

2002 JUN 19 PM 3:11

FILED SRBA
TWIN FALLS, 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 Rights 36-02264C and 36-02264D

On November 7, 2000, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding* containing an *Amended Director's Report* recommending that water right claim 36-02264A be split and decreed as 36-02264C and 36-02264D. No objections were filed to this *Amended Director's Report* and the time for filing objections has expired.

Therefore, IT IS ORDERED that water rights 36-02264C and 36-02264D 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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 36-02264D

2002 JAN 10 PM 3:11

FILED
T-SRBA
JAN 10 2002
IDAHO

NAME AND ADDRESS: SI ELLEN DAIRY
C/O SIMON ROTH
539 S 800 E
JEROME, ID 83338

SOURCE: GROUNDWATER

QUANTITY: 0.38 CFS
81.00 AFY

PRIORITY DATE: 03/12/1954

POINT OF DIVERSION: T09S R18E S16 SESW Within Jerome County
S17 SENE Within ERROR County

TWO POINTS OF DIVERSION LOCATED IN T09S, R18E, S17, SENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Commercial	01-01 TO 12-31	0.19 CFS 41.00 AFY
	Stockwater	01-01 TO 12-31	0.19 CFS 40.00 AFY

PLACE OF USE:	Stockwater	Within Jerome County
	T09S R18E S16	SENE
		NESW
		NWSW
		SESW
		NWSE
		SESE
	S17	SENE
		NESW
		NWSW
		SESW
		NWSE
		SESE
	Commercial	Within Jerome County
	T09S R18E S09	SENE
		NESW
		NWSW
	S16	SESW
	S17	NWSE
		SESE

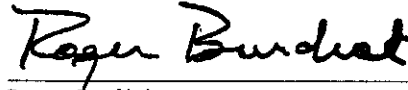
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 Burdick", is written over a horizontal line.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2002 JAN 10 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *DM*

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): 36-02264D

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 36-02264D 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

SI ELLEN DAIRY
C/O SIMON ROTH
539 S 800 E
JEROME, ID 83338

Lettie Messick
LETTIE MESSICK
Chief Deputy Clerk