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Department of Water Resources

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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	)	ORDER OF PARTIAL DECREE FOR
	)	WATER RIGHT 37-8812;
Case No. 39576	)	
	)	ORDER DISALLOWING WATER RIGHT
	)	CLAIM 36-2504
	)	

The above-captioned water right was originally claimed as water right 36-2504. On April 15, 2002, the Idaho Department of Water Resources (IDWR) filed a *Notice of Completed Administrative Proceeding* and *Amended Director's Report* reporting that pursuant to an administrative transfer proceeding, the point of diversion for water right 36-2504 was transferred to a location within the boundaries of IDWR Administrative Basin 37. IDWR recommended that this water right claim be renumbered to 37-8812 and that water right 36-2504 be disallowed. No objection was filed to this *Amended Director's Report* and the time for filing objections has expired.

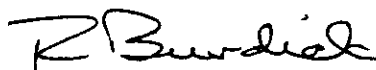
THEREFORE, IT IS ORDERED AND ADJUDGED that water right 37-8812 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

IT IS FURTHER ORDERED AND ADJUDGED that water right claim 36-2504 is hereby **disallowed with prejudice** and shall not be confirmed in any partial decree or in any final decree entered in the SRBA, Case No. 39576, in whatever form that final decree may take or be styled.

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.

DATED 7-30-02



ROGER S. BURDICK
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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-08812

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: FALKNER LAND & LIVESTCK CO INC
1989 S 1875 E
GOODING, ID 83330

SOURCE: GROUNDWATER

QUANTITY: 0.82 CFS
212.00 AFY

PRIORITY DATE: 08/07/1961

POINT OF DIVERSION: T06S R15E S31 SESW Within Gooding County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.82 CFS
			212.00 AFY

PLACE OF USE:	Irrigation	Within Gooding County
	T06S R15E S31	NWNE 11.0
		SENE 23.0
		NESW 4.0
		NWSE 15.0
	53.0 Acres Total	

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

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE FOR 37-8812; ORDER DISALLOWING 36-2504 was mailed on July 30, 2002, with sufficient first-class postage to the following:

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

FALKNER LAND & LIVESTCK CO INC
1989 S 1875 E
GOODING, ID 83330

FAULKNER LAND & LIVESTOCK
1989 SOUTH 1975 EAST
GOODING, ID 83330
Phone: 208-934-4956