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JUN 26 2015

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**2ND AMENDED**PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

DEPT. OF WATER RESOURCES

In Re SRBA

Case No. 39576

Water Right 35-07954E

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUN 25 2015

By

Clerk

Deputy Clerk

NAME AND ADDRESS: DANIEL BEHREND
1780 S 2800 W
ABERDEEN, ID 83210

SOURCE: GROUNDWATER

QUANTITY: 4.98 CFS
1887.70 AFY

PRIORITY DATE: 02/24/1981

POINT OF DIVERSION: T05S R29E S24 NENENW Within Power County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	Irrigation	04-01 TO 10-31	4.98 CFS 1887.70 AFY

PLACE OF USE:	Irrigation	Within Power County
T05S R29E S24	SWNE 11.8 SENE 11.8 NWSW 40.0 SESW 40.0 SWSE 40.0	SWNW 11.8 NESW 40.0 SWSW 40.0 NWSE 40.0
S25	NWNE 40.0 NENW 40.0 SWNW 25.5	SWNE 25.5 NWNW 40.0 SENE 25.5
471.9 Acres Total		

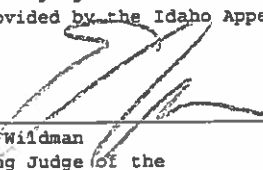
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This water right enjoys the benefit of subordination of hydropower water right nos. 02-00100, 02-4000A, 02-4001A, 02-02032A, 02-4000B, 02-4001B, 02-02032B, 02-02036, 02-02056, 02-02065, 02-02064, 02-10135, 02-02060, 02-02059, 02-02001B, 02-02001A, 02-02057, 37-02128, 37-02472, 37-02471, 37-20710, 37-20709, 36-02013, 36-02018 and 36-02026 only so long as the average daily flows as measured at the Murphy Gaging station meet or exceed the minimum stream flows established by state action. This water right is a trust water right as defined in the SRBA Final Decree and therefore cannot make a delivery call on any water rights with a priority date senior to October 25, 1984, or any water rights identified on its face as receiving the benefit of unqualified subordination of hydropower water rights nos. 02-00100, 02-04000A, 02-04001A, 02-02032A, 02-04000B, 02-04001B, 02-02032B, 02-02036, 02-02056, 02-02065, 02-02064, 02-10135, 02-02060, 02-02059, 02-02001B, 02-02001A, 02-02057, 37-02128, 37-02472, 37-02471, 37-20710, 37-20709, 36-02013, 36-02018 and 36-02026. This water right may only make a delivery call against other junior trust water rights.

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