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Department of Water Resources

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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 34-10579**

On March 3, 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 Irrigaion 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 34-10579 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED NOV 24, 2000.



BARRY WOOD
Administrative District Judge and
Presiding Judge of the
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 34-10579

200 NOV 24 AM 8:22

FILED
TWIN FALLS, IDAHO

NAME AND ADDRESS: LOY PEHRSON
BYRON PEHRSON
ROUTE 1, BOX 48
DARLINGTON, ID 83231

SOURCE: GROUNDWATER

QUANTITY: 0.92 CFS

USE OF THIS RIGHT WITH RIGHT NO. 34-02433 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.12 CFS.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 23.04 CFS.

COMBINED RIGHT NOS.: 34-00776, 34-00777, 34-00360A, 34-00479,
34-00605A, 34-00119C, 34-00130, 34-00131A, 34-00132A, 34-00195A,
34-00196A, 34-00197A, 34-04010, 34-07056 AND 34-02433.

USE OF THIS RIGHT WITH RIGHT NOS. 34-04010, 34-02433 AND
34-07056 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME
OF 2107 AF.

PRIORITY DATE: 08/02/1961

POINT OF DIVERSION: T07N R24E S36 NWSWSE Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.92 CFS

PLACE OF USE:	Irrigation	Within Custer County
	T06N R24E S01	NENE 37.0 SWNE 12.0 NESE 17.0
	T07N R24E S36 R25E S31	NWNE 20.0 SENE 38.0 SWSE 38.0 SWSW 9.0
	194.0 Acres Total	SESE 23.0

USE OF THIS RIGHT WITH RIGHT NO. 34-02433 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 194 ACRES IN A SINGLE
IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 904 ACRES IN A SINGLE
IRRIGATION SEASON.

COMBINED RIGHT NOS. 34-00776, 34-00777, 34-00360A, 34-00479,
34-00605A, 34-00119C, 34-00130, 34-00131A, 34-00132A, 34-00195A,
34-00196A, 34-00197A, 34-04010, 34-07056 AND 34-02433.

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).

2000 NOV 24 PM 02:00
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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): 34-10579

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 34-10579 was mailed
on November 24, 2000, 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
NATURAL RESOURCES
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720-0010
Phone: 208-334-2400

LOY PEHRSON
BYRON PEHRSON
ROUTE 1, BOX 48
DARLINGTON, ID 83231
Phone: 208-588-3381

LOY PEHRSON
ROUTE 1, BOX 48
DARLINGTON, ID 83231
Phone: 208-588-3381

CERTIFICATE OF MAILING

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DIANA DELANEY 11/24/00
Chief Deputy Clerk