

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN 25 2002	
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	)	For Decreed Water Right 34-00544
	)	(Split administratively into water rights <u>34-13635</u> & 34-
	)	13636.)
Case No. 39576	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
	)	INCORPORATING INTO PARTIAL DECREE AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A ***Partial Decree*** was entered for water right 34-00544 ("decreed water right") on January 15, 1998. The period of use element therein was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. On June 24, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions* ("Supplemental Director's Report"), which included irrigation period of use recommendations for the decreed water right. There are no outstanding objections to IDWR's recommendations. Following the issuance of the *Supplemental Director's Report*, pursuant to administrative proceedings conducted before the Idaho Department of Water Resources (IDWR), the decreed water right was split into multiple water rights designated as 34-13635, and 34-13636 ("split water rights").¹

¹ Some or all of these split water rights may have again been split or affected by subsequent administrative proceedings. However, this *Order* only amends the *Partial Decree* that was issued for the decreed water right and does not affect any administrative changes to the water right occurring subsequent to the entry of the *Partial Decree*.

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 34-00544

1998 JAN 15 PM 1:05

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME & ADDRESS: DIAMOND LAZY L RANCH
C/O JAMES LORD
BOX 5
DARLINGTON ID 83231

SOURCE: BIG LOST RIVER TRIBUTARY: SINKS

QUANTITY: 2.00 CFS

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 11.36 CFS.
COMBINED RIGHT NOS.: 34-00063B, 34-00065J, 34-00480, 34-00545A,
34-00546B, 34-00547B, 34-00548, 34-00549E AND 34-02392.

PRIORITY DATE: 04/30/1884

POINT OF DIVERSION: T07N R24E S34 SENWNW Within CUSTER County

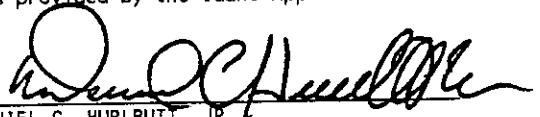
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	2.00 CFS

PLACE OF USE:	IRRIGATION	Within BUTTE County			
	T06N R26E S28	NESW 32	SESW 26	NWSE 40	SWSE 36
	S33	NENE 25	NWNE 35	SWNE 40	SENE 28
		NENW 23	SENW 15	NESW 2	NESE 27
		NWSE 20			
	349 ACRES TOTAL				

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 429 ACRES IN A SINGLE
IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00063B, 34-00065J, 34-00480, 34-00545A,
34-00546B, 34-00547B, 34-00548, 34-00549E AND 34-02392.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 100 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication