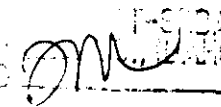


2002 JAN 10 AM 9:09

FILED  ID-SCDA
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

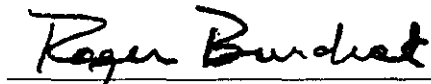
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ORDER OF PARTIAL DECREE

For Water Right 36-02440A and 36-02440B

On July 12, 2000, the Idaho Department of Water Resources filed an *Amended Director's Report* recommending that water right claim 36-02440 be split and decreed as 36-02440A and 36-02440B. 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 36-02440A and 36-02440B are hereby **decreed** as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED January 10, 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 10 AM 9:09

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-02440B

FILED
JAN 10 2002
JAN 10 2002
JAN 10 2002

NAME AND ADDRESS: BLAINE E MILLER
250 S EDEN RD
JEROME, ID 83338

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS
12.60 AFY

USE OF RIGHT NOS. 36-02409D, 36-02440B, 36-02543B, 36-02637C AND
36-07096B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .23
CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 42.0 AF.

PRIORITY DATE: 06/01/1960

POINT OF DIVERSION: T08S R19E S35 SWNW Within Jerome County
TWO POINTS OF DIVERSION ARE LOCATED WITHIN T08S, R19E, S35, SWNW.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.06 CFS 12.00 AFY
	Commercial	* 01-01 TO 12-31	0.06 CFS 0.60 AFY

COMMERCIAL USE IS FOR A DAIRY.

PLACE OF USE:	Stockwater		Within Jerome County
	T08S R19E S35	SWNW	
	Commercial		Within Jerome County
	T08S R19E S35	NENW	NWNW
		SWNW	SENW

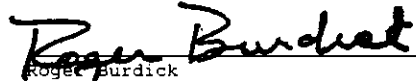
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED
AS A PART OF THE DIVERTING WORKS.

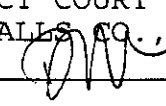
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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 10 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): 36-02440B

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 36-02440B was mailed
on January 10, 2002, with sufficient first-class postage prepaid
to the following:

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

BLAINE E MILLER
250 S EDEN RD
JEROME, ID 83338



LETTIE MESSICK
Chief Deputy Clerk