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Department of Water Resources

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
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**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

ORDER OF PARTIAL DECREES

For Water Rights 35-07246M and 35-07246N

On April 17, 2003, a *Special Master's Report and Recommendation* was filed for each of the above water rights. 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 rights 35-07246M and 35-07246N are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED June 2, 2003.

Roger Burdick

ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

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Deputy Clerk

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DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

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JUN - 2 2003

By _____ Clerk

Deputy Clerk

In Re SRBA) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 35-07246N

NAME AND ADDRESS: REID G STEWART
3100 W 1000 S
ABERDEEN, ID 83210

SOURCE: GROUNDWATER

QUANTITY: 0.35 CFS
140.00 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.86 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1052 AF. COMBINED RIGHT NOS.:
35-02312B, 35-02540, 35-02821B, 35-07246L

PRIORITY DATE: 09/05/1972

POINT OF DIVERSION: T04S R31E S30 NWSW Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.35 CFS
			140.00 AFY

PLACE OF USE:	Irrigation		Within Bingham County
	T04S R30E S25	SESE 30.0	
	R31E S30	NESW 32.0	NWSW 35.0
		SWSW 35.0	SESW 34.0
		NWSE 32.0	SWSE 32.0
	S31	NWNE 30.0	SWNE 30.0
		NENW 30.0	SENW 25.0
	345.0 Acres Total		

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 35 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 263 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-02312B, 35-02540, 35-02821B, 35-07246L

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.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication