

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 37-00351B

NUNC PRO TUNC

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

SEP 24 2010

**RECEIVED
MAY 06 2014
DEPARTMENT OF
WATER RESOURCES**

By _____

Clerk
Deputy Clerk

NAME AND ADDRESS: LAWRENCE SCHOEN
18351 US HWY 20
BELLEVUE, ID 83313

SOURCE: GROUND WATER

QUANTITY: 0.16 CFS
50.40 AFY

Right Nos. 37-351B and 37-352B are limited to a total combined diversion rate of 0.29 cfs and to a total combined annual diversion volume of 50.4 AF.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands herein.

PRIORITY DATE: 06/01/1886

POINT OF DIVERSION: T01S R19E S23 NENENW Within Blaine County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.16 CFS 50.40 AFY

PLACE OF USE:	Irrigation	Within Blaine County
	T01S R19E S23 45.0 Acres Total	NENW 32.0 SENW 13.0

This right is limited to the irrigation of 14.4 acres within the place of use described above in a single irrigation season.

Right Nos. 37-351B and 37-352B are limited to the irrigation of a combined total of 14.4 acres in a single irrigation season.

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

An equivalent amount of surface water in Silver Creek shall remain undelivered and allowed to sink to mitigate the use of groundwater under these rights.

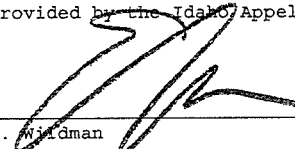
Diversion of groundwater or surface water from Wilson Creek is limited to those times water is available for diversion under these rights and priorities from Silver Creek.

The Director retains jurisdiction over this right to require installation of a measuring device in Silver Creek to insure maintenance of a minimum stream flow of 74 cfs in Silver Creek.

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. Widman
Presiding Judge of the
Snake River Basin Adjudication