

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED
JAN 19 1964

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 35-02314

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

NAME AND ADDRESS: DELOY WARD
NEAL WARD
SHELLY WARD
VIOLA WARD
1305 S 2ND E
REXBURG, ID 83440

SOURCE: GROUNDWATER

QUANTITY: 6.56 CFS

USE OF THIS RIGHT WITH RIGHT NO. 35-02441 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 10.50 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 2428 AF.

PRIORITY DATE: 03/26/1953

POINT OF DIVERSION: T01S R34E S26 NESWNW Within Bingham County
S35 SWSWNE
SWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	6.56 CFS

PLACE OF USE:	Irrigation	Within Bingham County
T01S R34E S26	SWNE 3.0	NWNW 6.0
	SWNW 40.0	SENW 34.0
	NESW 38.0	NWSW 40.0
	SWSW 39.0	SESW 20.0
	NWSE 6.0	
S34	NENE 17.0	SENE 20.0
	NESE 18.0	SESE 4.0
S35	NWNE 12.0	SWNE 22.0
	NENW 36.0	NWNW 40.0
	SWNW 37.0	SENW 40.0
	NESW 40.0	NWSW 40.0
	SWSW 25.0	SESW 10.0
	NWSE 20.0	
607.0 Acres Total		

USE OF THIS RIGHT WITH RIGHT NO. 35-02441 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 607 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 410 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
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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 35-02314

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 35-02314 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

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
DELOY WARD
NEAL WARD
SHELLY WARD
UPPER VALLEY IRRIGATORS ASSOC.
VIOLA WARD

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
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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:
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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

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DIANA DELANEY 02/25/02
Chief Deputy Clerk