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DEPARTMENT OF
WATER RESOURCES

NUNC PRO TUNC

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

MAR 18 2002

By

Clerk

Deputy Clerk

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 36-00115C

In Re SRBA)
)
Case No. 39576)
)

NAME AND ADDRESS: DAVID TUPPER
REBECCA TUPPER
1114 EAST, 2700 SOUTH
HAGERMAN, ID 83332

SOURCE: TUPPER SPRING TRIBUTARY: BILLINGSLEY CREEK

QUANTITY: 0.56 CFS

USE OF THIS RIGHT WITH RIGHT LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.56 CFS. COMBINED RIGHT NO.: 36-04073.

PRIORITY DATE: 04/01/1881

POINT OF DIVERSION: T07S R14E S18 SWSESW Within Gooding County
SWSESW
SWSESW
SWSESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Fish Propagation	01-01 TO 12-31	0.56 CFS
	Irrigation	02-15 TO 11-30	0.08 CFS
	Stockwater	01-01 TO 12-31	0.03 CFS
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS

PLACE OF USE:	Location	Quantity
Irrigation	T07S R14E S18 LOT 4 (SWSW) 2.5	Within Gooding County
	S19 LOT 1 (NWNW) 0.6	
	3.1 Acres Total	
Stockwater	T07S R14E S18 LOT 4 (SWSW)	Within Gooding County
	S19 LOT 1 (NWNW)	
Fish Propagation	T07S R14E S18 LOT 4 (SWSW)	Within Gooding County
	S19 LOT 1 (NWNW)	
Domestic	T07S R14E S18 SESW	Within Gooding County

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 3.1 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 36-04073.

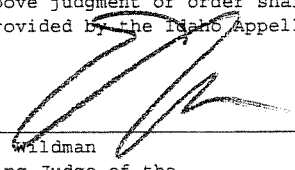
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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).

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

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