District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

# Important Information About Your Water Right

July 3, 2002

RECEIVED
JUL - 5 2002
Department of Water Resources

James A. Lord
Doris Lord
Route 1 Box 5
Darlington, ID 83255

Dear Water Right Claimant(s):

Attached to this letter is a copy of an ***Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc*** (hereinafter "***Order***") for water right number 34-2379B. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The purpose of the ***Order*** is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the ***Order***, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This ***Order*** also incorporates into the ***Partial Decree*** an express statement that the ***Partial Decree*** is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This ***Order***, in combination with the ***Partial Decree*** that was issued for this water right on February 25, 1998, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the ***Partial Decree*** to show evidence of this water right. The original of this ***Order*** and the original of the ***Partial Decree*** for this water right are on file with SRBA Court. If you do not have a copy of the original ***Partial Decree***, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the ***Order*** is entered ***Nunc Pro Tunc***, meaning that the ***Order*** will be treated as if it were issued on the same date that the ***Partial Decree*** was originally issued.

Sincerely,

Diana Delaney
Case Administrator

2022 JUL -3 PM 1:22
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** | ) | **Water Right 34-2379B** |
| | ) | **ORDER AMENDING IRRIGATION PERIOD OF USE ELEMENT IN PARTIAL DECREE and INCORPORATING INTO PARTIAL DECREES AN EXPRESS STATEMENT REGARDING GENERAL PROVISIONS, *NUNC PRO TUNC*** |
| **Case No. 39576** | ) | |

A ***Partial Decree*** was entered for the above-captioned irrigation water right on February 25, 1998. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on June 24, 1999, 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 an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 04-01 to 11-01

IT IS FURTHER ORDERED that the ***Partial Decree*** for the above-captioned water right is hereby amended and decreed to contain the following:

> 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 a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the ***Partial Decree*** was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the ***Partial Decree***.

**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.

Dated July 3, 2002.

Roger Burdick

ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

1998 FEB 25 AM 8:30
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 | ) | **ORDER OF PARTIAL DECREE** |
| | ) | |
| Case No. 39576 | ) | **For Water Right 34-02379B** |
| | ) | |

On October 15, 1997, 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 34-02379B is hereby **decreed** as set forth in the attached ***Partial Decree Pursuant to I.R.C.P. 54(b).***

DATED February 25, 1998.

DANIEL C. HURLBUTT, JR.
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

1998 FEB 25 AM 8:30
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

| | | |
|---|---|---|
| In Re SRBA | ) | PARTIAL DECREE PURSUANT TO |
| | ) | I.R.C.P. 54(b) FOR |
| Case No. 39576 | ) | |
| | ) | Water Right 34-02379B |

NAME & ADDRESS: JAMES A LORD
DORIS LORD
RT 1 BOX 5
DARLINGTON ID 83255

SOURCE: GROUNDWATER

QUANTITY: 0.68 CFS
108.0 AFY

USE OF THIS RIGHT WITH RIGHT NO. 34-00194C IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.93 CFS.

PRIORITY DATE: 08/08/1960

POINT OF DIVERSION: T06N R26E S31 NENWNE Within BUTTE County

PURPOSE AND PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|---|---|---|
| IRRIGATION | Irrigation Season | 0.68 CFS |
| | | 108.0 AFY |

PLACE OF USE: IRRIGATION Within BUTTE County
T06N R26E S31 NWNE 36
36 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 34-00194C IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 36 ACRES IN A SINGLE IRRIGATION SEASON.

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.

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

1998 FEB 25 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 ) | CERTIFICATE OF MAILING |
| ) | |
| Case No. 39576 ) | |
| _____) | Water Right(s): 34-02379B |

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 34-02379B was mailed on February 25, 1998, with sufficient first-class postage prepaid to the following:

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

STATE OF IDAHO
Represented by:
CLIVE STRONG
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449
Phone: 208-334-2400

DORIS LORD
JAMES A LORD
RT 1 BOX 5
DARLINGTON, ID 83255
Phone: 208-588-3375

DIANA DELANEY
Chief Deputy Clerk