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JUL 25 2001

Department of Water Resources

2001 JUL 23 AM 11:03
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 Rights 34-10370A and 10370B

On January 8, 1998, the Idaho Department of Water Resources filed an *Amended Director's Report* recommending that water right claim 34-10370 be split and decreed as 34-10370A and 34-10370B. No objection was filed to this *Amended Director's Report* and the time for filing objections has 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 a recommendation 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 rights 34-10370A and 34-10370B are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED July 22, 2001.



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)

7001 JUL 23 AM 11:03
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR DISTRICT COURT-SRBA
Water Right 34-10370A TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: BILLY L HARALSON
ROUTE 1 BOX 450
ARCO, ID 83213

SOURCE: GROUNDWATER

QUANTITY: 2.29 CFS

USE OF THIS RIGHT WITH RIGHT NO. 34-10941A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.29 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 532 AF.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.07 CFS.
COMBINED RIGHT NOS.: 34-00509A, 34-00510A AND 34-10941A.

PRIORITY DATE: 05/31/1960

POINT OF DIVERSION: T04N R26E S16 NWNENE Within Butte County
NWNWE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.29 CFS

PLACE OF USE:	Irrigation	Within Butte County
	T04N R26E S15	NENW 38.0 NWNW 39.0 SENW 40.0
	152.0 Acres Total	

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINES TOTAL OF 152 ACRES IN A SINGLE
IRRIGATION SEASON.

COMBINED RIGHTS NOS.: 34-00509A, 34-00510A AND 34-10941A.

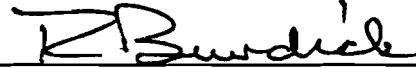
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 112 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.

A handwritten signature in black ink, appearing to read "R. Burdick", is written over a horizontal line.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2001 JUL 23 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): 34-10370A

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 34-10370A was mailed
on July 23, 2001, with sufficient first-class postage prepaid
to the following:

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

BILLY L HARALSON
ROUTE 1 BOX 450
ARCO, ID 83213
Phone: 208-527-3357

DIANA DELANEY
Chief Deputy Clerk