

2001 OCT 29 PM 4:41  
DISTRICT COURT - SRBA  
TWIN FALLS, IDAHO  
FILED *SM*

**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 36-02289C**

On November 2, 1992, the Idaho Department of Water Resources (IDWR) filed its *Director's Report, Part 1, For Reporting Area 1 (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 36-02289C is hereby **decreed** as set forth in the attached ***Partial Decree Pursuant to I.R.C.P. 54(b)***.

DATED October 29, 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

In Re SRBA )  
Case No. 39576 )  
\_\_\_\_\_ )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 36-02289C

2001 OCT 29 PM 4:41  
FILED *MC* SRBA  
TWIN FALLS, IDAHO

NAME AND ADDRESS: JOE VALADAO  
YVONNE VALADAO  
1850 EAST 3400 SOUTH  
WENDELL, ID 83355

SOURCE: GROUNDWATER

QUANTITY: 0.43 CFS  
160.00 AFY

PRIORITY DATE: 12/02/1955

POINT OF DIVERSION: T08S R15E S20 NWSE Within Gooding County  
SWSE

A SINGLE WELL LOCATED WITHIN EITHER THE NWSE OR SWSE, T08S,  
R15E, S20 IS AUTHORIZED UNDER TRANSFER NO. 5346.

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|-------------------------------|----------------|----------------|------------------------|
|                               | Irrigation     | 04-01 TO 10-31 | 0.43 CFS<br>160.00 AFY |

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 R15E S20 NWSE 40.0<br>70.0 Acres Total | SWSE 30.0             |

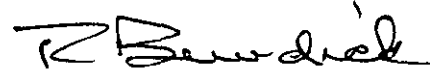
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40 ACRES WITHIN THE  
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

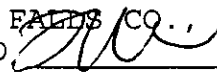
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT  
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY  
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE  
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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, appearing to read "R Burdick", is written over a horizontal line.

Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication

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DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED 

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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )  
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CERTIFICATE OF MAILING

Water Right(s): 36-02289C

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 36-02289C was mailed  
on October 29, 2001, with sufficient first-class postage prepaid  
to the following:

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

JOE VALADAO  
YVONNE VALADAO  
1850 EAST 3400 SOUTH  
WENDELL, ID 83355  
Phone: 208-536-2017



LETTIE MESSICK  
Chief Deputy Clerk