

JAN 14 2002

2002 JAN 14 PM 1:28

FILED
JAN 14 2002
CLERK OF DISTRICT COURT
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

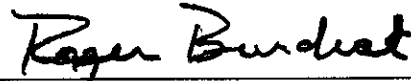
ORDER OF PARTIAL DECREE

For Water Right 36-02538A and 36-02538B

On May 22, 1998, the Idaho Department of Water Resources filed an *Amended Director's Report* recommending that water right claim 36-02538 be split and decreed as 36-02538A and 36-02538B. 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 36-02538A and 36-02538B are hereby **decreed** as set forth in the attached *Partial Decrees 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

2002 JAN 14 PM 1:28

In Re SRBA)
PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
Water Right 36-02538B

FILED

NAME AND ADDRESS: JOLENE MILLER
TERRY MILLER
1200 E 800 N
RUPERT, ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.15 CFS
63.40 AFY

USE OF RIGHT NOS. 36-02105B AND 36-02538B IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 93.6 AF.

USE OF RIGHT NOS. 36-02105B, 36-02109D, 36-02342B, 36-02447D,
36-02469G, 36-02538B AND 36-07823B IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 2.166 CFS AND A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 516.9 AF.

PRIORITY DATE: 03/15/1962

POINT OF DIVERSION: T07S R26E S30 SWSE Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.15 CFS 63.40 AFY

PLACE OF USE:	Irrigation	Within Blaine County
	T07S R26E S30	NENE 32.5 NWNE 32.5 SWSE 32.5 SESE 32.5
	130.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 23.4 ACRES IN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF RIGHT NOS. 36-02105B AND 36-02538B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 23.4 ACRES IN A SINGLE
IRRIGATION SEASON.

USE OF RIGHT NOS. 36-02105B, 36-02109D, 36-02342B, 36-02447D,
36-02469G, 36-02538B AND 36-07823B IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 130 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

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): 36-02538B

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 36-02538B 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

JOLENE MILLER
TERRY MILLER
1200 E 800 N
RUPERT, ID 83350



LETTIE MESSICK
Chief Deputy Clerk

CERTIFICATE OF MAILING

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