

DISTRICT COURT-SRBA  
TWINFALLS CO., IDAHO  
FILED

**For Water Right 35-02277**

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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 35-02277

|                                                                                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho<br><br><b>FEB 15 2002</b><br><br>By _____ Clerk<br>_____<br>Deputy Clerk |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|

NAME AND ADDRESS: LOWELL T POLATIS  
RUTH W POLATIS  
56 S 1190 W  
BLACKFOOT, ID 83221

SOURCE: GROUNDWATER

QUANTITY: 1.44 CFS

USE OF THIS RIGHT WITH RIGHT NO. 35-07570 IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 3.04 CFS AND TO A TOTAL  
COMBINED ANNUAL DIVERSION VOLUME OF 844 AF.

PRIORITY DATE: 11/11/1952

POINT OF DIVERSION: T03S R33E S18 SENESW Within Bingham County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-01 TO 11-01 | 1.44 CFS |

| PLACE OF USE: | Irrigation         | Within Bingham County        |
|---------------|--------------------|------------------------------|
|               | T03S R33E S18      | NESW 39.0 LOT 03 (NWSW) 30.0 |
|               | LOT 04 (SWSW) 30.0 | SESW 39.0                    |
|               | NWSE 36.0          | SWSE 37.0                    |
|               | 211.0 Acres Total  |                              |

USE OF THIS RIGHT WITH RIGHT NO. 35-07570 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 211 ACRES IN A SINGLE  
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 131 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     | ) | CERTIFICATE OF MAILING   |
|                | ) |                          |
| Case No. 39576 | ) |                          |
| _____          | ) | Water Right(s): 35-02277 |

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 35-02277 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

LOWELL T POLATIS  
RUTH W POLATIS  
Represented by:  
JEFFREY C. FEREDAY  
PO BOX 2720  
BOISE, ID 83701-2720  
Phone: 208-388-1200

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