

**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 35-07598

On November 30, 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 35-07598 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED February 25, 2002.



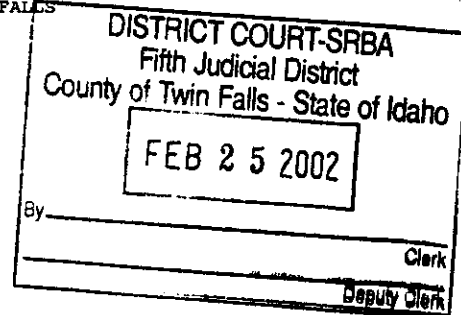
ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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 35-07598



NAME AND ADDRESS: BETTY STIBAL
174 N 1700 W
BLACKFOOT, ID 83221

CHAD STIBAL
174 W 1700 W
BLACKFOOT, ID 83221

SOURCE: GROUNDWATER

QUANTITY: 1.50 CFS

USE OF THIS RIGHT WITH RIGHT NO. 35-02214A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.71 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 1728 AF.

PRIORITY DATE: 03/30/1976

POINT OF DIVERSION: T02S R33E S30 SWNENW Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	1.50 CFS

PLACE OF USE:	Irrigation	Within Bingham County
T02S R32E S25	NENE 34.0 SWNE 39.0	NWNE 36.0 SENE 35.0
R33E S30	NENE 37.0 SWNE 40.0 NENW 39.0	NWNE 39.0 SENE 39.0
	LOT 02 (SWNW) 28.0	LOT 01 (NWNW) 28.0 SENE 38.0
	432.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 163 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

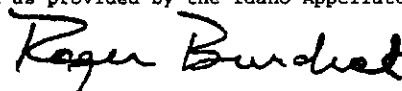
USE OF THIS RIGHT WITH RIGHT NO. 35-02214A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 432 ACRES IN A SINGLE
IRRIGATION SEASON.

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

2002 FEB ²⁵~~19~~ 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): 35-07598

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO L.R.C.P. 54(b) for WATER RIGHT 35-07598 was mailed
on February ~~29~~²⁵, 2002, with sufficient first-class postage prepaid
to the following:

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

C & L FARMS
DEL RAY HOLM
HOLM BROS. PARTNERSHIP, HOLM
R & M FARMS PARTNERSHIP
THEODORE L DEFFINGER

Represented by:
BLAIR J. GROVER
215 FARNSWORTH WAY
PO BOX 36
RIGBY, ID 83442-0036
Phone: 208-745-6653

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

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

CERTIFICATE OF MAILING

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ALBERT & CHRISTINE WADA

BRENT STOLWORTHY

CLYDE M WILSON

DARWIN BROWN

FRANK S & AGNES H WADA

GERALD J BUTIKOFER

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KENT B CORNELISON

KENT SEARLE

LDS CHURCH

LINDEN J & LOIS J BUTIKOFER

MERLE & ULENE BUTIKOFER

MURDOCH-WILSON FARMS

PAUL & ALICE HEYREND

WAYNE HANSEN

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STATE OF IDAHO

Represented by:

NATURAL RESOURCES DIV CHIEF

STATE OF IDAHO

ATTORNEY GENERAL'S OFFICE

PO BOX 44449

BOISE, ID 83711-4449

BETTY STIBAL

174 N 1700 W

BLACKFOOT, ID 83221

CHAD STIBAL

174 W 1700 W

BLACKFOOT, ID 83221

DIANA DELANEY

Chief Deputy Clerk

CERTIFICATE OF MAILING

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