

2002 JUN 10 PM 3:35

FILED *DM* SRBA
TWIN FALLS, 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 36-07409A

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.

On February 16, 2001, IDWR filed a *Notice of Completed Administrative Proceeding* with an *Amended Director's Report* attached recommending a substitution of party for water right claim 36-07409A. 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 36-07409A is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED January 10, 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 36-07409A

2002 JUN 10 PM 3:35
DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO
FILED *ON*

NAME AND ADDRESS: HAWKINS LAND INVESTMENT
302 S 230 W
JEROME, ID 83338

SOURCE: GROUNDWATER

QUANTITY: 2.19 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-07631A IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 5.36 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1072 AF

PRIORITY DATE: 11/21/1973

POINT OF DIVERSION: T08S R15E S07 NWSENE Within Gooding County
SWSWE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.19 CFS

PLACE OF USE:	Irrigation	Within Gooding County
	T08S R15E S07	NENE 35.0 SWNE 40.0
		SENE 40.0 NESE 40.0
		NWSE 40.0 SWSE 38.0
		SESE 35.0
	268.0 Acres Total	

USE OF THIS RIGHT WITH RIGHT NO. 36-07631A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 268 ACRES IN A SINGLE
IRRIGATION SEASON

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 254 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

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2002 JAN 10 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS, CO, IDAHO
FILED DM

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): 36-07409A

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 36-07409A was mailed
on January 10, 2002, with sufficient first-class postage prepaid
to the following:

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

HAWKINS LAND INVESTMENT
302 S 230 W
JEROME, ID 83338


LETTIE MESSICK
Chief Deputy Clerk

CERTIFICATE OF MAILING

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