

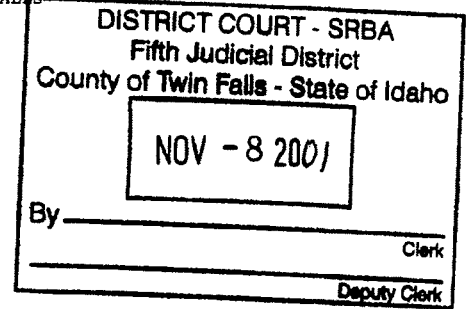
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

NUNC PRO TUNC

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

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

Water Right 34-10729



NAME AND ADDRESS: DIXIE WHITWORTH
SCOTT WHITWORTH
PO BOX 147
MAY, ID 83255

SOURCE: BIG LOST RIVER TRIBUTARY: SINKS

QUANTITY: 6.10 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RIGHT OF 23.94 CFS.
COMBINED RIGHT NOS.: 34-00116A, 34-00872A, 34-02321, 34-07015,
34-10763, 34-10765 AND 34-10767.

THE APPROPRIATOR IS ENTITLED TO THE AMOUNT OF WATER DESCRIBED
ABOVE FOR STOCKWATER PURPOSES AT A POINT OF MEASUREMENT IN
T06N, R25E, S34, S1/4, S1/2.

PRIORITY DATE: 05/10/1897

POINT OF DIVERSION: T07N R24E S33 SWNE Within Custer County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-15	6.10 CFS
	Stockwater	01-01 TO 12-31	20.00 CFS

THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE
EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING
DATE OF 4-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF
THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES.

PLACE OF USE:

Irrigation	Within Butte & Custer County
T05N R25E S02 LOT 2 (NWNE) 33.0	SWNE 40.0
LOT 3 (NENW) 37.0	LOT 4 (NWNW) 39.0
S1/4 7.0	SENE 33.0
T06N R25E S25 SWSW 9.0	
S26 SESW 17.0	SWSE 39.0
SESE 30.0	
S34 LOT 1 (NENE) 28.0	NWNE 39.0
SWNE 40.0	LOT 2 (SENE) 35.0
SENE 40.0	NESW 40.0
LOT 3 (NESE) 39.0	NWSE 40.0
LOT 4 (SESE) 39.0	
S35 NENW 37.0	NWNW 38.0
S1/4 40.0	SENE 40.0
NESW 37.0	NWSW 40.0
SWSW 40.0	SESE 40.0
936.0 Acres Total	

Stockwater	Within Butte & Custer County
T05N R25E S02 LOT 4 (NWNW)	S1/4
T06N R25E S34 SENW	NESW
NWSE	SESE

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 936 ACRES IN A SINGLE

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

PLACE OF USE (continued)

IRRIGATION SEASON.

COMBINED RIGHT NOS.: 34-00116A, 34-00872A, 34-02321, 3407015,
34-10763, 34-10765 AND 34-10767.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 305 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

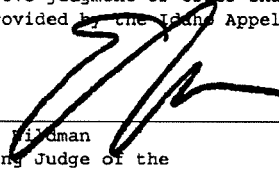
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION FOR HISTORICAL BENEFICIAL
USE.

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. Fildman
Presiding Judge of the
Snake River Basin Adjudication