2012 APR 03 PM 02:00
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

RECEIVED
APR 04 2012
DEPARTMENT OF
WATER RESOURCES

| | | |
|---|---|---|
| In Re SRBA | ) | PARTIAL DECREE PURSUANT TO |
| | ) | I.R.C.P. 54(b) FOR |
| Case No. 39576 | ) | |
| | ) | Water Right 74-00353 |

NAME AND ADDRESS: KENT BIRD
LISA BIRD
PO BOX 76
LEADORE, ID 83464

SOURCE: BIG EIGHTMILE CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 4.00 CFS

PRIORITY DATE: 09/15/1918

POINT OF DIVERSION: T16N R25E S33 SWNW Within Lemhi County

PURPOSE AND PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|---|---|---|
| Irrigation | 03-15 TO 11-15 | 4.00 CFS |

PLACE OF USE: Irrigation Within Lemhi County

| | | | |
|---|---|---|---|
| T16N R25E S23 | SENW 2.0 | NESW 11.0 | |
| | SWSW 8.0 | SESW 36.0 | |
| | NWSE 7.0 | SWSE 39.0 | |
| S26 | NWNE 38.0 | NENW 40.0 | |
| | NWNW 38.0 | | |

219.0 Acres Total

USE OF THIS RIGHT WITH RIGHT NO. 74-950 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 222.0 ACRES IN A SINGLE IRRIGATION SEASON.
This right authorizes the irrigation of 218.7 total acres.

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.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication