

JAN 14 2002

2002 JAN 14 AM 11:31

FILED  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 36-07379A

On June 15, 1998, the Idaho Department of Water Resources filed an *Amended Director's Report* recommending that water right claim 36-07379 be split and decreed as 36-07379A and 36-07379B. 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.

On January 25, 2001, the Idaho Department of Water Resources filed an *Amended Director's Report* recommending a substitution of party for 36-07379A. 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 36-07379A is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED January 14, 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)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-07379A

2002 JAN 14 AM 11:31
DISTRICT COURT - SRBA
TWIN FALLS, IDAHO
FILED *[Signature]*

NAME AND ADDRESS: VANDERHAM BROTHERS
13575 WALKER
ONTARIO, CA 91761

SOURCE: GROUNDWATER

QUANTITY: 1.96 CFS
528.00 AFY

PRIORITY DATE: 09/18/1973

POINT OF DIVERSION: T08S R14E S13 SESWNW Within Gooding County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.96 CFS 528.00 AFY

PLACE OF USE:	Irrigation	Within Gooding County
	T08S R14E S13	NENW 5.0 SWNW 31.0 NESW 33.0
		NWNW 31.0 SENW 32.0
	132.0 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

2002 JAN 14 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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 36-07379A

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 36-07379A was mailed
on January 14, 2002, with sufficient first-class postage prepaid
to the following:

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

VANDERHAM BROTHERS
13575 WALKER
ONTARIO, CA 91761


LETTIE MESSICK
Chief Deputy Clerk