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Department of Water Resources

2002 JUL 18 AM 11:01

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

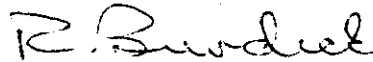
)
) **ORDER OF AMENDED PARTIAL DECREE**

)
) **For Water Right 36-8161**

On June 7, 2002, this Court issued a *Notice of Court's Intent to Issue Amended Partial Decree to Conform with License, and Notice of Hearing Thereon*. At the July 16, 2002 hearing on the matter, no party raised any objection to the Court's proposed course of action.

Therefore, IT IS ORDERED that water right 36-8161 is hereby **decreed** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED July 18, 2002.



ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

AMENDED

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

PAGE 1
Jul-17-2002

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF AMENDED PARTIAL DECREE was mailed on July 18, 2002, with sufficient first-class postage to the following:

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

ARTHUR J DUNFORD
BULAH A DUNFORD
60-A N 1350 W
PAUL, ID 83347
Phone: 208-438-5835

700 DEC 13 PM 2:25

FILED
DISTRICT COURT, IDAHO

**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 36-08161

On November 2, 1992, the Idaho Department of Water Resources (IDWR) filed its *Director's Report, Part 1, For Reporting Area 1 (Basin 36)*, which included a recommendation for the above water right. No objections to this recommendation were filed and the time period for filing objections has now expired.

On August 2, 1999, in response to the Idaho Supreme Court decision in *A&B Irrigation District v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), 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 a recommendation for the irrigation season of use for this water right. No objections to this Supplemental Report were filed and the time period for filing objections has now expired.

Therefore, IT IS ORDERED that water right 36-08161 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED Dec 13, 2000.



Barry Wood
Administrative District Judge and
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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 36-08161

200 DEC 13 PM 2:25
FILED
TWIN FALLS, IDAHO

NAME AND ADDRESS: ARTHUR J DUNFORD
BULAH A DUNFORD
60 N 1350 W
PAUL, ID 83347

SOURCE: GROUNDWATER

QUANTITY: 4.00 CFS

PRIORITY DATE: 03/31/1983

POINT OF DIVERSION: T09S R21E S24 NWNESE Within Jerome County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	4.00 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY
OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE
A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:	Irrigation		Within Jerome County
	T09S R21E S13	SESE 30.0	
	S24	NENE 40.0	SENE 40.0
		NESE 25.0	
	R22E S18	SWSW 40.0	SESW 40.0
	S19	NENW 40.0	NWNW 40.0
		SWNW 40.0	SENW 40.0
		NESW 25.0	NWSW 40.0
		NWSE 20.0	
	460.0 Acres Total		

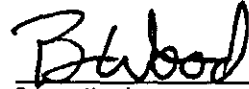
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION
IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION
OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS
SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL
BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY
IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

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, appearing to read "B. Wood", is written over a horizontal line.

Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

2000 DEC 13 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)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 36-08161

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 36-08161 was mailed
on December 13, 2000, with sufficient first-class postage prepaid
to the following:

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

ARTHUR J DUNFORD
BULAH A DUNFORD
60 N 1350 W
PAUL, ID 83347
Phone: 208-438-5835

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
12/13/00