

2001 NOV 21 11:14:57

CLERK OF DISTRICT COURT
FIFTH JUDICIAL DISTRICT
STATE OF IDAHO

**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 34-00704C

On June 18, 1992, the Idaho Department of Water Resources (IDWR) filed its *Director's Report, Part 1, For Basin 34 (Big Lost River Basin)*, which included a recommendation for the above water right. No objections to this recommendation were filed and the time period for filing objections has now expired.

On June 24, 1999, in response to the Idaho Supreme Court decision in *A&B Irrigation District v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), IDWR filed a *Supplemental Director's Report, Reporting Area 1, IDWR Basin 34, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions* which included a recommendation for the irrigation season of use for this water right. No objections were filed to the *Supplemental Director's Report* and the time period for filing objections has expired.

Therefore, IT IS ORDERED that water right 34-00704C is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED 11-30-01



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 34-00704C

NAME AND ADDRESS: DAVID R STOECKLEIN
MARY J & WALTER STOECKLEIN
SHELLEY STOECKLEIN
PO BOX 856
KETCHUM, ID 83340

SOURCE: WARM SPRINGS CREEK TRIBUTARY: BIG LOST RIVER

QUANTITY: 0.533 CFS
93.50 AFY

USE OF THE RIGHTS LISTED BELOW FOR IRRIGATION IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.16 CFS AND TO A TOTAL COMBINED
DIVERSION VOLUME OF 508.0 AF IN THE 2000 IRRIGATION SEASON AND TO
A TOTAL COMBINED DIVERSION RATE OF 3.33 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 553.0 AF IN EACH IRRIGATION
SEASON THEREAFTER. COMBINED RIGHT NOS.: 34-00699C, 34-00700C,
34-00701C, 34-00702C, 34-00703C AND 34-00704C.

PRIORITY DATE: 05/01/1905

POINT OF DIVERSION: T08N R22E S35 SWNWNE Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-15	0.513 CFS 90.00 AFY
	Recreation	05-01 TO 10-15	0.02 CFS 3.50 AFY
	Recreation Storage	01-01 TO 12-31	3.50 AFY

THE PERIOD OF USE FOR IRRIGATION AND RECREATION DESCRIBED ABOVE
MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A
BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE
DISCRETION OF THE DIRECTOR FOR THE DEPARTMENT OF WATER RESOURCES

PLACE OF USE:	Irrigation	Within Custer County
	T08N R22E S35 NENE 40.0 NWNE 40.0	
	S36 NENW 38.0 NWNW 35.0	
	153.0 Acres Total	

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 145.1 ACRES IN THE 2000
IRRIGATION SEASON AND 153 ACRES IN EACH IRRIGATION SEASON AFTER
COMBINED RIGHT NOS.: 34-00699C, 34-00700C, 34-00701C, 34-00702C,
34-00703C AND 34-00704C.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 25.7 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
RECREATION WITHIN CUSTER COUNTY
T08N R22E S36 NWNW

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

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY
TRANSFER NO 5004 BY FEBRUARY 28, 2001.

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

2001 NOV 30 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): 34-00704C

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 34-00704C was mailed
on November 30, 2001, with sufficient first-class postage prepaid
to the following:

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

DAVID R STOECKLEIN
MARY J & WALTER STOECKLEIN
SHELLEY STOECKLEIN
PO BOX 856
KETCHUM, ID 83340

ROBBIN GLATZ
Chief Deputy Clerk