

FEB 19 2000

Department of Water Resources

2002 FEB 15 PM 3: 21

DISTRICT COURT-SRGA
TWIN FALLS CO., IDAHO
FILED

In Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREE

For Water Right 35-02457

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 35-02457 is hereby **decree**d as set forth in the attached ***Partial Decree Pursuant to I.R.C.P. 54(b)***.

DATED February 4, 2002.

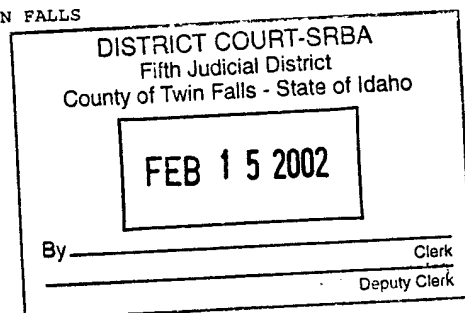
Roger Burdick

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 35-02457



NAME AND ADDRESS: TRUDY SCOTT
WULF A LEBRECHT
PO BOX 834
BLACKFOOT, ID 83221

SOURCE: GROUNDWATER

QUANTITY: 3.22 CFS

USE OF THIS RIGHT WITH RIGHT NO. 35-13045 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.22 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 960 AF.

PRIORITY DATE: 03/27/1956

POINT OF DIVERSION: T03S R31E S21 NESENW Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	3.22 CFS

PLACE OF USE:	Irrigation	Within Bingham County
	T03S R31E S21	NWNE 40.0 SWNE 40.0 NWNW 40.0 SENE 40.0
	240.0 Acres Total	

USE OF THIS RIGHT WITH RIGHT NO. 35-13045 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 240 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 185 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): 35-02457

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 35-02457 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

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

PAGE 1
02/15/02

FREMONT MADISON IRRIG. DIST.

Represented by:

JERRY R. RIGBY

PO BOX 250

REXBURG, ID 83440-0250

Phone: 208-356-3633

ALBERT & CHRISTINE WADA

BRENT STOLWORTHY

CLYDE M WILSON

DARWIN BROWN

FRANK S & AGNES H WADA

GERALD J BUTIKOFER

JAY L & MERRI LYNN STOLWORTHY

KENT B CORNELISON

KENT SEARLE

LDS CHURCH

LINDEN J & LOIS J BUTIKOFER

MERLE & ULENE BUTIKOFER

MURDOCH-WILSON FARMS

PAUL & ALICE HEYREND

WAYNE HANSEN

Represented by:

KENT W FOSTER

PO BOX 50130

IDAHO FALLS, ID 83405

Phone: 208-523-0620

STATE OF IDAHO

Represented by:

NATURAL RESOURCES DIV CHIEF

STATE OF IDAHO

ATTORNEY GENERAL'S OFFICE

PO BOX 44449

BOISE, ID 83711-4449

TRUDY SCOTT

WULF A LEBRECHT

PO BOX 834

BLACKFOOT, ID 83221

Phone: 208-785-4559

DIANA DELANEY

Chief Deputy Clerk