

n Re SRBA
Case No. 39576

ORDER OF AMENDED PARTIAL DECREE;
I.R.C.P. 60(a)
For Water Right 35-07720

DATED January 12, 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 _____

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 35-07720

2004 JAN 12 AM 11 51

NAME AND ADDRESS: BURLEIGH TOMCHAK
MABEL TOMCHAK
458 S BASSETT RD
ROBERTS, ID 83444

SOURCE: GROUND WATER

QUANTITY: 2.36 CFS

USE OF THIS RIGHT WITH ALL OTHER RIGHTS IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 472 AF AT THE FIELD HEADGATE
FOR THE LANDS BELOW.
USE OF THIS RIGHT WITH RIGHT NOS. 35-7744 AND 35-10255 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 11.16 CFS.

PRIORITY DATE: 04/22/1979

POINT OF DIVERSION: T04N R37E S03 LOT 5 (SWSW) Within Jefferson County
S04 NWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.36 CFS

PLACE OF USE: Irrigation Within Jefferson County

T04N R37E S03 LOT 8 (NWNE) 24.0	LOT 7 (SWNE) 21.0
LOT 6 (NESW) 28.0	NWSW 40.0
LOT 5 (SWSW) 2.0	NWSE 3.0
118.0 Acres Total	

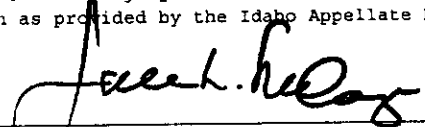
USE OF THIS RIGHT WITH RIGHT NO. 01-7017 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 118 ACRES IN A SINGLE
IRRIGATION SEASON.

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
Presiding Judge of the
Snake River Basin Adjudication

2004 JAN 12 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): 35-07720

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 35-07720 was mailed
on January 12, 2004, with sufficient first-class postage prepaid
to the following:

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

BURLEIGH TOMCHAK
MABEL TOMCHAK
458 S BASSETT RD
ROBERTS, ID 83444
Phone: 208-228-6871

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

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