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2002 JUL 15 PM 4: 49

Department of Water Resources

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**

**AMENDED ORDER OF PARTIAL DECREE**

**For Water Rights 35-13345 and 35-13346**

On May 2, 2002, this Court entered an *Order of Partial Decree* and a *Partial Decrees Pursuant to I.R.C.P. 54(b) for Water Rights 35-13345 and 35-13346*. The *Order of Partial Decree* stated that on December 3, 2001, "the Idaho Department of Water Resources had filed an *Amended Director's Report* recommending that water right 35-2253B be split and decreed as water rights 35-13345 and 13346." This was a typographical error. The *Amended Director's Report* actually recommended that water right 35-2311E be split and decreed as water right 35-13345 and 35-13346.

THEREFORE, IT IS ORDERED that the May 2, 2002, *Order of Partial Decree for Water Rights 35- 13345 and 34-13346* is amended to reflect the correct water right number.

IT IS SO ORDERED.

DATED July 15, 2002.



ROGER S. BURDICK  
Presiding Judge  
Snake River Basin Adjudication

# CERTIFICATE OF MAILING

I certify that a true and correct copy of the AMENDED ORDER OF PARTIAL DECREE was mailed on July 15, 2002, with sufficient first-class postage to the following:

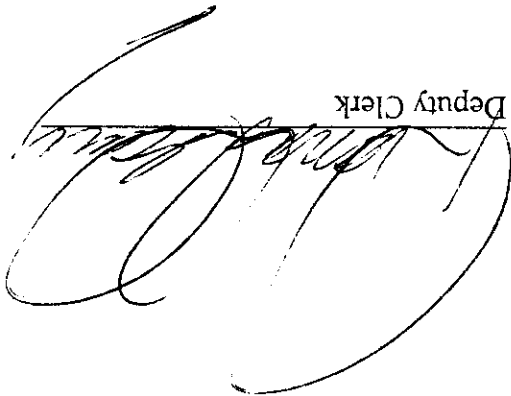
IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

Tom Christensen  
c/o Brenda Anderson  
PO Box 161  
Moreland, ID 83256-0161

Floyd Christensen  
2134 W 200 S  
Pingree, ID 83262

Jeffrey C Fereday  
PO Box 2720  
Boise, ID 83701-2720

Chief, Natural Resources Division  
Office of Attorney General  
PO Box 44449  
Boise, ID 83711-4449

Deputy Clerk  


|                                       |              |
|---------------------------------------|--------------|
| DISTRICT COURT-SRBA                   |              |
| Fifth Judicial District               |              |
| County of Twin Falls - State of Idaho |              |
| MAY - 2 2002                          |              |
| By _____                              | Clerk        |
| _____                                 | Deputy Clerk |

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

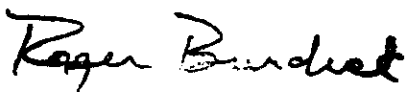
|                       |   |                                               |
|-----------------------|---|-----------------------------------------------|
| <b>In Re SRBA</b>     | ) |                                               |
|                       | ) | <b>ORDER OF PARTIAL DECREE</b>                |
| <b>Case No. 39576</b> | ) |                                               |
| _____                 | ) | <b>For Water Rights 35-13345 and 35-13346</b> |

On November 27, 2001, a *Special Master's Report and Recommendation* was filed for water right 35-2253B. 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.

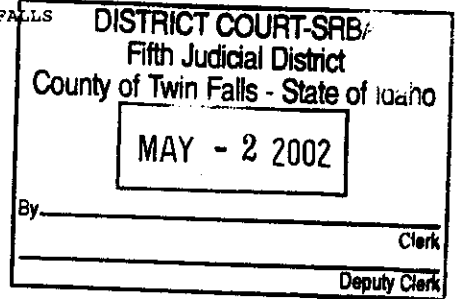
On December 3, 2001, the Idaho Department of Water Resources filed an *Amended Director's Report* recommending that water right 35-2253B be split and decreed as water rights 35-13345 and 13346. No objections were filed to this *Amended Director's Report* and the time period for filing objections has expired.

THEREFORE, IT IS ORDERED AND ADJUDGED that water right claims 35-13345 and 35-13346 be **decreed** as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED May 2, 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 )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 ) Water Right 35-13345

NAME AND ADDRESS: TOM CHRISTENSEN  
C/O BRENDA ANDERSON  
PO BOX 161  
MORELAND, ID 83256-0161

SOURCE: GROUNDWATER

QUANTITY: 2.40 CFS  
504.00 APY

USE OF THIS RIGHT WITH RIGHT NO. 35-13347 IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 2.40 CFS AND TO A TOTAL  
COMBINED ANNUAL DIVERSION VOLUME OF 600 AF.

PRIORITY DATE: 03/17/1953

POINT OF DIVERSION: T03S R32E S09 SWSE Within Bingham County  
S10 NESW

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|-------------------------------|----------------|----------------|------------------------|
|                               | Irrigation     | 04-01 TO 11-01 | 2.40 CFS<br>504.00 APY |

| PLACE OF USE: | Irrigation        | Within Bingham County                            |
|---------------|-------------------|--------------------------------------------------|
|               | T03S R32E S10     | NESW 40.0<br>NWSW 36.0<br>SWSW 36.0<br>SESW 38.0 |
|               | 150.0 Acres Total |                                                  |

USE OF THIS RIGHT WITH RIGHT NO. 35-13347 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 150 ACRES IN A SINGLE  
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 126 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 MAY 02 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): 35-13345

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 35-13345 was mailed  
on May 02, 2002, with sufficient first-class postage prepaid  
to the following:

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

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

DIANA DELANEY  
Chief Deputy Clerk

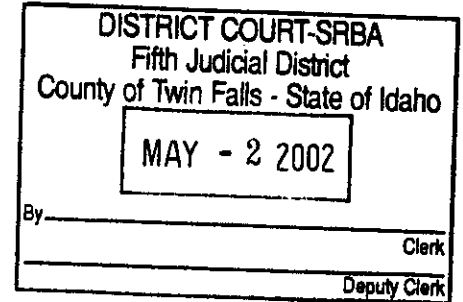
CERTIFICATE OF MAILING

PAGE 1  
05/02/02

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 35-13346



NAME AND ADDRESS: FLOYD V CHRISTENSEN  
2134 W 200 S  
PINGREE, ID 83262

SOURCE: GROUNDWATER

QUANTITY: 1.37 CFS  
264.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 35-13348 IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 1.37 CFS AND TO A TOTAL  
COMBINED ANNUAL DIVERSION VOLUME OF 312 AF.

PRIORITY DATE: 03/17/1953

POINT OF DIVERSION: T03S R32E S09 SWSE Within Bingham County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|-------------------------------|----------------|----------------|------------------------|
|                               | Irrigation     | 04-01 TO 11-01 | 1.37 CFS<br>264.00 AFY |

PLACE OF USE: Irrigation Within Bingham County  
T03S R32E S09 NWSE 40.0 SWSE 38.0  
78.0 Acres Total

USE OF THIS RIGHT WITH RIGHT NO. 35-13348 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 78 ACRES IN A SINGLE  
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 66 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 MAY 02 PM 02:00  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
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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 )  
 )

CERTIFICATE OF MAILING

Water Right(s) : 35-13346

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 35-13346 was mailed  
on May 02, 2002, with sufficient first-class postage prepaid  
to the following:

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

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

DIANA DELANEY  
Chief Deputy Clerk

CERTIFICATE OF MAILING