

2002 FEB 15 PM 2: 55

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

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)
)
ORDER OF PARTIAL DECREE

For Water Right 35-07757

On November 27, 2001, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 35-07757 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED February 4, 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)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 35-07757

2002 FEB 15 AM 9:13
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: GEORGE E PERSCHON
RENEE P PERSCHON
158 N 1200 W
BLACKFOOT, ID 83221

SOURCE: GROUNDWATER

QUANTITY: 0.73 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1248 AF. COMBINED RIGHT
NOS.: 35-02101C, 35-02295, AND 35-02086.

PRIORITY DATE: 11/21/1977

POINT OF DIVERSION: T02S R33E S25 SWNWSW Within Bingham County
SENESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.73 CFS

PLACE OF USE:	Irrigation		Within Bingham County
	T02S R33E S25	NESW 40.0	NWSW 39.0
		SWSW 39.0	SESW 40.0
		NESE 35.0	NWSE 40.0
		SWSE 40.0	SESE 39.0
	312.0 Acres Total		

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 312 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-02101C, 35-02295, AND
35-02086.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 239 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.



Roger Burdick
Presiding Judge of the
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

Water Right(s) : 35-07757

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ABERDEEN-AMERICAN FALLS
BINGHAM GROUND WATER DISTRICT
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RENEE P PERSCHON
UPPER VALLEY IRRIGATORS ASSOC.

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CLYDE M WILSON
DARWIN BROWN
FRANK S & AGNES H WADA
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KENT B CORNELISON
KENT SEARLE
LDS CHURCH
LINDEN J & LOIS J BUTIKOFER
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