MAY -2 PM 4:50
DISTRICT COURT-SRBA
TWIN FALLS CO.,IDAHO

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	)	
	)	**ORDER OF PARTIAL DECREE**
Case No. 39576	)	
	)	**For Water Right 35-7368D**

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.

On February 12, 2002, the Idaho Department of Water Resources filed an *Amended Director's Report* recommending a change in ownership. No objections were filed to this *Amended Director's Report* and the time period for filing objections has expired.

Therefore, IT IS ORDERED that water right 35-7368D is hereby **decreed** as set forth in the attached ***Partial Decree Pursuant to I.R.C.P. 54(b)***.

DATED May 2, 2002.

Roger Burdick

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	)	PARTIAL DECREE PURSUANT TO
	)	I.R.C.P. 54(b) FOR
Case No. 39576	)	
	)	Water Right 35-07368D

2002 MAY -2 PM 4:50
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

NAME AND ADDRESS: KENT SEARLE A PARTNERSHIP
STANLEY SEARLE A PARTNERSHIP
6267 S 55 W
IDAHO FALLS, ID 83402

SOURCE: GROUNDWATER

QUANTITY: 1.46 CFS
619.70 AFY

USE OF THIS RIGHT WITH RIGHT NO. 35-07000D IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1456 AF.

PRIORITY DATE: 01/11/1974

POINT OF DIVERSION: T01N R36E S21 NENENW NWNWNW Within Bingham County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 10-31	1.46 CFS 619.70 AFY

PLACE OF USE: Irrigation — Within Bingham County

T01N R36E S16	SWSW 19.0	SESW 19.0
	SWSE 19.0	
S17	SESE 7.0	
S20	NENE 38.0	NWNE 15.0
	SWNE 24.0	SENE 24.0
	SENW 6.0	
S21	NENE 5.0	NWNE 39.0
	SWNE 19.0	SENE 5.0
	NENW 40.0	NWNW 40.0
	SWNW 23.0	SENW 22.0

364.0 Acres Total

USE OF THIS RIGHT WITH RIGHT NO. 35-07000D IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 364 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 MAY 02 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): 35-07368D

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 35-07368D was mailed on May 02, 2002, with sufficient first-class postage prepaid to the following:

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

ABERDEEN-AMERICAN FALL GROUND
ABERDEEN-AMERICAN FALLS GROUND
BINGHAM GROUND WATER DISTRICT
KENT SEARLE A PARTNERSHIP
STANLEY SEARLE A PARTNERSHIP
UPPER VALLEY IRRIGATORS ASSOC
UPPER VALLEY IRRIGATORS ASSOC.
Represented by:
JEFFREY C. FEREDAY
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

FREMONT-MADISON IRR DIST
Represented by:
JERRY R. RIGBY
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

DIANA DELANEY
Chief Deputy Clerk