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Department of Water Resources

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DISTRICT COURT-S
TWIN FALLS CO., IDA
FILED _____

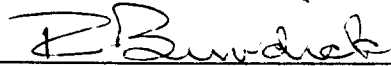
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	For Decreed Water Right 36-8070
	)	(Administratively combined with water right
	)	36-8069B into water right 36-8777)
Case No. 39576	)	
	)	ORDER RE: IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE

A *Partial Decree* was entered for water right 36-8070 ("decreed water right") on December 29, 1997. The period of use element therein was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, pursuant to administrative proceedings conducted before the Idaho Department of Water Resources (IDWR), the decreed water right was combined with water right 36-8069B¹ and designated as 36-8777. On August 2, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for water rights 36-8069B and 36-8777. There are no outstanding objections to IDWR's recommendations. The Court finds that because water right 36-8070 has been subsumed into water right 36-8777, and because water right 36-8777 has been administratively assigned an irrigation period of use, no action is needed with respect to amending the *Partial Decree* for water right 36-8070.

¹ A *Partial Decree* for water right 36-8069B was issued on December 29, 1997, and an amendment to the period of use was issued on January 2, 2002.

DATED: May 22, 2002.

A handwritten signature in black ink, appearing to read "R. Burdick", written over a horizontal line.

ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication