

2001 APR 13 AM 8:24
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 34-02466A

On May 5, 1998, 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.

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 to this Supplemental Report were filed and the time period for filing objections has now expired.

Therefore, IT IS ORDERED that water right 34-02466A is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED April 13, 2001.



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

2001 APR 13 PM 02:00
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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In Re SRBA)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 34-02466A

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 34-02466A was mailed
on April 13, 2001, with sufficient first-class postage prepaid
to the following:

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

MERLE HONE
HONE, GEORGE R
RT 1 BOX 26
DARLINGTON, ID 83231

DIANA DELANEY
Chief Deputy Clerk

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 34-02466A

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TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: MERLE HONE
HONE, GEORGE R
RT 1 BOX 26
DARLINGTON, ID 83231

SOURCE: PASS CREEK TRIBUTARY: BIG LOST RIVER

QUANTITY: 3.70 CFS

USE OF THIS RIGHT WITH RIGHT NOS 34-02390A, 34-04031, 34-07175
AND 34-12364 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 2170.0 AF.

USE OF THIS RIGHT WITH RIGHT NOS 34-00848, 34-07175, 34-04031,
34-12364, 34-02390A, 34-10713, 34-10714 AND 34-10715 IS LIMITED
TO A TOTAL COMBINED DIVERSION RATE OF 17.63 CFS.

PRIORITY DATE: 09/13/1965

POINT OF DIVERSION: T07N R25E S23 SWNE Within Butte County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	3.70 CFS

PLACE OF USE:	Irrigation	Within Butte County
	T06N R25E S01	SWNE 34.0 NENW 35.0 SENE 28.0
	S02	SWNW 26.0
	148.0 Acres Total	

USE OF THIS RIGHT WITH RIGHT NOS 34-02390A, 34-04031, 34-07175
AND 34-12364 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL
OF 620 ACRES IN A SINGLE IRRIGATION SEASON.

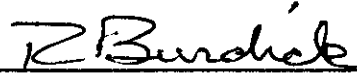
USE OF THIS RIGHT WITH RIGHT NOS 34-00848, 34-07175, 34-04031,
34-12364, 34-02390A, 34-10713, 34-10714 AND 34-10715 IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 652 ACRES IN A SINGLE
IRRIGATION SEASON.

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.

A handwritten signature in black ink, appearing to read "R. Burdick", is written over a horizontal line.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication