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Department of Water Resources

2002 APR -8 PM 1:44

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

)
)
)
)

ORDER OF PARTIAL DECREE

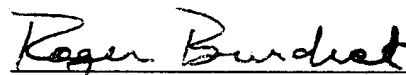
For Water Right 35-02278

On February 13, 2002, a *Special Master's Report and Recommendation* was filed for the above water right. 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 wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 35-02278 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED 4/8/02



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)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 35-02278

2002 APR -8 PM 1:44
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: VAUGHN WOOD
1616 W 700 N
BLACKFOOT, ID 83221

SOURCE: GROUNDWATER

QUANTITY: 2.66 CFS

USE OF THIS RIGHT WITH RIGHT NO. 35-07356 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.46 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1140 AF.

PRIORITY DATE: 11/20/1952

POINT OF DIVERSION: T01S R33E S29 NESE Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.66 CFS

PLACE OF USE:	Irrigation		Within Bingham County
	T01S R33E S28	NWSW 35.0	SWSW 35.0
	S29	SWNE 35.0	SENW 35.0
		NESW 35.0	NESE 35.0
		NWSE 40.0	SESE 35.0
	285.0 Acres Total		

USE OF THIS RIGHT WITH RIGHT NO. 35-07356 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 285 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.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2002 APR 08 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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 35-02278

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 35-02278 was mailed
on April 08, 2002, with sufficient first-class postage prepaid
to the following:

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

C & L FARMS
DEL RAY HOLM
HOLM BROS. PARTNERSHIP, HOLM
R & M FARMS PARTNERSHIP
THEODORE L DEFFINGER
Represented by:
BLAIR J. GROVER
215 FARNSWORTH WAY
PO BOX 36
RIGBY, ID 83442-0036
Phone: 208-745-6653

CERTIFICATE OF MAILING

PAGE 1
04/08/02

ABERDEEN-AMERICAN FALLS

BINGHAM GROUND WATER DISTRICT

UPPER VALLEY IRRIGATORS ASSOC.

VAUGHN WOOD

Represented by:

JEFFREY C. FERRDAY

PO BOX 2720

BOISE, ID 83701-2720

Phone: 208-388-1200

FREMONT MADISON IRRIG. DIST.

Represented by:

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ALBERT & CHRISTINE WADA

BRENT STOLWORTHY

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FRANK S & AGNES H WADA

GERALD J BUTIKOFER

JAY L & MERRI LYNN STOLWORTHY

KENT B CORNELISON

KENT SEARLE

LDS CHURCH

LINDEN J & LOIS J BUTIKOFER

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Phone: 208-523-0620

STATE OF IDAHO

Represented by:

NATURAL RESOURCES DIV CHIEF

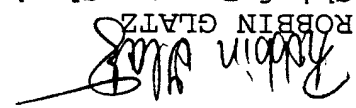
STATE OF IDAHO

ATTORNEY GENERAL'S OFFICE

PO BOX 44449

BOISE, ID 83711-4449

CERTIFICATE OF MAILING


ROBBIN GLATZ
Chief Deputy Clerk