

200 DEC 13 AM 10:24
SRBA
TWIN FALLS, 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

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)
)

ORDER OF PARTIAL DECREE

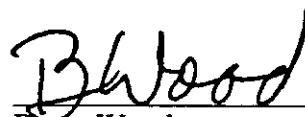
For Water Right 36-07591D

On April 7, 1998, the Idaho Department of Water Resources filed an *Amended Director's Report* recommending that water right claim 36-07591 be split and decreed as 36-07591D and 36-07591E. No objection was filed to this *Amended Director's Report* and the time for filing objections has 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 36-07591D is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED Dec 12, 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 36-07591D

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T-SRBA
TWIN FALLS CO., IDAHO

NAME AND ADDRESS: KOHNTOPP FARM INVESTMENT GROUP
2709 E 800 S
HAZELTON, ID 83335

SOURCE: GROUNDWATER

QUANTITY: 5.54 CFS
1258.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 36-14595A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.54 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1659.2 AF.

PRIORITY DATE: 12/29/1975

POINT OF DIVERSION: T07S R16E S22 SWSWNE Within Jerome County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	5.54 CFS 1258.00 AFY

PLACE OF USE:	Irrigation	Within Jerome County
	T07S R16E S14	SWSW 20.0
	S15	SWSE 36.0
	S22	NENE 39.4
		SWNE 22.6
		NENW 39.0
		SWNW 38.0
	S23	NENW 4.0
		SWNW 14.0
	414.8 Acres Total	

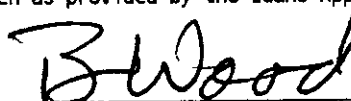
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 314.5 ACRES
WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

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
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

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CERTIFICATE OF MAILING

Water Right(s): 36-07591D

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 36-07591D 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

KOHNTOPP FARM INVESTMENT GROUP
2709 E 800 S
HAZELTON, ID 83335
Phone: 208-438-5437

DIANA DELANEY
Chief Deputy Clerk