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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

)
) **ORDER OF PARTIAL DECREE**

)
) **For Water Right 35-02432C**

On November 30, 2001, 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 35-02432C is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED January 31, 2002.



ROGER S. BURDICK
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)
)
Case No 39576)
_____)

PARTIAL DECREE PURSUANT TO
I R C.P 54 (b) FOR
Water Right 35-02432C

2002 JAN 31 PM 3:37
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS FBC FARMS LLC
3066 S FRONTAGE RD
AMERICAN FALLS, ID 83211

SOURCE GROUNDWATER

QUANTITY 0.93 CFS
288 00 APY

USE OF THIS RIGHT WITH RIGHT NO 35-07391C IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.01 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 288 AF

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 13.21 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 3772 AF COMBINED RIGHT
NOS - 35-02274, 36-07390, 35-07391C, 35-07630, 35-07863

PRIORITY DATE 08/17/1955

POINT OF DIVERSION: T08S R29E S24 SWNE Within Power County
SENW

PURPOSE AND PERIOD OF USE.	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.93 CFS 288 00 APY

PLACE OF USE	Irrigation	Within Power County
T08S R29E S23	SESW 5.0 SESE 32.0	SWSE 15.0
S24	NENE 31.3 SWNE 36.8 NENW 37.3 SWNW 37.3 NESW 36.8 SWSW 39.3 NESE 31.3 SWSE 39.3	NWNE 37.3 SENE 31.3 NWNW 31.3 SENW 36.8 NWSW 37.3 SESW 39.3 NWSE 36.8 SESE 39.3
S25	NENE 37.3 SENE 37.0 NWNW 31.3	NWNE 37.3 NENW 37.3 NESE 30.0
S26	NENE 28.0 NENW 10.0	NWNE 36.0
R30E S30	NWSW 28.0	
943.0 Acres Total		

USE OF THIS RIGHT WITH RIGHT NO 35-07391C IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 72 ACRES IN A SINGLE
IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 943 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS 35-02274, 35-07390,
35-07391C, 35-07630, 35-07863

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

SRBA Partial Decree Pursuant to I R C P 54(b) (continued)

OTHER PROVISIONS (continued)

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

SRBA Partial Decree Pursuant to I R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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.P.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 JAN 31 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): 35-02432C

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 35-02432C was mailed
on January 31, 2002, with sufficient first-class postage prepaid
to the following:

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

KBC FARMS LLC
Represented by:
JEFFREY C. FEREDAY
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

DIANA DELANEY
Chief Deputy Clerk