

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
DEC 19 2001	
By _____	Clerk
_____	Deputy Clerk

**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	)	
	)	ORDER OF PARTIAL DECREE
Case No. 39576	)	
_____	)	For Water Right 36-07734

On November 2, 1992, the Idaho Department of Water Resources (IDWR) filed its *Director's Report, Part 1, For Reporting Area 3 (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 36-07734 is hereby **decreed** as set forth in the attached ***Partial Decree Pursuant to I.R.C.P. 54(b)***.

DATED December 19, 2001.

Roger Burdick

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 36-07734

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

DEC 19 2001

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: DON & EVELYN AARDEMA
132A W 500 S
JEROME, ID 83338

SOURCE: GROUNDWATER

QUANTITY: 1.00 CFS
195.60 AFY

PRIORITY DATE: 03/11/1977

POINT OF DIVERSION: T09S R16E S02 SESWSW Within Jerome County

TWO POINTS OF DIVERSION LOCATED IN SESWSW, S2, T9S, R16E.
RIGHT NO. 36-07250 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE, AND THE TOTAL COMBINED RATE OF DIVERSION OF
THESE RIGHTS IS LIMITED TO 1.25 CFS.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.60 CFS 120.00 AFY
	Stockwater	01-01 TO 12-31	0.85 CFS 52.00 AFY
	Domestic DOMESTIC/4 HOMES;STO	01-01 TO 12-31	0.10 CFS 4.80 AFY
	Commercial	01-01 TO 12-31	0.15 CFS 18.80 AFY

PLACE OF USE:	USE	QUANTITY	LOCATION
Irrigation	T09S R16E S02	NWSW 20.0	Within Jerome County
			SWSW 10.0
		30.0 Acres Total	
Stockwater	T09S R16E S02	NWSW	Within Jerome County
			SWSW
Commercial	T09S R16E S02	SWSW	Within Jerome County
Domestic	T09S R16E S02	SWSW	Within Jerome County

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

THIS RIGHT WHEN COMBINED WITH RIGHT 36-07250 IS LIMITED TO A
COMBINED DIVERSION VOLUME OF 52.0 AFA. IT ALSO IS LIMITED TO
18.8 AFA DIVERSION VOLUME FOR COMMERCIAL USES IN THE DAIRY BARN.
THE TOTAL COMBINED USE IS LIMITED TO 1200 DAIRY COWS AND 300 DRY
STOCK.

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