

2002 FEB 28 AM 11:43
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

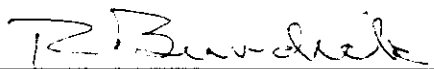
For Water Rights 34-02390A

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 were filed to the *Director's Report* and the time period for filing objections has 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 recommendations 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 34-02390A is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED: 2-27-02



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 34-02390A

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

SOURCE: GROUNDWATER

QUANTITY: 3.34 CFS

PRIORITY DATE: 10/12/1960

POINT OF DIVERSION: T06N R25E S01 LOT 03 (NWNENW) Within Butte County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	3.34 CFS

PLACE OF USE:	Irrigation	Within Butte County
	T06N R25E S01	SWNE 38.0 LOT 03 (NENW) 33.0
		SWNW 38.0 SENW 38.0
		NWSW 40.0
	S02	SENE 38.0 NESE 40.0
	265.0 Acres Total	

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

USE OF THIS RIGHT WITH RIGHT NO. 34-00848 AND OTHER RIGHTS LISTED THEREIN IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 17.63 CFS, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 652 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2170 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 620 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-02466A, 34-04031, 34-07175, 34-12364.

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
Presiding Judge of the
Snake River Basin Adjudication

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In Re SRBA)
)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 34-02390A

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 34-02390A was mailed
on February 28, 2002, with sufficient first-class postage prepaid
to the following:

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

N MERLE & GEORGE R HONE
Represented by:
RAY W. RIGBY
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

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