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Department of Water Resources

2001 JUN -4 PM 3: 05

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

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)
)
ORDER OF PARTIAL DECREE

For Water Right 34-13566

On March 4, 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 34-13566 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED

JUN 06 2001



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 34-13566

2001 JUN -4 PM 3:05
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: MARY SORENSEN
RODGER SORENSEN
245 N HOOPER
SODA SPRINGS, ID 83276

SOURCE: BIG LOST RIVER TRIBUTARY: SINKS

QUANTITY: 1.12 CFS

USE OF THIS RIGHT WITH RIGHT NO. 34-00004 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.10 CFS.

PRIORITY DATE: 06/01/1978

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A
PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED
AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS
BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION
42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR
RIGHT.

POINT OF DIVERSION: T08N R20E S36 NWNW Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-15	1.12 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 OF THE DEPARTMENT OF WATER RESOURCES.

PLACE OF USE:	Irrigation	Within Custer County
	T08N R20E S25	SESE 15.0
	S36	NENE 40.0
		NWNW 16.0
		SWNW 36.0
		SENW 40.0
		NWSW 31.0
	243.0 Acres Total	

USE OF THIS RIGHT WITH RIGHT NOS. 34-00002, 34-00004, AND
34-02508 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 243
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.

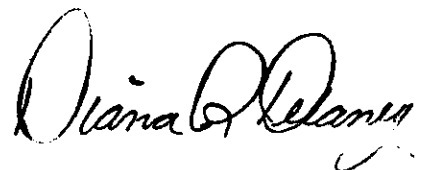
Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE was mailed on June 04, 2001, with sufficient first-class postage to the following:

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

MARY SORENSEN
RODGER SORENSEN
245 N HOOPER
SODA SPRINGS, ID 83276

A handwritten signature in black ink, appearing to read "Diana B. Delaney", is written over a horizontal line.