

2004 SEP -1 AM 11: 58
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

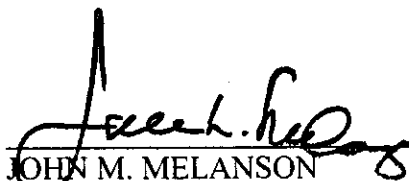
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right: 35-07784
	)	
_____	)	

On June 30, 2004, a *Special Master's Report and Recommendation* was filed for water right 35-07784. 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 Recommendation* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 35-07784 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED September 1, 2004.


JOHN M. MELANSON
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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 35-07784

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED *MM*

NAME AND ADDRESS: MICKELSEN PROPERTIES LLC
1050 WEST RIVERVIEW DRIVE
IDAHO FALLS, ID 83401

SOURCE: GROUNDWATER

QUANTITY: 3.21 CFS

USE OF THIS RIGHT WITH RIGHT NO. 35-02595 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.43 CFS.
USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1100 AF.

PRIORITY DATE: 02/07/1978

POINT OF DIVERSION: T04N R37E S28 SWSE Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	3.21 CFS

PLACE OF USE:	Irrigation	Within Jefferson County	
	T04N R37E S28	NESW 40.0	SWSW 35.0
		SESW 40.0	NESE 40.0
		NWSE 40.0	SWSE 40.0
		SESE 40.0	
	275.0 Acres Total		

USE OF THIS RIGHT WITH RIGHT NO. 35-02595 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 275 ACRES 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
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

2004 SEP 01 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): 35-07784

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE was mailed PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 35-07784 on September 01, 2004, with sufficient first-class postage prepaid, to the following:

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

ABERDEEN-AMERICAN FALL GROUND
ABERDEEN-AMERICAN FALLS GROUND
BINGHAM GROUND WATER DIST.
BINGHAM GROUND WATER DISTRICT
MICKELSEN PROPERTIES LLC
UPPER VALLEY IRRIGATORS ASSOC
UPPER VALLEY IRRIGATORS ASSOC.

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

FREMONT-MADISON IRR DIST

Represented by:
JERRY R. RIGBY
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

CERTIFICATE OF MAILING

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• *Journal of the American Medical Association*

1. *Phragmites* (common reed) is a tall, grass-like plant that grows in wetlands. It is a native species and is often found in large, dense stands. It is a common sight in the marshes of the New York City area.

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INFORMATION REPORT FOR THE YEAR 1991

51453 OF 51454

AIRCRAFT CARRIER'S OFFICE

305 4120

DISC, ID 8 711-4449

JULIE MURPHY
Chief Deputy Clerk