

272 FEB 13 AM 9:32

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 34-02252

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. An objection was filed to the above water right but was subsequently withdrawn.

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 34-02252 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED: 2-12-02



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)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 34-02252

202 FEB 13 AM 9:32
DISTRICT COURT-SRBA
TWIN FALLS CO, IDAHO
FILED _____

NAME AND ADDRESS: ROBERT L. SPRAKER
SPRAKER, JOSEPHINE
ROUTE 1, BOX 438
ARCO, ID 83213

SOURCE: BIG LOST RIVER TRIBUTARY: SINKS

QUANTITY: 0.80 CFS

PRIORITY DATE: 04/10/1926

POINT OF DIVERSION: T04N R26E S14 NWNW (Rediversion) Within Butte County
T05N R26E S03 SWSWSW (Injection)
S04 NWSESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-15	0.80 CFS

THE PERIOD OF USE FOR IRRIGATION 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.

PLACE OF USE:	Irrigation	Within Butte County
	T04N R26E S14 NENW 5.0 NWNW 11.0	
	SWNW 1.0 SENW 23.0	
	40.0 Acres Total	

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
Presiding Judge of the
Snake River Basin Adjudication

2002 FEB 13 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): 34-02252

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 34-02252 was mailed
on February 13, 2002, with sufficient first-class postage prepaid
to the following:

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

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

ROBERT L. SPRAKER
SPRAKER, JOSEPHINE
ROUTE 1, BOX 438
ARCO, ID 83213

ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

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