

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

Case No. 39576

ORDER OF PARTIAL DECREE

For Water Right 35-02797

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 35-02797 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED February 4, 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

Case No. 39576

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

Water Right 35-02797

2002 FEB 15 AM 9:04
DISTRICT COURT-SRBA
IDAHO FALLS, IDAHO

NAME AND ADDRESS: NATURAL GUARDIAN LTD PARTNERSH
PO BOX 50305
IDAHO FALLS, ID 83405

SOURCE: GROUNDWATER

QUANTITY: 24.81 CFS
5324.00 AFY

PRIORITY DATE: 10/28/1965

POINT OF DIVERSION: T02N R36E S17 SENE Within Bonneville County
NENW
SESW
S20 NENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	24.81 CFS 5324.00 AFY

PLACE OF USE:	Irrigation		Within Bonneville County
	T02N R36E S08	NESW 40.0	NWSW 39.0
		SWSW 39.0	SESW 40.0
		NESE 0.5	NWSE 35.0
		SWSE 38.0	SESE 25.0
	S16	NWNW 24.0	SWNW 34.0
		NWSW 39.0	SWSW 37.0
	S17	NENE 40.0	NWNE 37.0
		SWNE 33.0	SENE 40.0
		NENW 38.0	NWNW 34.0
		SWNW 39.0	SENE 40.0
		NESW 40.0	NWSW 39.0
		SWSW 39.0	SESW 40.0
		NESE 40.0	NWSE 40.0
		SWSE 38.0	SESE 40.0
	S20	NENE 40.0	NWNE 40.0
		SWNE 36.0	SENE 40.0
		NENW 40.0	NWNW 32.0
		SWNW 0.5	SENE 16.0
		NESE 26.0	NWSE 17.0
	S21	NWNW 22.0	SWNW 14.0
	1331.0 Acres Total		

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 15 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): 35-02797

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 35-02797 was mailed
on February 15, 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 DIST.
BINGHAM GROUND WATER DISTRICT
NATURAL GUARDIAN LTD PARTNERSH
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

CERTIFICATE OF MAILING

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02/15/02

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