

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

**AMENDED**

In Re SRBA )  
 )  
Case No. 39576 )  
\_\_\_\_\_ )

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

Water Right 29-00147

RECEIVED

MAY 22 2014

DEPARTMENT OF  
WATER RESOURCES

NAME AND ADDRESS:

FISH CREEK IRRIGATING CO  
C/O WALLACE WHITEHEAD  
PO BOX 152  
LAVA HOT SPRINGS, ID 83246

SOURCE:

FISH CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY:

6.00 CFS

PRIORITY DATE:

03/01/1893

POINT OF DIVERSION:

T09S R38E S26 NWNWNW Within Bannock County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE  
Irrigation

PERIOD OF USE  
04-15 TO 09-15

QUANTITY  
6.00 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS  
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,  
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE  
OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 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:

243.3 ACRES TOTAL

Place of use is within the area served by the Fish Creek  
Irrigating Company.

The boundary encompassing the place of use for this water right  
is described with a digital boundary as defined by I.C. Section  
42-202B(2)(2003) and authorized pursuant to I.C. Section 42-1411  
(2)(h)(2003). The data comprising the digital boundary are  
incorporated herein by reference and are stored on a cd-rom disk  
issued in duplicate originals on file with the SRBA District  
Court and the Idaho Department of Water Resources. A map  
depicting the place of use is attached hereto to illustrate the  
place of use described by the digital boundary.

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).

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

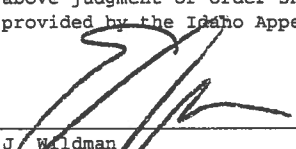
MAY 21 2014

By \_\_\_\_\_ Clerk  
Deputy Clerk

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

RULE 54(b) CERTIFICATE

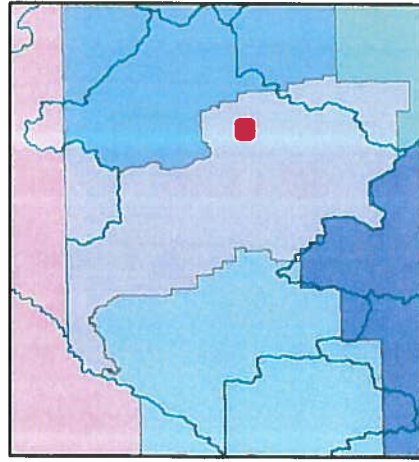
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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



### Irrigation Service Area Boundary GIS Place of Use Illustration

- Service Area
  - State Outline
  - Townships
  - PLS Sections
  - Quarter Quarters



**Bannock County  
IDWR Basin 29**

Prepared by Holliday, Michael

1987/88 Aerial Photography

