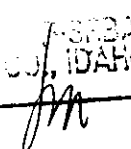


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SRBA
TWIN FALLS CO., IDAHO
FILED 

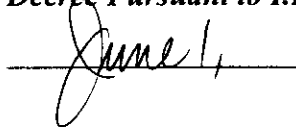
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right: 29-02566
	)	
_____	)	

On April 16, 2004, a *Special Master's Report and Recommendation* was filed for water right 29-02566. 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 wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 29-02566 be **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED  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)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 29-02566

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

NAME AND ADDRESS: PAUL KENDELL
3131 W NEELEY RD
AMERICAN FALLS, ID 83211

SOURCE: GROUND WATER

QUANTITY: 1.40 CFS
292.00 AFY

PRIORITY DATE: 07/19/1961

POINT OF DIVERSION: T08S R30E S11 SWSWSW Within Power County
SESWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.40 CFS 292.00 AFY

PLACE OF USE:	Irrigation	Within Power County
	T08S R30E S10	NESE 5.2 SWSE 4.7
		SESE 36.0 LOT 1 () 3.9
	S11 LOT 3	(NESW) 9.1 NESW 10.0
		NWSW 12.0 LOT 4 (NWSW) 17.0
		SWSW 40.0 SESW 39.0
	S14	NWNW 35.0
	S15	NENE 13.0 LOT 1 (NENE) 6.9
		NWNE 2.1
	233.9 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 83 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
THE USE OF WATER UNDER THIS RIGHT IS LIMITED TO THE SOUTH SIDE
OF THE SNAKE RIVER.

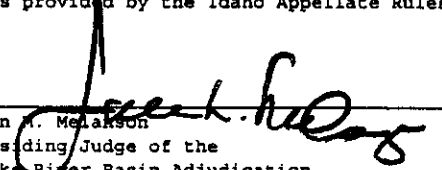
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE USE OF WATER UNDER THIS RIGHT DOES NOT INCLUDE USE ON
FEDERAL PUBLIC LAND.

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 A. Melanson
Presiding Judge of the
Snake River Basin Adjudication

2004 JUN 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): 29-02566

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 29-02566 was mailed
on June 01, 2004, with sufficient first-class postage prepaid
to the following:

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

USDI BLM
USDI BUREAU OF RECLAMATION
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

PAUL KENDELL
3131 W NEELEY RD
AMERICAN FALLS, ID 83211
Phone: 208-226-2161

JULIE MURPHY
Chief Deputy Clerk