

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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-04174

NAME AND ADDRESS: OPAL DAVIS
WILLIAM M DAVIS
RT 1 BOX 1210
FAIRFIELD, ID 83327

SOURCE: ELK CREEK TRIBUTARY: CAMAS CREEK
MINNEHAHA CREEK TRIBUTARY: FRICKE CREEK

QUANTITY: 1.25 CFS

PRIORITY DATE: 12/14/1909

POINT OF DIVERSION: T01N R15E S23 NWSWE Within Camas County
S26 NENENE

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-15 TO 10-31 1.25 CFS

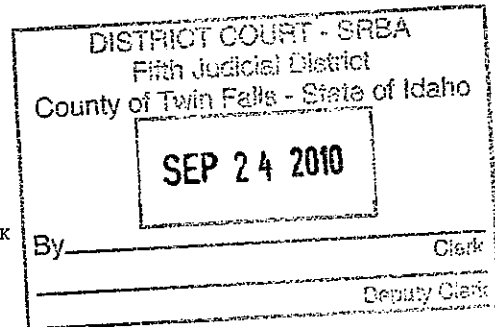
PLACE OF USE: Irrigation Within Camas County
T01N R15E S25 SWNW 4.0 NWSW 15.0
S36 SWSW 21.0 SESW 21.0
NENW 20.0 NWNW 16.0
SWNW 11.0 SENW 32.0
140.0 Acres Total

The rights listed below are limited to the irrigation of a
combined total of 140 acres in a single irrigation season.
Combined Right Nos.: 37-473A, 37-474A, and 37-4174.

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

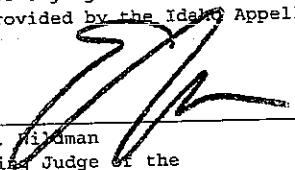
This water right shall be administered as being from a separate
source pursuant to Basin 37 Part 2 General Provision No. 1.A or
1.B. If the holder of this right seeks to change the right
pursuant to Idaho Code Sec. 42-222 or successor statute, nothing
in this general provision shall preclude any other person or
entity from demonstrating that such a change in use would cause
injury to its water right or from receiving any relief provided
by law in the event of injury.

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. Friedman
Presiding Judge of the
Snake River Basin Adjudication