

707 JUN 10 AM 11:55

FILED ON SRBA
JUN 10 2002
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 Rights 36-02409D and 36-02409E

On May 26, 2000, the Idaho Department of Water Resources filed *Notices of Completed Administrative Proceedings* containing *Amended Director's Reports* recommending that water right claims 36-02409A and 36-02409B be split/combined and decreed as 36-02409D and 36-02409E. No objections were filed to these *Amended Director's Reports* and the time for filing objections has expired.

Therefore, IT IS ORDERED that water rights 36-02409D and 36-02409E 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

202 JAN 10 AM 11:55

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 36-02409E

FILED *on* 1-10-2010

NAME AND ADDRESS: LINDA K WATERS
TIM H WATERS
1931 HUNT RD
JEROME, ID 83338

SOURCE: GROUNDWATER

QUANTITY: 4.70 CFS
1248.80 AFY

USE OF RIGHT NOS. 36-02409E, 36-02440A, 36-02543A, 36-02637B,
36-07096A AND 36-07613 IS LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 11.47 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 2804.0 AF.

PRIORITY DATE: 12/02/1959

POINT OF DIVERSION: T08S R20E S29 SENWNW Within Jerome County
S30 SENESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	4.70 CFS 1248.80 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 & 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 Jerome County
	T08S R20E S29	NENW 40.0 NWNW 40.0 SENW 35.0 SWSW 40.0
	S30	NENE 40.0 NWNE 40.0 SWNE 40.0 SENE 40.0 NESW 33.0 SESW 33.0 NESE 40.0 NWSE 40.0 SWSE 40.0 SESE 40.0
	S31	NENE 40.0
	S32	NWNW 40.0
	701.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 312.2 ACRES IN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.

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

Roger Bardick
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): 36-02409E

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 36-02409E 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

LINDA K WATERS
TIM H WATERS
1931 HUNT RD
JEROME, ID 83338



LETTIE MESSICK
Chief Deputy Clerk