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APR 03 2001  
Department of Water Resources

2001 APR -2 AM 8:37  
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

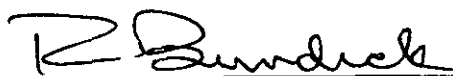
|                |   |                          |
|----------------|---|--------------------------|
| In Re SRBA     | ) | ORDER OF PARTIAL DECREE  |
|                | ) |                          |
| Case No. 39576 | ) | For Water Right 36-04110 |
| _____          | ) |                          |

On February 20, 2001, 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 13f, 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 36-04110 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED APR - 2 2001.

  
\_\_\_\_\_  
ROGER BURDICK  
Presiding Judge of the  
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 36-04110

2001 APR -2 AM 8:37  
DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED

NAME AND ADDRESS: CAROL BAGNALL  
NORMAN L BAGNALL  
571 N MERIDIAN  
RUPERT, ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.85 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-02072 IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 5.20 CFS AND TO A TOTAL COMBINED  
ANNUAL DIVERSION VOLUME OF 1424 AF.

PRIORITY DATE: 04/01/1956

POINT OF DIVERSION: T08S R24E S16 SESWSE Within Minidoka County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 03-15 TO 11-15 | 0.85 CFS |

| PLACE OF USE: | Irrigation        | Within Minidoka County |
|---------------|-------------------|------------------------|
|               | T08S R24E S16     |                        |
|               | NENE 39.0         | NWNE 20.0              |
|               | SWNE 30.0         | SENE 39.0              |
|               | SENE 1.0          | NESW 25.0              |
|               | NWSW 2.0          | SWSW 4.0               |
|               | SESW 39.0         | NESE 40.0              |
|               | NWSE 40.0         | SWSE 39.0              |
|               | SESE 38.0         |                        |
|               | 356.0 Acres Total |                        |

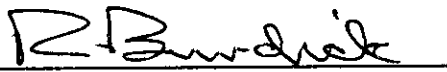
USE OF THIS RIGHT WITH RIGHT NO. 36-02072 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 356 ACRES IN A SINGLE  
IRRIGATION SEASON.

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

RECEIVED

APR 02 2001

2001 APR 02 PM 02:00  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

Department of Water Resources

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): 36-04110

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 36-04110 was mailed  
on April 02, 2001, with sufficient first-class postage prepaid  
to the following:

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

CAROL BAGNALL  
NORMAN L BAGNALL  
571 N MERIDIAN  
RUPERT, ID 83350

DIANA DELANEY  
\_\_\_\_\_  
Chief Deputy Clerk