

**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

) Subcase No. 36-02083A
)
)
) **CERTIFICATION**
)

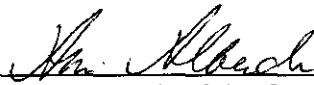
State of Idaho

County of Twin Falls ss.

I hereby certify the attached Partial Decree to be a full, true and correct copy of the original on file with the Snake River Basin Adjudication District Court.

DATED July 16, 1998.





Deputy Clerk of the Court
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)
_____)

AMENDED
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-02083A

1998 JUN 15 PM 12:25

RECEIVED
TWIN FALLS, IDAHO

NAME AND ADDRESS: BLUE LAKES COUNTRY CLUB INC
PO BOX 582
TWIN FALLS, ID 83301

SOURCE: ALPHEUS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 1.15 CFS

PRIORITY DATE: 05/26/1949

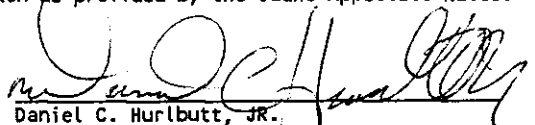
POINT OF DIVERSION: T09S R17E S33 LOT 06 (NWNE) Within Jerome County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	Irrigation Season	1.15 CFS

PLACE OF USE:	Irrigation	Within Jerome County
	T09S R17E S28 LOT 05 () 3.0	LOT 11 () 6.0
	LOT 06 () 7.0	LOT 10 () 2.0
	LOT 12 () 2.0	LOT 14 () 3.0
	S33 LOT 06 () 25.0	LOT 07 () 23.0
	NENE 15.0	
	S34 LOT 11 () 7.0	
	93.0 Acres Total	

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.


Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication

1998 JUL 16 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): 36-02083A

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 36-02083A was mailed
on July 16, 1998, with sufficient first-class postage prepaid
to the following:

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

BLUE LAKES COUNTRY CLUB INC
Represented by:
NORMAN M. SEMANKO
PO BOX 1906
TWIN FALLS, ID 83303
Phone: 208-734-0700

DIANA DELANEY
Chief Deputy Clerk

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 36-02083A

1998 JAN 15 AM 10:40

FILED
TWIN FALLS, IDAHO

NAME & ADDRESS: BLUE LAKES COUNTRY CLUB INC
PO BOX 582
TWIN FALLS ID 83301

SOURCE: ALPHEUS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 1.15 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-14746 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.15 CFS.

PRIORITY DATE: 05/26/1949

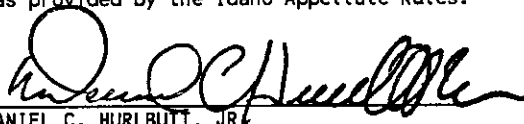
POINT OF DIVERSION: T09S R17E S33 LOT 6 (NWNE) Within JEROME County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	1.15 CFS

PLACE OF USE:	IRRIGATION	Within JEROME County							
	T09S R17E S28	Lot 5	3	Lot 6	7	Lot 10	2	Lot 11	6
		Lot 12	2	Lot 14	3				
	S33	Lot 6	25	Lot 7	23				
	S34	Lot 11	7						
	93 ACRES TOTAL								

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.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

2001 DEC -3 PM 4: 28

STATE OF IDAHO - 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	)	Water Right 36-02083A
	)	
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
_____	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for the above-captioned irrigation water right on July 16, 1998. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on June 24, 1999, 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 an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*.

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 03-15 to 11-15

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

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 a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the ***Partial Decree*** was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the ***Partial Decree***.

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.

Dated December 3, 2001.

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

ROGER BURDICK

Presiding Judge

Snake River Basin Adjudication