

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

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)
)
ORDER OF PARTIAL DECREE

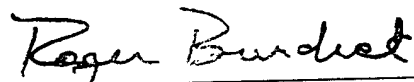
For Water Right 35-02356

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 35-02356 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED March 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 35-02356

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho MAR 04 2002 By _____ Clerk _____ Deputy Clerk

NAME AND ADDRESS: J STANLEY WILLIAMS
NANCY WILLIAMS
1286 W 200 S
PINGREE, ID 83262

SOURCE: GROUNDWATER

QUANTITY: 2.46 CFS
628.00 AFY

PRIORITY DATE: 12/03/1953

POINT OF DIVERSION: T03S R33E S16 NESWSW Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE Irrigation	PERIOD OF USE 04-01 TO 10-31	QUANTITY 2.46 CFS 628.00 AFY
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PLACE OF USE:	Irrigation T03S R33E S16	NESW 38.0 SWSW 40.0	Within Bingham County NWSW 39.0 SESW 40.0
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157.0 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

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2002 MAR 04 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): 35-02356

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 35-02356 was mailed
on March 04, 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
J STANLEY WILLIAMS
NANCY WILLIAMS
UPPER VALLEY IRRIGATORS ASSOC.

Represented by:
JEFFREY C. FEREDAY
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

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

CERTIFICATE OF MAILING

PAGE 2
DIANA DELANEY 03/04/02
Chief Deputy Clerk

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 35-02357

NAME AND ADDRESS: DWIGHT O BRIEN
JANET O BRIEN
2640 W 800 S
STERLING, ID 83210

SOURCE: GROUNDWATER

QUANTITY: 3.12 CFS
1000.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 35-13265 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.12 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 1112 AF.

PRIORITY DATE: 12/05/1953

POINT OF DIVERSION: T04S R31E S10 NENWSW Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	3.12 CFS 1000.00 AFY

PLACE OF USE:	Irrigation	Within Bingham County
	T04S R31E S10	SWNW 40.0 SENW 40.0 NESW 40.0 NWSW 40.0 SWSW 39.0 SESW 39.0 NWSE 40.0
	278.0 Acres Total	

USE OF THIS RIGHT WITH RIGHT NO. 35-13265 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 278 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 250 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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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
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A handwritten signature in black ink, appearing to read "B. Wood", is written over a horizontal line.

Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication