

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

ORDER OF PARTIAL DECREE

For Water Right 35-02488

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 35-02488 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 35-02488

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

FEB 15 2002

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: SCHREINER FARMS LLC
C/O 105 E 8TH
OLYMPIA, WA 98501

SOURCE: GROUNDWATER

QUANTITY: 2.64 CFS

USE OF THIS RIGHT WITH RIGHT NO. 35-02922 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.14 CFS AND IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 764 AF.

PRIORITY DATE: 01/10/1957

POINT OF DIVERSION: T05N R38E S15 SESWN Within Madison County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.64 CFS

PLACE OF USE:	Irrigation	Within Madison County
	T05N R38E S10	NESW 0.5 SESW 14.0 NWSE 1.5 SWSE 27.0 S15 WNNE 26.0 SWNE 8.0 NENW 40.0 NWNW 16.0 SWNW 20.0 SESW 38.0
	191.0 Acres Total	

USE OF THIS RIGHT WITH RIGHT NO. 35-02922 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 191 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 132 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

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)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 35-02488

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 35-02488 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 FALLS GROUND
BINGHAM GROUND WATER DIST.
BINGHAM GROUND WATER DISTRICT
SCHREINER FARMS LLC
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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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