



**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 36-07456B**

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 36-07456B is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED December 19, 2001.

A handwritten signature in black ink, reading "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 )  
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PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 36-07456B

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

DEC 19 2001

By \_\_\_\_\_ Clerk  
Deputy Clerk

NAME AND ADDRESS: LEON MC KAY  
601 E 750 N  
JEROME, ID 83338

SOURCE: GROUNDWATER

QUANTITY: 0.89 CFS  
310.00 AFY

PRIORITY DATE: 03/20/1974

POINT OF DIVERSION: T07S R17E S13 NESESE Within Jerome County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|-------------------------------|----------------|----------------|------------------------|
|                               | Irrigation     | 03-15 TO 11-15 | 0.89 CFS<br>310.00 AFY |

PLACE OF USE: Irrigation Within Jerome County  
T07S R17E S13 NWSE 30.0 SWSE 40.0  
SESE 7.5  
77.5 Acres Total

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*

Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication