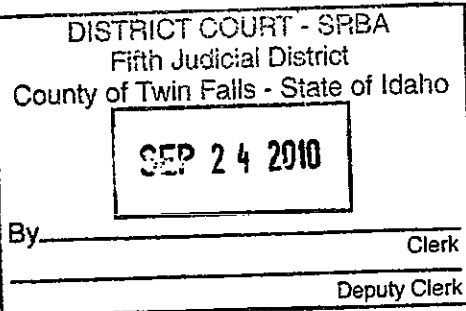


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
Water Right 37-21228)

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



NAME AND ADDRESS: BARBARA L TOWNSEND
ERNEST W TOWNSEND
112 LOWER BROADFORD RD
BELLEVUE, ID 83313

SOURCE: GROUND WATER

QUANTITY: 0.09 CFS
17.50 AFY

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands herein.
Rights 37-21228, 37-21230, 37-21232, 37-21234, 37-21236 and 37-21238 when combined shall not exceed a total annual maximum diversion volume of 17.5 af at the field headgate.

PRIORITY DATE: 10/25/1978

POINT OF DIVERSION: T01N R18E S02 LOT 1 (NENENE) Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.09 CFS
			17.50 AFY

PLACE OF USE: Irrigation Within Blaine County
T01N R18E S02 LOT 1 (NENE) 5.0
5.0 Acres Total

Rights 37-21228, 37-21230, 37-21232, 37-21234, 37-21236 and 37-21238 when combined shall not exceed the irrigation of 5.0 acres.

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

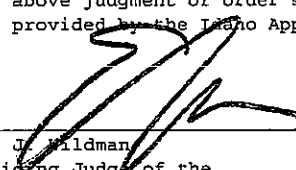
The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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