

1997 SEP -9 AM 9:48
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

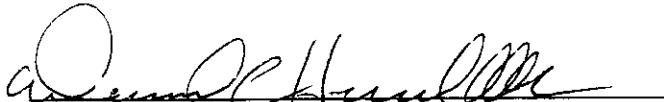
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 36-07529B
_____	)	

On June 24, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 14a, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 36-07529B be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED September 9, 1997.


DANIEL C. HURLBUTT, JR.
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 36-075298

FILED
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
1997 SEP -9 AM 9:49

NAME & ADDRESS: MACK NEIBAUR
RT 1 BOX 1478
PAUL ID 83347

SOURCE: GROUNDWATER

QUANTITY: 1.48 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-02070K IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.7 CFS, AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 940 AF.

PRIORITY DATE: 03/28/1975

POINT OF DIVERSION: T07S R23E S34 NESESE Within MINIDOKA County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION Irrigation Season 1.48 CFS

PLACE OF USE: IRRIGATION Within MINIDOKA County
T07S R23E S34 NESW 40 NWSW 39 NESE 39 NWSE 40
SWSE 39 SESE 38
235 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-02070K IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 235 ACRES IN A SINGLE
IRRIGATION SEASON.

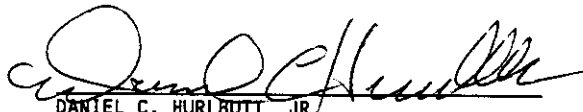
DATED: SEP 9 9 1997


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

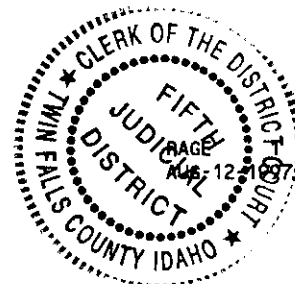
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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.

DATED: SEP 9 9 1997


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-075298

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.
ROBERT S. FORT
CLERK OF THE DISTRICT COURT
By 
DEPUTY CLERK



RECEIVED

MAR - 8 2002

Department of Water Resources

MAR - 7 PM 4:00

DISTRICT COURT
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

ORDER OF PARTIAL DECREE

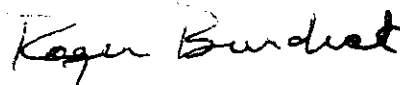
For Water Right 36-07529B

On January 22, 2002, a *Second Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Second Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Second Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 36-07529B is hereby decreed as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED 3/7/02



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

AMENDED

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 36-07529B

202 JAN -7 PM 4:00
DISTRICT COURT SRBA
TWIN FALLS, IDAHO
FILED

NAME AND ADDRESS: MACK W NEIBAUR
511 W 1200 N
PAUL, ID 83347

SOURCE: GROUNDWATER

QUANTITY: 1.48 CFS
625.30 AFY

USE OF THIS RIGHT WITH RIGHT NO. 36-02070K IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.7 CFS, AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 940 AF.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 9.89 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 2180 AF.
COMBINED RIGHT NOS.: 36-02070J, 36-02070K AND 36-07529A

PRIORITY DATE: 03/28/1975

POINT OF DIVERSION: T07S R23E S34 NENE Within Minidoka County
SESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.48 CFS 625.30 AFY

PLACE OF USE:	Irrigation	Within Minidoka County
	T07S R23E S34	
	NENE 36.0	NWNE 39.0
	SWNE 40.0	SENE 39.0
	NENW 39.0	NWNW 38.0
	SWNW 39.0	SENW 40.0
	NESW 40.0	NWSW 39.0
	NESE 39.0	NWSE 40.0
	SWSE 39.0	SESE 38.0
	545.0 Acres Total	

USE OF THIS RIGHT WITH RIGHT NO. 36-02070K IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 235 ACRES IN A SINGLE
IRRIGATION SEASON.

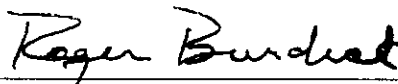
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 235 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2002 MAR 07 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): 36-07529B

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 36-07529B was mailed
on March 07, 2002, with sufficient first-class postage prepaid
to the following:

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

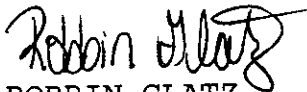
STATE OF IDAHO
Represented by:
CLIVE STRONG
NATURAL RESOURCES
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720-0010
Phone: 208-334-2400

MACK W NEIBAUR
Represented by:
WILLIAM T GOODMAN
717 - 7TH STREET
PO BOX D
RUPERT, ID 83350
Phone: 208-436-4774

CERTIFICATE OF MAILING

PAGE 1
03/07/02

MACK W NEIBAUR
511 W 1200 N
PAUL, ID 83347
Phone: 208-532-4175


ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 2
03/07/02