

2002 APR -9 PM 3:08

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 31-07201

On February 13, 2002, 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.

Therefore, IT IS ORDERED that water right 31-07201 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED 4-9-02



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 31-07201

2002 APR -9 PM 3:08

DISTRICT COURT-SR3A
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: MARTIN BROTHERS LAND &
LIVESTOCK LTD PARTNERSHIP
PO BOX 50278
IDAHO FALLS, ID 83405

SOURCE: GROUND WATER

QUANTITY: 5.45 CFS
942.00 AFY

USE OF THIS RIGHT NO. 31-10422 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 5.45 CFS.

PRIORITY DATE: 07/29/1976

POINT OF DIVERSION: T06N R34E S32 SWSENE Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	5.45 CFS 942.00 AFY

PLACE OF USE:	Irrigation	Within Jefferson County
	T06N R34E S32	NENE 40.0 NWNE 40.0 SWNE 40.0 SENE 40.0 NESE 40.0 NWSE 40.0 SESE 35.0 SWSE 36.0 SESE 35.0 S33 SWNW 5.0 NWSW 3.0 SWSW 7.0
	326.0 Acres Total	

USE OF THIS RIGHT WITH RIGHT NO. 31-10422 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 326 ACRES IN A SINGLE
IRRIGATION SEASON.

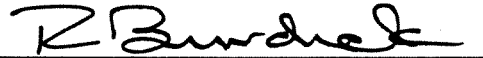
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 314 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.

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

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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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 31-07201

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 31-07201 was mailed
on April 09, 2002, with sufficient first-class postage prepaid
to the following:

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

MARTIN BROTHERS LAND &
LIVESTOCK LTD PARTNERSHIP
PO BOX 50278
IDAHO FALLS, ID 83405

MARTIN BROTHERS LAND AND
Represented by:
KENT W FOSTER
PO BOX 50130
IDAHO FALLS, ID 83405
Phone: 208-523-0620


ROBBIN GLATZ
Chief Deputy Clerk