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APR -3 2001

Department of Water Resources

2001 APR -2 AM 11:03

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

)
)
)
)
ORDER OF PARTIAL DECREE

For Water Rights 35-08635A and 35-08635B

On February 25, 1999, the Idaho Department of Water Resources filed an *Amended Director's Report* recommending that water right claim 35-08635 be split and decreed as 35-08635A and 35-08635B. No objection was filed to this *Amended Director's Report* and the time for filing objections has expired.

Therefore, IT IS ORDERED that water rights 35-08635A and 35-08635B are hereby **decreed** as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED April 2, 2001.



ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

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2001 APR 02 PM 02:00
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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In Re SRBA

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CERTIFICATE OF MAILING

Water Right(s): 35-08635A

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 35-08635A was mailed
on April 02, 2001, with sufficient first-class postage prepaid
to the following:

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

NORTH FORK ENERGY INC
ATTN GREG LANSBERRY
4414 S GEKELER LN
BOISE, ID 83705

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
04/02/01

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 35-08635A

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NAME AND ADDRESS: NORTH FORK ENERGY INC
ATTN GREG LANSBERRY
4414 S GEKELER LN
BOISE, ID 83705

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Department of Water Resources

SOURCE: GROUNDWATER
SPRING

TRIBUTARY: BOOM CREEK

QUANTITY: 0.72 CFS

FACILITY VOLUME 2.10 AF.
USE OF THIS RIGHT WITH RIGHT NOS. 35-04271A, 35-04271B,
35-08635B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
OF 50.72 CFS.

USE OF THIS RIGHT WITH RIGHT NO. 35-08635B IS LIMITED TO
A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 520.30 AF.

PRIORITY DATE: 12/17/1986

POINT OF DIVERSION: T04S R32E S24 NENE Within Bingham County
NWNE
SWNE
SENE
NWSENE

TEN WELLS ARE LOCATED IN T04S, R32E, S24, NE1/4.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Fish Propagation	01-01 TO 12-31	0.72 CFS

PLACE OF USE:	Fish Propagation	Within Bingham County
	T04S R32E S24 SWNE	SENE

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

MEASURING DEVICES OF A TYPE APPROVED BY IDWR SHALL BE
MAINTAINED AT THE POINT OF DIVERSION AND POINT OF EFFLUENT
DISCHARGE.

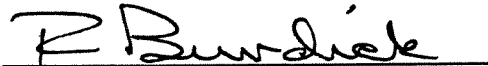
RETURN FLOW SHALL BE TREATED TO INSURE THAT THE EFFLUENT
MEETS IDAHO WATER QUALITY STANDARDS.

WHEN WATER USED UNDER THIS RIGHT IS DISCHARGED INTO THE
NATURAL CHANNEL, SETTLING PONDS MUST BE MAINTAINED WHICH ARE
CAPABLE OF REDUCING THE SILT LOAD TO SUCH A LEVEL THAT THE
QUALITY WILL NOT BE IMPAIRED FOR OTHER BENEFICIAL USES.

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