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AUG 16 2001

Department of Water Resources

2001 AUG 15 PM 1:58

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED 78

**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 32-7023P and 32-7023Q**

On June 18, 2001, the Idaho Department of Water Resources filed an *Amended Director's Report* recommending that water right claim 32-7023L be split and decreed as 32-7023P and 32-7023Q. No objection was filed to this *Amended Director's Report* and the time for filing objections has expired.

Therefore, IT IS ORDERED that water rights 32-7023P and 32-7023Q are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED 8-15-, 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 32-07023P

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DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED 78

NAME AND ADDRESS: SAUER FARMS INC.  
C/O NEAL SAUER  
MONTEVIEW, ID 83435

SOURCE: GROUNDWATER

QUANTITY: 4.97 CFS  
1072.80 AFY

PRIORITY DATE: 12/14/1973

POINT OF DIVERSION: T09N R33E S36 NENENE Within Clark County  
SENESW  
SENESE

PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY                |
|----------------|----------------|----------------|-------------------------|
|                | Irrigation     | 04-15 TO 10-15 | 4.97 CFS<br>1072.80 AFY |

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS  
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,  
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE  
OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS REMARK  
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY  
OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE  
A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

| PLACE OF USE: | Irrigation        |           | Within Clark County |
|---------------|-------------------|-----------|---------------------|
|               | T09N R33E S36     | NESW 40.0 | NWSW 39.0           |
|               |                   | SWSW 31.5 | SESW 39.0           |
|               |                   | NESE 39.0 | NWSE 40.0           |
|               |                   | SWSE 39.0 | SESE 39.0           |
|               | 306.5 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*

Roger Burdick  
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 32-07023Q

2001 AUG 15 PM 1:58

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED RA

NAME AND ADDRESS: RAY SAUER FARMS INC.  
HC 63 BOX 2130  
MONTEVIEW, ID 83435

SOURCE: GROUNDWATER

QUANTITY: 0.10 CFS  
22.70 AFY

PRIORITY DATE: 12/14/1973

POINT OF DIVERSION: T09N R33E S36 NWNW Within Clark County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY              |
|-------------------------------|----------------|----------------|-----------------------|
|                               | Irrigation     | 04-15 TO 10-15 | 0.10 CFS<br>22.70 AFY |

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS  
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,  
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE  
OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS REMARK  
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY  
OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE  
A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: Irrigation Within Clark County  
T09N R33E S35 SWNE 6.5 SENE 6.5  
13.0 Acres Total

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 6.5 ACRES WITHIN  
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.  
USE OF THIS RIGHT WITH RIGHT NO. 32-07023N IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 13 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.



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Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication