

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

RECEIVED

JUN 26 2015

5ND AMENDED

DEPT. OF WATER RESOURCES

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 37-07944

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

JUN 25 2015

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: MOLLIE B DALTON
1071A E 2250 S
BLISS, ID 83314

SOURCE: MALAD RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.74 CFS
148.00 AFY

RIGHT NOS. 37-7944 AND 37-11131 ARE LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 5.80 CFS.

PRIORITY DATE: 12/30/1981

POINT OF DIVERSION: T06S R14E S30 SENESW Within Gooding County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.74 CFS 148.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 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 T06S R13E S25 SWNW 4.0 Within Gooding County
37.0 Acres Total SENW 33.0

RIGHT NOS. 37-7008, 37-7944 AND 37-11131 ARE LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 381 ACRES IN A SINGLE
IRRIGATION SEASON.

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

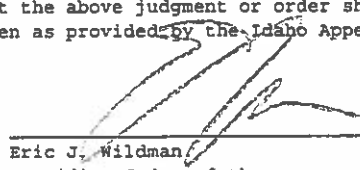
This water right enjoys the benefit of subordination of
hydropower water right nos. 02-00100, 02-4000A, 02-4001A,
02-02032A, 02-4000B, 02-4001B, 02-02032B, 02-02036, 02-02056,
02-02065, 02-02064, 02-10135, 02-02060, 02-02059, 02-02001B,
02-02001A, 02-02057, 37-02128, 37-02472, 37-02471, 37-20710,
37-20709, 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.

OTHER PROVISIONS (continued)

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