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JAN - 9 2002

Department of Water Resources

2002 JAN -3 PM 12: 28

FILED
T-SRBA
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 36-7906A and 36-7906B

On June 23, 2000, the Idaho Department of Water Resources filed an *Amended Director's Report* recommending that water right claim 36-7906 be split and decreed as 36-07906A and 36-07906B. No objection was filed to this *Amended Director's Report* and the time for filing objections has expired.

Therefore, IT IS ORDERED that water right 36-7906A and 36-7906B are hereby **decreed** as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED January 8, 2002.



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 36-07906B

2002 JAN -8 PM 12:28
FILED *One* SRBA
TWIN FALLS, IDAHO

NAME AND ADDRESS: MARTIN FARMS CO
201 EAST AVE A
JEROME, ID 83338

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SOURCE: GROUNDWATER

QUANTITY: 0.11 CFS
25.40 AFY

quantity of water resources

USE OF THIS RIGHT WITH RIGHT NO. 36-02612B IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.01 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 233.5 AF.

PRIORITY DATE: 03/26/1980

POINT OF DIVERSION: T08S R17E S11 SENE Within Jerome County

TWO POINTS OF DIVERSION LOCATED IN T08S, R17S, S11, SENE.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Stockwater	01-01 TO 12-31	0.11 CFS 24.70 AFY
Commercial	* 01-01 TO 12-31	0.11 CFS 0.70 AFY

THE WATER USED FOR COMMERCIAL PURPOSES UNDER THIS APPROVAL IS
APPLIED TO AND IRRIGATES LAND ADJACENT TO THE PLACE OF USE
DESCRIBED ABOVE TO SATISFY WATER QUALITY REQUIREMENTS. WATER
SHALL NOT IRRIGATE GROWING PLANTS UNLESS THE WATER IS FIRST
BENEFICIALLY USED IN THE DAIRY AS AUTHORIZED BY THESE WATER
RIGHTS.

PLACE OF USE: Stockwater Within Jerome County
T08S R17E S11 SWNE SENE
Commercial Within Jerome County
Same as Stockwater

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

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2002 JAN 08 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *OM*

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): 36-07906B

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 36-07906B was mailed
on January 08, 2002, with sufficient first-class postage prepaid
to the following:

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

MARTIN FARMS CO
201 EAST AVE A
JEROME, ID 83338

Lettie Messick
LETTIE MESSICK
Chief Deputy Clerk

CERTIFICATE OF MAILING

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01/08/02