

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

200 DEC 13 AM 10:46

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 36-00072

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: JUDY OSBORNE
LAYNE OSBORNE
966A JUSTICE GRADE
HAGERMAN, ID 83332

SOURCE: SPRING NO. ONE TRIBUTARY: SNAKE RIVER

QUANTITY: 0.10 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER
FOR STOCKWATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE
DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED.

USE OF THIS RIGHT WITH RIGHTS 36-00071B, 36-00073, AND
36-00074 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
1.29 CFS.

PRIORITY DATE: 06/26/1881

POINT OF DIVERSION: T07S R13E S11 NENENE Within Gooding County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	02-15 TO 11-30	0.10 CFS
	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE: Irrigation Within Gooding County
 T07S R13E S11 NENE 23.5
 23.5 Acres Total

Stockwater Within Gooding County
 T07S R13E S11 NENE

USE OF THIS RIGHT WITH RIGHTS 36-00071B, 36-00073 AND
36-00074 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF
23.5 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2.0 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

DUE TO LEAKAGE FROM THE DITCH BACK INTO THE CREEK IN THE
200 FEET OF DITCH IMMEDIATELY BELOW THE DIVERSION STRUCTURE,
MEASUREMENT OF THIS RIGHT SHALL BE BASED ON THE AMOUNT FLOWING
IN THE DITCH 200 FEET BELOW THE POINT OF DIVERSION.

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 cursive script, appearing to read "B. Wood", 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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 36-00072

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 36-00072 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

NORTH SNAKE GROUND WATER DIST
Represented by:
DANA L. HOFSTETTER
PO BOX 1427
BOISE, ID 83701-1427
Phone: 208-388-8900

JUDY OSBORNE
LAYNE OSBORNE
Represented by:
PATRICK D. BROWN
109 S ADAMS ST
JEROME, ID 83338
Phone: 208-644-1967

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

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12/13/00