

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 74-15663

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

APR 16 2014

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS:

F JAMES WHITTAKER
83 BIG EIGHT MILE RD
PO BOX 240
LEADORE, ID 83464

SOURCE:

BASIN CREEK TRIBUTARY: BIG TIMBER CREEK

QUANTITY:

0.93 CFS

RIGHT NOS. 74-2088, 74-15662, AND 74-15663 ARE LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.00 CFS.

RIGHT NOS. 74-2095, 74-15662 AND 74-15663 ARE LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.50 CFS.

RIGHT NOS. 74-2148, 74-15662 AND 74-15663 ARE LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.60 CFS.

THE RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 5.1 CFS.

COMBINED RIGHT NOS.: 74-2088, 74-2095, 74-2148, 74-15662 AND
74-15663

PRIORITY DATE:

03/15/1982

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A
PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED
AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS
BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION
42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR
RIGHT.

POINT OF DIVERSION:

T14N R25E S01	NWSW	Within Lemhi County
S02	SENE	
	NENW	
	NWSE	
T15N R25E S35	SESE	
S36	SWNE	
	NWSW	
	SWSW	

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-15 TO 11-15	5.10 CFS

PLACE OF USE:

Irrigation		Within Lemhi County
T14N R25E S01	NWNW 27.0	SWNW 22.0
S02	NENE 32.0	NWNE 32.0
	SWNE 12.0	SENE 24.0
	NENW 7.0	
S36	SWSW 35.0	SESW 6.0
T15N R25E S25	SWSE 25.0	SESE 30.0
S35	SESW 14.0	SWSE 30.0
S36	NENE 2.0	NWNE 5.0
	NESW 2.0	NWSW 35.0
340.0 Acres Total		

PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LANDS.

THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 340 ACRES IN A SINGLE IRRIGATION SEASON.

COMBINED RIGHT NOS.: 74-2088, 74-2095, 74-2148, 74-15662 AND

RECEIVED

APR 25 2014

DEPARTMENT OF
WATER RESOURCES

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

PLACE OF USE (continued)

74-15663.

RIGHT NOS. 74-2088, 74-15662 AND 74-15663 ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 216 ACRES IN A SINGLE IRRIGATION SEASON.

RIGHT NOS. 74-2095, 74-15662 AND 74-15663 ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 243 ACRES IN A SINGLE IRRIGATION SEASON.

RIGHT NOS. 74-2148, 74-15662 AND 74-15663 ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 159 ACRES IN A SINGLE IRRIGATION SEASON.

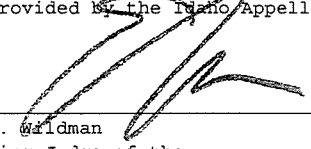
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS. 74-2088, 74-2095 AND 74-2148 PURSUANT TO SECTION 42-1425, IDAHO CODE.

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