

RECEIVED

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

Water Right 36-08047B

DEPT. OF WATER RESOURCES

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

JUN 25 2015

By

Clerk

Deputy Clerk

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

NAME AND ADDRESS: IRENE VANDER VEGT
76 E 400 S
JEROME, ID 83338

SOURCE: GROUNDWATER

QUANTITY: 0.17 CFS
123.00 AFY

US OF RIGHTS 36-02247B AND 36-08047B IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.70 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 123.8 AF.

PRIORITY DATE: 12/09/1981

POINT OF DIVERSION: T08S R14E S11 NENENE Within Gooding County

TWO POINTS OF DIVERSION LOCATED IN T08S R14E S11 NENE.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Stockwater	01-01 TO 12-31	0.17 CFS
		76.30 AFY
Commercial	01-01 TO 12-31	0.17 CFS
		46.70 AFY

COMMERCIAL USE IS FOR A DAIRY.

PLACE OF USE:	Stockwater	Within Gooding County
	T08S R14E S11 NENE	
	Commercial	Within Gooding County
	T08S R14E S11 NENE	

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

THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION
IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION
OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS
SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL
BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY
IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.
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,

SRBA -Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

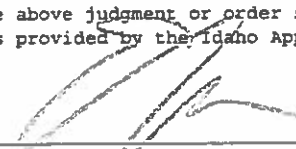
OTHER PROVISIONS (continued)

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