

DEC 24 2001

Department of Water Resources

2001 DEC 19 PM 2:21

OF 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

Case No. 39576

ORDER OF PARTIAL DECREE

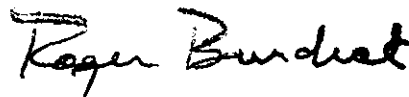
For Water Right 36-02363

On November 2, 1992, the Idaho Department of Water Resources (IDWR) filed its *Director's Report, Part 1, For Reporting Area 3 (Basin 36)*, which included a recommendation for the above water right. No objections to this recommendation were filed and the time period for filing objections has now expired.

On August 2, 1999, in response to the Idaho Supreme Court decision in *A&B Irrigation District v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions* which included a recommendation for the irrigation season of use for this water right. No objections to this Supplemental Report were filed and the time period for filing objections has now expired.

Therefore, IT IS ORDERED that water right 36-02363 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED December 19, 2001.



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

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In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 36-02363

DIST. CLERK
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: RICHARD L KECHTER
RT 4 BOX 4230
BURLEY, ID 83318

SOURCE: GROUNDWATER

QUANTITY: 4.40 CFS

PRIORITY DATE: 11/13/1958

POINT OF DIVERSION: T08S R21E S16 SWNWSE Within Jerome County

RIGHT NO. 36-04200 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE, AND THE TOTAL COMBINED RATE OF DIVERSION OF
THESE RIGHTS IS LIMITED TO 4.40 CFS.

USE OF THIS RIGHT WITH RIGHT NO. 36-04200 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.40 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1484 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 371 ACRES IN A SINGLE IRRIGATION SEASON.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	4.40 CFS

PLACE OF USE:	Irrigation	Within Jerome County
	T08S R21E S16	
	NENE 4.0	NWNE 32.0
	SWNE 40.0	SENE 14.0
	NENW 36.0	NWNW 3.0
	SWNW 5.0	SENW 40.0
	NESW 32.0	SESW 30.0
	NESE 19.0	NWSE 37.0
	SWSE 40.0	SESE 39.0
	371.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 300 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

USE OF THIS RIGHT WITH RIGHT NO. 36-04200 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.40 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1484 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 371 ACRES IN A SINGLE IRRIGATION SEASON.

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