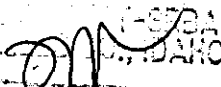


JAN 15 2002

2002 JAN 14 PM 1:28

FILED  36-02538A
COUNTY OF 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

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

2002 JUN 14 PM 1:28
FILED *[Signature]*
TWIN FALLS, IDAHO

NAME AND ADDRESS: JOLENE MILLER
TERRY D MILLER
1175 E 800 N
RUPERT, ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.85 CFS
359.10 AFY

USE OF RIGHT NOS. 36-02105A, 36-02342A, 36-02538A AND 36-07823A
IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.54 CFS AND A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1324.0 AF.

USE OF RIGHT NOS. 36-02105A AND 36-02538A IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 514.4 AF.

PRIORITY DATE: 03/15/1962

POINT OF DIVERSION: T08S R26E S17 SWNE Within Blaine County
NENW
NWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.85 CFS 359.10 AFY

PLACE OF USE:	Irrigation	Within Blaine County
	T08S R26E S17	
	NENE 31.0	NWNE 33.0
	SWNE 35.0	SENE 32.0
	NENW 33.0	SENW 33.0
	NESE 35.0	NWSE 33.0
	SWSE 33.0	SESE 33.0
	331.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 128.6 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF RIGHT NOS. 36-02105A AND 36-02538A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 128.6 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).

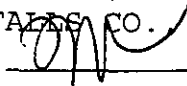
RULE 54(b) CERTIFICATE

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.

A handwritten signature in black ink, reading "Roger Burdick", is written over a horizontal line.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

JAN 14 2002

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): 36-02538A

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 36-02538A 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 D MILLER
1175 E 800 N
RUPERT, ID 83350



LETTIE MESSICK
Chief Deputy Clerk