

2002 OCT 17 AM 11 57

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	)	Subcase: 33-02081A
	)	
Case No. 39576	)	ORDER OF AMENDED PARTIAL
	)	DECREE
	)	
	)	
	)	
_____	)	

On August 13, 2002, this Court issued a *Notice of Court's Intent to Issue Amended Partial Decree, and Notice of Hearing Thereon*. On October 15, 2002, at the scheduled hearing, no party spoke either in favor or in opposition to the Court's proposed course of action. Accordingly, IT IS ORDERED that water right 33-02081A is decreed as set forth in the attached *Amended Partial Decree for Water Right 33-02081A*.

Dated 10/17/02

Roger Burdick

ROGER 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

AMENDED

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 33-02081A

NAME AND ADDRESS: BRENT L ALLEN
N SCOTT ALLEN
NORMAN G ALLEN
PO BOX 1057
HOWE, ID 83244

SOURCE: GROUNDWATER

QUANTITY: 1.78 CFS

USE OF THIS RIGHT WITH RIGHT NO. 33-07012 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.46 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 1008 AF.

PRIORITY DATE: 10/22/1956

POINT OF DIVERSION: T06N R29E S18 NWNWNE Within Butte County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	1.78 CFS

PLACE OF USE:	Irrigation	Within Butte County
	T06N R29E S18	
	NENE 38.0	NWNE 39.0
	SWNE 40.0	SENE 38.0
	NESE 33.0	NWSE 40.0
	SWSE 22.0	SESE 38.0
	288.0 Acres Total	

USE OF THIS RIGHT WITH THE RIGHT LISTED ABOVE IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 288 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 90 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE 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.



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 AMENDED PARTIAL DECREE was mailed on October 17, 2002, with sufficient first-class postage to the following:

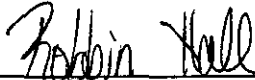
BRENT L ALLEN
N SCOTT ALLEN
NORMAN G ALLEN
PO BOX 1057
HOWE, ID 83244
Phone: 208-767-3447

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

ORDER

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Deputy Clerk

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 33-02081A

NAME AND ADDRESS: BRENT L ALLEN
N SCOTT ALLEN
NORMAN G ALLEN
PO BOX 1057
HOWE, ID 83244

SOURCE: GROUNDWATER

QUANTITY: 1.86 CFS

USE OF THIS RIGHT WITH RIGHT NO. 33-07012 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.46 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 1008 AF.

PRIORITY DATE: 10/22/1956

POINT OF DIVERSION: T06N R29E S18 NWNWNE Within Butte County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	1.86 CFS

PLACE OF USE:	Irrigation	Within Butte County
	T06N R29E S18	
	NENE 38.0	NWNE 39.0
	SWNE 40.0	SENE 38.0
	NESE 33.0	NWSE 40.0
	SWSE 22.0	SESE 38.0
	288.0 Acres Total	

USE OF THIS RIGHT WITH THE RIGHT LISTED ABOVE IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 288 ACRES IN A SINGLE
IRRIGATION SEASON.

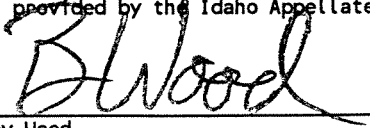
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 202 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication