND TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 352.5 ACRE FEET AND TO THE IRRIGATION OF A COMBINED TOTAL OF 141 ACRES IN A SINGLE IRRIGATION SEASON.

RIGHT NO. 34-02424B IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

0.21 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT AND RIGHT NOS. 34-00014 AND 34-00218B.

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.

R Burdick
Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2002 FEB -7 AM 7:49

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

**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

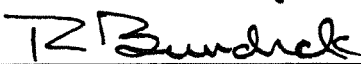
For Water Rights 34-02424A

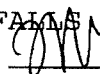
On June 18, 1992, the Idaho Department of Water Resources (IDWR) filed its *Director's Report, Part 1, For Basin 34 (Big Lost River Basin)*, which included a recommendation for the above water right. On March 9, 1999, IDWR filed a *Notice of Completed Administrative Proceeding* and an attached *Amended Director's Report* for the above water right. No objections to this recommendation were filed and the time period for filing objections has now expired.

On June 24, 1999, in response to the Idaho Supreme Court decision in *A&B Irrigation District v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), IDWR filed a *Supplemental Director's Report, Reporting Area 1, IDWR Basin 34, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions* which included recommendations for the irrigation season of use for this water right. No objections were filed to the *Supplemental Director's Report* and the time period for filing objections has expired.

Therefore, IT IS ORDERED that water right 34-02424A is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED: 2-5-02


ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

2002 FEB 07 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
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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): 34-02424A

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 34-02424A was mailed
on February 07, 2002, with sufficient first-class postage prepaid
to the following:

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

JERRY L BROWNE
TERESA L BROWNE
RT 1 BOX 26
MOORE, ID 83255
Phone: 208-554-4800


LETTIE MESSICK
Chief Deputy Clerk