

RECEIVED
JUL 21 2004
Department of Water Resources

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	)	Subcase Nos. Attached
	)	
Case No. 39576	)	
_____	)	CERTIFICATION

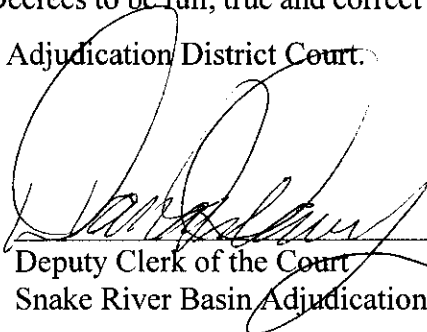
State of Idaho

County of Twin Falls ss.

I hereby certify the attached Partial Decrees to be full, true and correct copies of the originals on file with the Snake River Basin Adjudication District Court.

DATED July 20, 2004




Deputy Clerk of the Court
Snake River Basin Adjudication

UNCONTESTED RIGHTS IN 3/9/04 DIR'S RPT

Subcase Nos:

29-07467
29-13574
29-13640
31-07567
34-00017A
34-00053F
34-00176A
34-00807B
34-00832A
34-07431
34-13551
34-13560
34-13584
35-12387
35-13379
35-13475
36-07470
36-15972
36-15973
36-15974
36-15981
36-16081
41-10278
43-13212
43-13261
43-13321
65-09632
65-10973
65-22653
65-22670
65-22678
72-16610

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 36-15981

NAME AND ADDRESS: DUNCAN LIMITED PARTNERSHIP
PKD PROPERTIES LLC
750 E 100 S
RUPERT, ID 83350

SOURCE: GROUND WATER

Right holder shall comply with the drilling permit requirements
of Section 42-235, Idaho Code.

QUANTITY: 0.65 CFS
140.00 AFY

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.
This right and rights 36-15974, 36-15975, 36-15976, 36-15977,
36-15978, 36-15979, and 36-15980 when combined shall not exceed
a total diversion rate of 3.57 cfs, a total annual maximum
diversion volume of 960 af at the field headgate. Rights
36-15980 and 36-15981 when combined shall not exceed a total
diversion rate of 0.65 cfs.

PRIORITY DATE: 02/10/1981

POINT OF DIVERSION: T07S R25E S36 NENENE Within Minidoka County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-01 TO 10-31 0.65 CFS
140.00 AFY

The period of use for the irrigation described in this approval
may be extended to a beginning date of 3/15 and an ending date
of 11/15 provided that beneficial use of the water can be shown
and other elements of the right are not exceeded. The use of
water before 4/1 and after 10/31 is subordinate to all water
rights having no subordinated early or late irrigation use and a
priority date earlier than January 10, 2002

PLACE OF USE: Irrigation Within Blaine County
T07S R26E S30 NESW 32.0 LOT 3 (NWSW)32.0
LOT 4 (SWSW)32.0 SESW 32.0
S31 NENW 32.0 LOT 1 (NWNW)32.0
192.0 Acres Total

This right and rights 36-15974, 36-15975, 36-15976, 36-15977,
36-15978, 36-15979, and 36-15980 when combined shall not exceed
a total irrigation of 240 acres in a single irrigation season.
This right is limited to the irrigation of 35 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

OTHER PROVISIONS (continued)

entry of a final unified decree. Section 42-1412(6), Idaho Code.

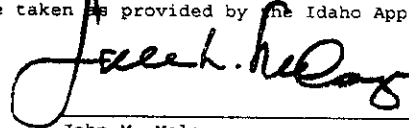
The right holder shall accomplish the change authorized by this transfer by January 10, 2003.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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