

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 35-04263 |

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 35-04263 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 35-04263

|                                       |              |
|---------------------------------------|--------------|
| DISTRICT COURT-SRBA                   |              |
| Fifth Judicial District               |              |
| County of Twin Falls - State of Idaho |              |
| FEB 25 2002                           |              |
| By _____                              | Clerk        |
| _____                                 | Deputy Clerk |

NAME AND ADDRESS: THOMPSON FARMS  
493 S 1200 W  
PINGREE, ID 83262

SOURCE: GROUNDWATER

QUANTITY: 2.43 CFS  
912.00 AFY

PRIORITY DATE: 03/18/1963

POINT OF DIVERSION: T02S R34E S17 SENESE Within Bingham County

|                               |                |                |                        |
|-------------------------------|----------------|----------------|------------------------|
| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|                               | Irrigation     | 04-01 TO 10-31 | 2.43 CFS<br>912.00 AFY |

|               |                   |                                                                   |
|---------------|-------------------|-------------------------------------------------------------------|
| PLACE OF USE: | Irrigation        | Within Bingham County                                             |
|               | T02S R34E S17     | SWNE 40.0 SENE 32.0<br>NESE 38.0 NWSE 40.0<br>SWSE 40.0 SESE 38.0 |
|               | 228.0 Acres Total |                                                                   |

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF  
WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER  
WATER RIGHTS IN BASIN 35:

|                 |        |
|-----------------|--------|
| WATER RIGHT NO. | SOURCE |
| NONE            | NONE   |

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN  
BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER  
RIGHTS IN THE SNAKE RIVER BASIN

|                 |        |
|-----------------|--------|
| WATER RIGHT NO. | SOURCE |
| NONE            | NONE   |

ALL WATER RIGHTS WITHIN BASIN 35 ARE FROM CONNECTED SOURCES OF  
WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED  
CONJUNCTIVELY.

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 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) : 35-04263

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 35-04263 was mailed  
on February 25, 2002, with sufficient first-class postage prepaid  
to the following:

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

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

THOMPSON FARMS  
493 S 1200 W  
PINGREE, ID 83262  
Phone: 208-684-4254

DIANA DELANEY  
Chief Deputy Clerk

CERTIFICATE OF MAILING

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02/25/02