

2002 OCT 23 PM 2 57

**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 Rights 36-2520A and 36-2520B**  
)

On May 24, 2002, the Idaho Department of Water Resources filed an *Amended Director's Report* recommending that water right claim 36-2520 be split and decreed as 36-2520A and 36-2520B. No objection was filed to this *Amended Director's Report* and the time for filing objections has expired.

Therefore, IT IS ORDERED that water rights 36-2520A and 36-2520B are hereby **decreed** as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED October 23, 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

FILED

2002 OCT 23 PM 2 57

In Re SRBA )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 36-02520A

NAME AND ADDRESS: STANLEY LEHMANN  
1743 E 3000 S  
WENDELL, ID 83355

SOURCE: GROUNDWATER

QUANTITY: 1.37 CFS

USE OF THIS RIGHT WITH RIGHT 36-2426C IS LIMITED TO A TOTAL  
COMBINED DIVERSION RATE OF 1.50 CFS, A TOTAL COMBINED ANNUAL  
DIVERSION VOLUME OF 308 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE  
USE VOLUME OF 231 AF.

PRIORITY DATE: 10/02/1961

POINT OF DIVERSION: T08S R14E S01 NESENW Within Gooding County

## PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------|----------------|----------------|----------|
|                | Irrigation     | 04-01 TO 10-31 | 1.37 CFS |

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS  
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,  
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE  
OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK  
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY  
OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE  
A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: Irrigation Within Gooding County  
T08S R14E S01 S01W 37.0 SENW 40.0  
77.0 Acres Total

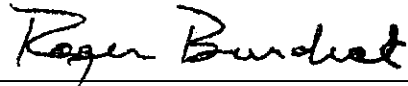
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 70.6 ACRES WITHIN THE  
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.  
USE OF THIS RIGHT WITH RIGHT 36-2426C IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 77 ACRES IN A SINGLE IRRIGATION  
SEASON.

## 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.



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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

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED

2002 OCT 23 PM 2 57

In Re SRBA )  
Case No. 39576 )  
PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 36-02520B

NAME AND ADDRESS: TONY M CIOCCA  
TRINA A CIOCCA  
1668 E 2900 S  
WENDELL, ID 83355

SOURCE: GROUNDWATER

QUANTITY: 0.13 CFS  
25.60 AFY

RIGHT 36-08255 WHEN COMBINED WITH RIGHTS 36-02425A 36-02425D &  
36-02520B SHALL NOT EXCEED A TOTAL COMBINED DIVERSION RATE OF  
2.38 CFS.

PRIORITY DATE: 10/02/1961

POINT OF DIVERSION: T08S R14E S01 NESENE Within Gooding County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY              |
|-------------------------------|----------------|----------------|-----------------------|
|                               | Irrigation     | 03-15 TO 11-15 | 0.13 CFS<br>25.60 AFY |

PLACE OF USE: Irrigation Within Gooding County  
T08S R14E S01 LOT 1 (NENE) 36.0 LOT 2 (NWNE) 39.0  
SWNE 40.0 SENE 39.0  
154.0 Acres Total

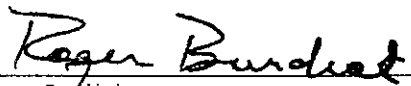
RIGHT 36-02520B IS LIMITED TO THE IRRIGATION OF 6.4 ACRES IN THE  
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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  
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Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication

**CERTIFICATE OF MAILING**

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE FOR WATER RIGHT 36-2520A AND 36-2520B was mailed on October 23, 2002, with sufficient first-class postage to the following:

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

TONY M CIOCCA  
TRINA A CIOCCA  
1668 E 2900 S  
WENDELL, ID 83355

STANLEY LEHMANN  
1743 E 3000 S  
WENDELL, ID 83355