

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED
2004 APR 1 PM 12 43

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	)	Water Right No. 31-07638A
	)	
_____	)	

On February 2, 2004, a *Special Master's Report and Recommendation* was filed for the above water right. 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 31-027638A be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED April 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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

FILED

2004 APR 1 PM 12 43

In Re SRBA)
)
Case No. 39576)
)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 31-07638A

NAME AND ADDRESS: BLAINE L LARSEN
CONNIE LARSEN
PO BOX 188
HAMER, ID 83425-0188

SOURCE: GROUND WATER

QUANTITY: 0.76 CFS
118.40 APY

THE COMBINED DIVERSION VOLUME OF RIGHTS LISTED BELOW IS LIMITED
TO A FIVE YEAR AVERAGE ANNUAL VOLUME OF 346.6 AF.*** COMBINED
RIGHT NOS.: 31-07610A, 31-07612A, 31-07621A, 31-07638A. COMBINED
DIVERSION VOLUME OF RIGHTS LISTED BELOW SHALL NOT EXCEED 7540 AF
PER YEAR WHEN AVERAGED OVER A ROLLING FIVE YEAR PERIOD. COMBINED
RIGHTS: 31-07052C, 31-07052N, 31-07052P, 31-07214,
31-07214D, 31-07368A, 31-07368B, 31-07369B, 31-07369C, 31-07069D,
31-07439B, 31-07605, 31-07606, 31-07607, 31-07608, 31-07609, 31-07610,
31-07611, 31-07612, 31-07613, 31-07614, 31-07615, 31-07616, 31-07617,
31-07618, 31-07619, 31-07620, 31-07621, 31-07622, 31-07623, 31-07624,
31-07625, 31-07626, 31-07627, 31-07628, 31-07629, 31-07630, 31-07631,
31-07632, 31-07633, 31-07634, 31-07635, 31-07636, 31-07637, 31-07638.
USE OF THIS RIGHT WITH RIGHT NO. 31-07621A IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.33 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 205.3 AF.***

PRIORITY DATE: 03/29/1984

POINT OF DIVERSION: T09N R36E S26 NWSEW Within Clark County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	0.76 CFS 118.40 APY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE [APRIL 15] AND AFTER [OCTOBER 15] UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN
THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.***

PLACE OF USE:	Irrigation	Within Clark County
	T09N R36E S26	
	NWNE 6.1	SWNE 8.7
	NENW 36.3	NWNW 22.5
	SWNW 28.4	SENE 39.7
	NESW 5.1	NWSW 1.4
	148.2 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 50.8 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 148.2 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-07610A, 31-07612A,
31-07621A, 31-07638A.***

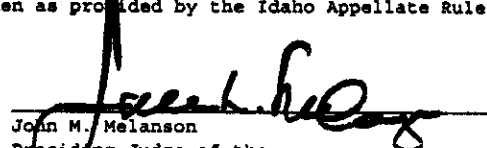
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE RIGHT HOLDER SHALL PROVIDE AN ANNUAL SUMMARY OF PUMPING
VOLUMES TO THE DEPARTMENT AS PUBLIC RECORD.***

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.


Joan M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

2004 APR 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)
)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 31-07638A

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 31-07638A was mailed
on April 01, 2004, with sufficient first-class postage prepaid
to the following:

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

BLAINE L LARSEN
CONNIE LARSEN
PO BOX 188
HAMER, ID 83425-0188
Phone: 208-662-5501

JULIE MURPHY
Chief Deputy Clerk