

2002 JAN 31 AM 8:56

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**

)  
)  
)  
)

**ORDER OF PARTIAL DECREE**

**For Water Right 35-02214C**

On November 7, 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 35-02214C is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED January 31, 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 35-02214C

2002 JAN 31 AM 8:57  
DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

NAME AND ADDRESS: KINDRA N BINGHAM  
TED B BINGHAM  
1656 W 200 N  
BLACKFOOT, ID 83221

SOURCE: GROUNDWATER

QUANTITY: 3.20 CFS  
1008.00 AFY

PRIORITY DATE: 02/02/1952

POINT OF DIVERSION: T02S R33E S19 SWNWNE Within Bingham County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY                |
|----------------------------|----------------|----------------|-------------------------|
|                            | Irrigation     | 04-01 TO 10-31 | 3.20 CFS<br>1008.00 AFY |

| PLACE OF USE: | Irrigation        | Within Bingham County                                                                                                  |
|---------------|-------------------|------------------------------------------------------------------------------------------------------------------------|
|               | T02S R33E S19     | NENE 30.0<br>NWNE 38.0<br>SWNE 31.0<br>SENE 30.0<br>NENW 37.0<br>LOT 01 (NWNW) 27.0<br>LOT 02 (SWNW) 22.0<br>SENE 37.0 |
|               | 252.0 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 JAN 31 PM 02:00  
DISTRICT COURT - SRBA  
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\_\_\_\_\_ )

CERTIFICATE OF MAILING

Water Right(s): 35-02214C

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 35-02214C was mailed  
on January 31, 2002, with sufficient first-class postage prepaid  
to the following:

DIRECTOR OF IDWR  
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R & M FARMS PARTNERSHIP  
THEODORE L DEFFINGER

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ABERDEEN-AMERICAN FALLS  
BINGHAM GROUND WATER DISTRICT  
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KENT B CORNELISON  
KENT SEARLE  
LDS CHURCH  
LINDEN J & LOIS J BUTIKOFER  
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STATE OF IDAHO

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