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IDAHO DEPARTMENT OF WATER RESOURCES
PREFIX/SPLIT QUERYDATE: 07/17/00
TIME: 08:30:19
PAGE: 1

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
36-02645	WILDING, C. H.	C	02/06/1958	L/	GROUNDWATER	IRR	WR
X36-02645			00/00/0000	/Z		IRR	WR
X36-02645A			00/00/0000	/Z		IRR	WR
X36-02645B	VAN BEEK, JOHN W	C	02/06/1958	D/	GROUNDWATER	STOCK	WR
						COMMER	
X36-02645C	VAN BEEK, JOHN W	C	02/06/1958	L/	GROUNDWATER	IRR	WR
X36-02645D	VAN BEEK, JOHN W	C	02/06/1958	L/	GROUNDWATER	STOCK	WR

36-02645	VAN BEEK, JOHN W	C	02/06/1958	D/	GROUNDWATER	P DECR	AJ
A36-02645	VAN BEEK, JOHN W	C	02/06/1958	L/	GROUNDWATER	IRR	AJ
R36-02645	VAN BEEK, JOHN W	C	02/06/1958	D/	GROUNDWATER	P DECR	AJ

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEXDATE: 07/17/00
PAGE: 1

WATER RIGHT NUMBER	NAME	CFS
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X36-02645	RIGHT SPLIT INTO PARTS A & B THRU APPROVED TRANSFER 5503.	
X36-02645A	RIGHT SPLIT INTO PARTS C (5505) & D (5504) BY APPROVED TRANSFERS.	
X36-02645B	VAN BEEK , JOHN W	0.17
X36-02645C	VAN BEEK , JOHN W	1.24
X36-02645D	VAN BEEK , JOHN W	0.09

MICROFILMED

NOV 08 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5504
WATER RIGHT NO. 36-02645D

This is to certify that: **JOHN W VAN BEEK**
213 W 400 S
JEROME ID 83338

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.09 CFS	21.6 AF

SOURCE

GROUNDWATER

Priority: 02/06/1958

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 10, Township 09S, Range 16E
JEROME County

PLACE OF USE: STOCKWATER

TWN RGE SEC

09S 16E 10 SWNE

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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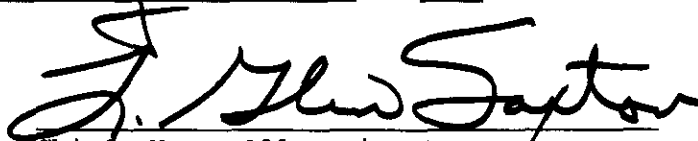
NOV 08 2000

TRANSFER NO. 5504
WATER RIGHT NO. 36-02645D

CONDITIONS OF APPROVAL AND REMARKS

4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Dated this 17 th day of July, 2000.


Chief, Water Allocation Bureau

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NOV 08 2000

District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

Important Information About Your Water Right

December 12, 2001

RECEIVED

DEC 14 2001

John W Van Beek
213 W 400 S
Jerome, ID 83338

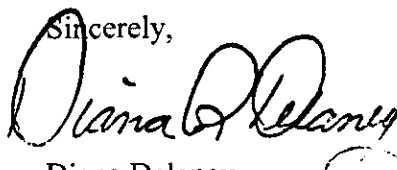
Department of Water Resources

Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an **Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc** (hereinafter "**Order**") for water right number 36-02645. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The purpose of the **Order** is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the **Order**, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This **Order** also incorporates into the **Partial Decree** an express statement that the **Partial Decree** is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This **Order**, in combination with the **Partial Decree** that was issued for this water right on January 15, 1998, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the **Partial Decree** to show evidence of this water right. The original of this **Order** and the original of the **Partial Decree** for this water right are on file with SRBA Court. If you do not have a copy of the original **Partial Decree**, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the **Order** is entered **Nunc Pro Tunc**, meaning that the **Order** will be treated as if it were issued on the same date that the **Partial Decree** was originally issued.

Sincerely,

Diana Delaney
Case Administrator

**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	)	Water Right 36-02645
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for the above-captioned irrigation water right on January 15, 1998. The period of use element 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. Following remand, 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*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*.

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 03-15 to 11-15

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

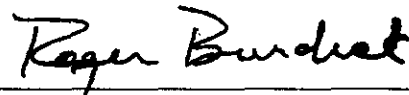
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

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.

Dated December 12, 2001.



ROGER 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 36-02645

1997 JUN 15 AM 11:29

[Handwritten signature]
JUL 15 1997

NAME & ADDRESS: JOHN W VAN BEEK
213 W 400 S
JEROME ID 83338

SOURCE: GROUNDWATER

QUANTITY: 1.5 CFS
480.0 AFY

PRIORITY DATE: 02/06/1958

POINT OF DIVERSION: T09S R16E S10 NESENE Within JEROME County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		Irrigation Season	1.5 CFS 480.0 AFY

PLACE OF USE:	IRRIGATION	Within JEROME County			
	T09S R16E S10	SWNE 40	SENE 40	NESE 20	NWSE 20
	120 ACRES TOTAL				

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.

[Handwritten signature of Daniel C. Hurlbutt, Jr.]

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

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-2645D

WATER RIGHT NUMBER: 36-2645D

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN W VAN BEEK 213 W 400 S JEROME, ID 83338 (208)324-8904

Priority Date: 02/06/1958

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.090 CFS	21.60 AF
	<u>Total Diversion:</u>	0.090 CFS	21.60 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 10, Twp 09S, Rge 16E, B.M.
JEROME County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	16E	10			X														

Conditions of Approval:

- C18 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. SECTION 42-1412(6), IDAHO CODE.

Remarks:

- Explanatory THIS RIGHT IS A SPLIT FROM FORMER RIGHT 36-2645A.

Comments:

- vhancock 11/16/2001 TRANSFER 5504
Comment: TRANSFER 5503 SPLIT 36-2645 INTO PARTS A (IRRIGATION) AND B (COMMERCIAL AND STOCK).
TRANSFER 5504 SPLIT 36-2645A INTO PARTS C (IRRIGATION) AND D (STOCKWATER).

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-2645D

Dates and Other Information:

Licensed Date:
Decreed Date: 12/12/2001
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits: