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Department of Water Resources

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

2002 OCT 21 PM 4 37

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

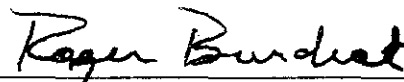
Case No. 39576

)
) ORDER OF PARTIAL DECREE
)
) For Water Rights 43-2441B, 43-2441C and
) 43-2441D

On June 18, 2002, the Idaho Department of Water Resources filed an *Amended Director's Report* recommending that water right claim 43-2441A be split and decreed as 43-2441B, 43-2441C and 43-2441D. No objection was filed to this *Amended Director's Report* and the time for filing objections has expired.

Therefore, IT IS ORDERED that water rights 43-2441B, 43-2441C and 43-2441D are hereby **decreed** as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED October 21, 2002



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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)
_____)

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

Water Right 43-02441B

2002 OCT 21 PM 4 37

NAME AND ADDRESS: GARY B HARPER
2040 E 850 S
DECLO, ID 83323

SOURCE: GROUND WATER

QUANTITY: 1.99 CFS
510.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.8 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1025.6 AF. COMBINED RIGHT NOS.: 43-2356A,
43-2441B, 43-4022A, 43-4023A AND 43-4024C.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 3.4 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 680 AF. COMBINED RIGHT NOS.: 43-2441B,
43-4022A, 43-4023A AND 43-4024C.

PRIORITY DATE: 03/05/1956

POINT OF DIVERSION: T11S R27E S31 NWSESE Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.99 CFS 510.00 AFY

PLACE OF USE:	Irrigation	Within Cassia County
	T11S R27E S31	NENE 32.3 NWNE 32.3 SWNE 32.3 SENE 32.3 NESE 31.9 NWSE 31.9 SWSE 31.9 SESE 31.5
	256.4 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 127.5 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 170 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-02441B, 43-4022A, 43-4023A, 43-4024C.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 256.4 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-2356A, 43-2441B, 43-4022A, 43-4023A &
43-4024C.

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.

A handwritten signature in black ink, reading "Roger Burdick", is written over a horizontal line.

Roger Burdick
Presiding Judge of the
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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

FILED

2002 OCT 21 PM 4 37

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 43-02441C

NAME AND ADDRESS: ROLAND ALLEN LAND & LIVESTOCK
1910 OAKLEY AVE
BURLEY, ID 83318

SOURCE: GROUND WATER

QUANTITY: 8.87 CFS
2318.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 17 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 3645.6 AF. COMBINED RIGHT NOS.: 43-2356B,
43-2441C, 43-4022B, & 43-4023B AND 43-4024D.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 15.78 CFS AND TO A TOTL COMBINED
ANNUAL DIVERSION VOLUME OF 3156 AF. COMBINED RIGHT NOS.:
43-2441C, 43-4022B, 43-4023B AND 43-4024D.

PRIORITY DATE: 03/05/1956

POINT OF DIVERSION: T14S R27E S04 SESESW Within Cassia County
S05 LOT 3 (NENENW)
S09 SESENW
SWSESW
SESESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	8.87 CFS 2318.00 AFY

PLACE OF USE:	Irrigation	Within Cassia County
T13S R27E S32	SWSW 33.4	SESW 33.4
	SWSE 33.1	SESE 33.1
S33	SWSW 32.8	
T14S R27E S04	NENW 36.1	NWNW 36.1
	SWNW 33.4	SENW 33.4
	NESW 33.4	NWSW 33.4
	SWSW 33.4	SESW 33.4
S05	NENE 33.1	NWNE 33.1
	SWNE 20.0	SENE 20.0
	NENW 33.4	NWNW 33.4
S09	NENW 33.4	NWNW 33.4
	SWNW 33.4	SENW 33.4
	NESW 33.4	NWSW 33.4
	SWSW 33.4	SESW 33.4
S33	SESW 32.8	
911.4 Acres Total		

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 579.5 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 911.4 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-2356B, 43-2441C, 43-4022B, 43-4023B
AND 43-4024D.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 789 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-2441C, 43-4022B, 43-4023B & 43-4024D.

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

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

Water Right 43-02441D

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CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE FOR WATER RIGHTS 43-2441B, 43-2441C AND 43-2441D was mailed on October 21, 2002, with sufficient first-class postage to the following:

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

ROLAND ALLEN LAND & LIVESTOCK
1910 OAKLEY AVE
BURLEY, ID 83318

GARY B HARPER
2040 E 850 S
DECLO, ID 83323