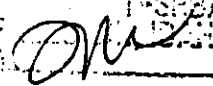


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FILED  I-SEBA
TWIN FALLS, IDAHO

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)

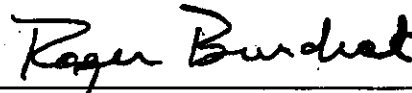
ORDER OF PARTIAL DECREE

For Water Right 36-14035B

On July 2, 1998, the Idaho Department of Water Resources filed an *Amended Director's Report* recommending that water right claim 36-14035 be split and decreed as 36-14035A and 36-14035B. No objection was filed to this *Amended Director's Report* and the time for filing objections has expired.

Therefore, IT IS ORDERED that water right 36-14035B is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED January 9, 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

782 JAN -9 AM 10:44

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-14035B

FILED
JAN 9 1978
IDAHO

NAME AND ADDRESS: LANE FRANCO
211 W 400 N
JEROME, ID 83338

SOURCE: GROUNDWATER

QUANTITY: 0.42 CFS
131.00 AFY

USE OF RIGHT NOS. 36-02586B AND 36-14035B IS LIMITED TO A
TOTAL COMBINED DIVERSION VOLUME OF 85.1 AF FOR STOCKWATER AND
45.9 AF FOR COMMERCIAL USE AND A COMBINED TOTAL OF 131.0 AF.

PRIORITY DATE: 05/26/1976

POINT OF DIVERSION: T07S R17E S09 SESE Within Jerome County
TWO POINTS OF DIVERSION LOCATED IN T07S, R17E, S09, SESE.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.42 CFS
			85.10 AFY
	Commercial	01-01 TO 12-31	0.42 CFS
			45.90 AFY

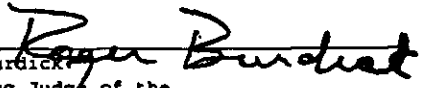
PLACE OF USE:	Stockwater		Within Jerome County
	T07S R17E S09	SESE	
	S10	SWSW	
	Commercial		Within Jerome County
	T07S R17E S09	SESE	

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

A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
MAINTAINED AS A PART OF THE DIVERTING WORKS
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.


Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2002 JAN 09 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *[Signature]*

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): 36-14035B

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 36-14035B was mailed
on January 09, 2002, with sufficient first-class postage prepaid
to the following:

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

LANE FRANCO
211 W 400 N
JEROME, ID 83338

Lettie Messick
LETTIE MESSICK
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
01/09/02

Proof Report

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DWJ MODEL FARMS INC PO BOX 546 JEROME, ID 83338

Priority Date: 10/30/1974
Basis: License
Status: Superseded by Decree

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	0.910 CFS	
	Total Diversion		0.910 CFS	

Place Of Use

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S	17E	8													36.0	37.0		30.0	103.0
07S	17E	9									40.0	40.0	13.0	20.0	40.0	40.0	25.0	40.0	258.0
07S	17E	10						28.0	40.0	35.0	35.0	40.0	39.0						217.0

Conditions of Approval:

- | | | |
|----|-----|---|
| 1. | | THIS RT. WHEN COMBINED WITH 36-2586 & 36-7624 SHALL NOT EXCEED 2312.0 AF/ANNUM. |
| 2. | 016 | See remarks for additional conditions of approval. |

1. PSKAGGS 5/21/1996 TRANSFER 4767
Transfer No. 4767 was filed to change a portion of irrigation Right Nos. 36-02586 and 36-14035 (combined licenses 36-07506 & 36-07624) to year round stockwater & commercial use for a dairy, splitting the rights into Parts A & B. The transfer was based on the rights as recommended in the SRBA Basin 36 Directors report & approved versions are stored under an "X" prefix pending the conclusion of the adjudication. SEE RIGHT NOS. X36-02586A & B AND X36-14035A & B.

2. PSKAGGS 7/20/1999 TRANSFER 5128
Rights 36-07506 & 36-07624 combined in SRBA as 36-14035. Portions of these rights transferred under Transfer 5128. SEE X36-14035D.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3. jpeppers 1/15/2002 Water Right
Water Right No(s) 36 7624, 36 7506, superseded by Decree No(s) 36 14035 A, B, and C.
4. mciscell 6/10/2013 POD
Bulk Generate Shape From PLS

Dates and Other Information

Licensed Date: 1/4/1983

Mitigation Plan: False

Combined Use Limits

N/A

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources

RECEIVED

DEC 18 1982

WATER RIGHT LICENSE

Department of Water Resources
Southern District Office

License of Water Right No. 36-7506 Priority October 30, 1974 Amount 0.91 cfs

THIS IS TO CERTIFY, that DWJ Model Farms Inc.

of Jerome, Idaho, has complied with the terms and conditions of Permit
No. 36-7506 issued pursuant to Application for Permit dated October 30, 1974,
and has submitted proof to the Department of Water Resources on October 5, 1979,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 10.31 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>November 15</u>	at <u>0.91</u> cfs and <u>*</u>	
	from _____ to _____	at _____ cfs and _____	
	from _____ to _____	at _____ cfs and _____	

(both dates inclusive)

Subject, however, to the condition that no more than 0.91 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
* _____ acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9, Twp.
7S, Rge. 17E in the County of Jerome

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7S	17E	8													36	37		30	103
		9									40	40	13	20	40	40	25	40	258
		10						28	40	35	35	40	39						217

Total number of acres irrigated 578

*This right when combined with 36-2586 and 36-7624 shall not exceed 2312.0
acre feet per annum.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30TH day of
November, 19 82.

Acting for the Director

Norman C. Young

27 Dec

36-7506