

AUG - 9 2001

2001 AUG -8 PM 4: 32

DISTRICT COURT - SRBA
 TWIN FALLS CO., IDAHO
 FILED *[Signature]*

ORDER OF PARTIAL DECREE

For Water Right 36-15458

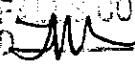
DATED 8-8-2001.

Page 1

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 36-15458

2001 AUG -8 PM 4:33
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED 

NAME AND ADDRESS: DUNCAN LIMITED PARTNERSHIP
DUNCAN, PAUL & KATHY
750 E 100 S
RUPERT, ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.05 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-02678 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.45 CFS AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 632 AF

PRIORITY DATE: 12/31/1978

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS
WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT
DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE
AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO
SECTION 42-1426, IDAHO CODE. THE EARLIER PRIORITY RIGHT IS
THE SUPERIOR RIGHT

POINT OF DIVERSION: T07S R25E S34 SENENE Within Minidoka County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.05 CFS

PLACE OF USE:	Irrigation		Within Minidoka County
	T07S R25E S34	NENE 40.0	NWNE 40.0
		SWNE 39.0	SENE 39.0
	158.0 Acres Total		

USE OF THIS RIGHT WITH RIGHT 36-02678 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 158 ACRES IN A SINGLE
IRRIGATION SEASON

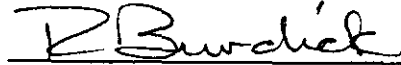
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO.
36-02678 PURSUANT TO SECTION 42-1426, IDAHO CODE

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

2001 AUG 08 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)
)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 36-15458

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 36-15458 was mailed
on August 08, 2001, with sufficient first-class postage prepaid
to the following:

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

STATE OF IDAHO
Represented by:
CLIVE STRONG
NATURAL RESOURCES
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720-0010
Phone: 208-334-2400

ABERDEEN-AMERICAN FALLS GROUND
BINGHAM GROUND WATER DISTRICT
MACK NEIBUAR
MAGIC VALLEY GROUND WATER DIST
RAPLH E BREDDING
TIM DEEG

Represented by:
JEFFREY C. FEREDAY
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

CERTIFICATE OF MAILING

PAGE 1
08/08/01

DUNCAN LIMITED PARTNERSHIP

Represented by:

ROGER D LING

PO BOX 396

RUPERT, ID 83350

Phone: 208-436-4717

A handwritten signature in cursive script that reads "Lettie Messick". The signature is written in dark ink and is positioned above the printed name and title.

LETTIE MESSICK

Chief Deputy Clerk