

Department of Water Resources

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2003 MAY 12 PM 3 57

**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

For Water Right 31-00201

ORDER OF PARTIAL DECREE

The elements for the above-captioned water right were initially reported in the *Director's Report for Irrigation and Other Water Rights, Reporting Areas 8, IDWR Basin 31*, filed May 10, 2001. The right was uncontested. However, the *Director's Report* contained some clerical errors that were apparent from the face of the *Report*. At the request of the Court, on March 24, 2003, IDWR filed a *Corrected Director's Report* making the necessary corrections. The filing of the *Corrected Director's Report* appeared on the SRBA docket sheet and the objection period expired April 28, 2003. No objections were filed.

Therefore, IT IS ORDERED that water right 31-00201 is hereby **decreed** as set forth in the attached ***Partial Decree Pursuant to I.R.C.P. 54(b)***.

DATED May 12, 2003.

Roger Burdick

ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS CO., IDAHO

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PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 31-00201

2003 MAY 12 PM 3 57

NAME AND ADDRESS: JERRY L CLARK
3600 E 826 N
MENAN, ID 83434

ROBERT L CLARK
3617 E 800 N
MENAN, ID 83434

ROGER W CLARK
809 N 3600 E
MENAN, ID 83434

SOURCE: EAST MODOC CREEK

TRIBUTARY: MODOC CREEK

POINT OF INJECTION INTO EAST MODOC CREEK. POINT OF
REDIVERSION FROM MODOC CREEK.

QUANTITY: 12.00 CFS
227.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 15.6 CFS. COMBINED RIGHT NOS.
31-00199, 31-00200, 31-00201, 31-00364

PRIORITY DATE: 05/01/1913

POINT OF DIVERSION:	T13N R35E S10	SWSW	(Injection)	Within Clark County
		SWSW		
	T14N R35E S23	NENWSE	(Rediversion)	
	S24	NWNESW	(Rediversion)	

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation from Storage	05-01 TO 10-31	227.00 AFY
	Irrigation	05-01 TO 10-31	12.00 CFS
	Irrigation Storage	01-01 TO 12-31	227.00 AFY

PLACE OF USE:	Irrigation	Within Clark County
	T14N R35E S13	SWSW 26.0
	S24	SESW 10.0
		NENE 31.0
		NWNE 27.0
		SWNE 37.0
		SENE 40.0
		NENW 39.0
		NWNW 40.0
		SNNW 26.0
		SENW 31.0
		NESW 14.0
		NESE 40.0
		NWSE 31.0
		SWSE 13.0
		SESE 37.0
	R36E S19 LOT 1	(NWNW) 1.0
	LOT 4	LOT 2 (SNNW) 28.0
	534.0 Acres Total	(SWSW) 35.0
		SESW 28.0
	Irrigation from Storage	Within Clark County
	Same as Irrigation	

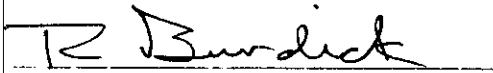
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 534 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00199, 31-00200,
31-00201, 31-00364

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