

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)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 29-00376

2004 SEP 29 AM 11:45
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: HELEN TOLER
MAURICE A TOLER
231 E GLOVER RD
ARIMO, ID 83214

SOURCE: GARDEN CREEK TRIBUTARY: MARSH CREEK

QUANTITY: 0.75 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.50 CFS. COMBINED RIGHT NOS.:
29-376, 29-377, 29-389, 29-390, 29-4079, AND 29-4080.

PRIORITY DATE: 05/01/1887

POINT OF DIVERSION: T10S R36E S07 SWNWNE Within Bannock County
S11 SENWNW
SWSENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.75 CFS

PLACE OF USE:	Irrigation	Within Bannock County	
	T10S R36E S02	SWNE 7.3 NESW 23.0 SESW 19.0 NENW 4.4 SWNW 26.0 NWSW 10.0	SENW 1.4 SWSW 5.4 NWSE 3.8 NWNW 15.0 SENW 1.9
	S11		
	117.2 Acres Total		

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 117.2 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 29-376, 29-377, 29-389, 29-390, 29-4079,
AND 29-4080.

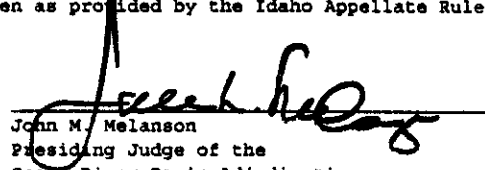
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 37.5 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.


John M. Melanson
Presiding Judge of the
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 29-00377

2004 SEP 29 AM 11:45
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *mm*

NAME AND ADDRESS: HELEN TOLER
MAURICE A TOLER
231 E GLOVER RD
ARIMO, ID 83214

SOURCE: GARDEN CREEK TRIBUTARY: MARSH CREEK

QUANTITY: 1.00 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.50 CFS. COMBINED RIGHT NOS.:
29-376, 29-377, 29-389, 29-390, 29-4079, AND 29-4080.

PRIORITY DATE: 05/01/1904

POINT OF DIVERSION: T10S R36E S07, SWNWNE Within Bannock County
S11 SENWNW
SWSNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.00 CFS

PLACE OF USE:	Irrigation	Within Bannock County	
	T10S R36E S02	SWNE 7.3	SENE 1.4
		NESW 23.0	SWSW 5.4
		SESW 19.0	NWSE 3.8
	S11	NENW 4.4	NWNW 15.0
		SWNW 26.0	SENE 1.9
		NWSW 10.0	
	117.2 Acres Total		

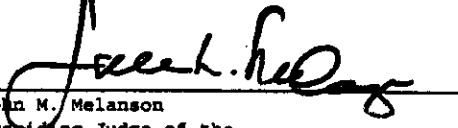
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 117.2 ACRES IN A SINGLE IRRIGATION SEASON
COMBINED RIGHT NOS.: 29-376, 29-377, 29-389, 29-390, 29-4079,
AND 29-4080.

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

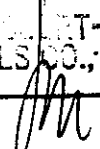
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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.


John M. Melanson
Presiding Judge of the
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 29-00389

2004 SEP 29 AM 11:45
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED 

NAME AND ADDRESS: HELEN TOLER
MAURICE A TOLER
211 E GLOVER RD
ARIMO, ID 83214

SOURCE: GARDEN CREEK TRIBUTARY: MARSH CREEK

QUANTITY: 0.75 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 3.50 CFS. COMBINED RIGHT NOS.: 29-376, 29-377,
29-389, 29-390, 29-4079 AND 29-4080.

PRIORITY DATE: 05/01/1896

POINT OF DIVERSION: T10S R36E S07 SWNWNE Within Bannock County
S11 SENWNW
SWSENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.75 CFS

PLACE OF USE:	Irrigation	Within Bannock County	
	T10S R36E S02	SWNE 7.3	SENE 1.4
		NESW 23.0	SWSW 5.4
		SESW 19.0	NWSE 3.8
	S11	NENW 4.4	NWNW 15.0
		SWNW 26.0	SENE 1.9
		NWSW 10.0	
	117.2 Acres Total		

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 117.2 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 29-376, 29-377, 29-389, 29-390, 29-4079,
AND 29-4080.

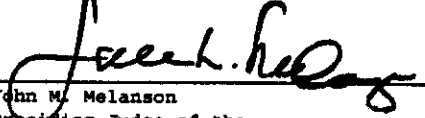
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 37.5 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.



John M. Melanson
Presiding Judge of the
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 29-00390

2004 SEP 29 AM 11:45
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: HELEN TOLER
MAURICE A TOLER
231 E GLOVER RD
ARIMO, ID 83214

SOURCE: GARDEN CREEK TRIBUTARY: MARSH CREEK

QUANTITY: 1.00 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 3.50 CFS. COMBINED RIGHT NOS.: 29-376, 29-377,
29-389, 29-390, 29-4079, AND 29-4080.

PRIORITY DATE: 05/01/1904

POINT OF DIVERSION: T10S R36E S07 SENWNE Within Bannock County
S11 SENWNW
SWSENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.00 CFS

PLACE OF USE:	Irrigation		Within Bannock County
	T10S R36E S02	SWNE 7.3	SENW 1.4
		NESW 23.0	SWSW 5.4
		SESW 19.0	NWSE 3.8
	S11	NENW 4.4	NWNW 15.0
		SWNW 26.0	SENW 1.9
		NWSW 10.0	
	117.2 Acres Total		

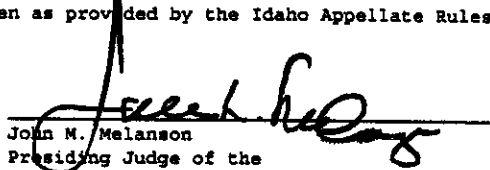
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COMBINED RIGHT NOS.: 29-376, 29-377, 29-389, 29-390, 29-4079,
AND 29-4080.

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John M. Melanson
Presiding Judge of the
Snake River-Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE was mailed on September 29, 2004, with sufficient first-class postage to the following:

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

HELEN TOLER
MAURICE A TOLER
231 E GLOVER RD
ARIMO, ID 83214
Phone: 208-254-3361

2004 SEP 29 AM 11:45
DISTRICT CLERK-SRBA
TWIN FALLS CO., IDAHO
FILED 