

700 DEC 13 AM 10:31

FILED
TWIN FALLS CO., IDAHO
T-SRBA

**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

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)
)
)

ORDER OF PARTIAL DECREE

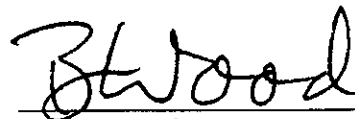
For Water Right 36-07931B

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 Irrigaion 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 36-07931B 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)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-07931B

200 DEC 13 AM 10:31
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: MARY ELLEN ROTH
SIMON A ROTH
17400 NE 88TH ST
VANCOUVER, WA 98682

SOURCE: WASTE WATER TRIBUTARY: SINKS

QUANTITY: 2.25 CFS
692.00 AFY

PRIORITY DATE: 08/04/1980

POINT OF DIVERSION: T09S R18E S17 NWSENE Within Jerome County
SWNESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.25 CFS 692.00 AFY

PLACE OF USE:	Irrigation		Within Jerome County
	T09S R18E S16	NWNW 6.0	SWNW 38.0
		SENW 7.0	NESW 6.0
		NWSW 36.0	SWSW 32.0
		SESW 1.0	
	S17	NENE 13.0	NWNE 32.0
		SWNE 40.0	SENE 38.0
		NENW 24.0	NWNW 31.0
		SWNW 33.0	SENW 32.0
		NESW 31.0	NWSW 20.0
		SWSW 2.0	SESW 17.0
		NESE 40.0	NWSE 40.0
		SWSE 29.0	SESE 26.0
	574.0 Acres Total		

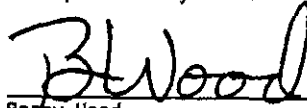
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 173 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH OTHER RIGHTS IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 2296 AF, A TOTAL COMBINED
ANNUAL CONSUMPTIVE USE VOLUME OF 1722 AF, AND TO THE IRRIGATION
OF A COMBINED TOTAL OF 574 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.

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
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In Re SRBA)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 36-07931B

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 36-07931B 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

MARY ELLEN ROTH
SIMON A ROTH
17400 NE 88TH ST
VANCOUVER, WA 98682

DIANA DELANEY
Chief Deputy Clerk