

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

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SEP 28 2010

DEPARTMENT OF
WATER RESOURCES

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
Case No. 39576)
) I.R.C.P. 54(b) FOR
) Water Right 37-20398

NAME AND ADDRESS: LINDA O DRAKE
PO BOX 4885
KETCHUM, ID 83340

SOURCE: GROUND WATER

QUANTITY: 0.12 CFS
16.10 AFY

This right when combined with all other rights shall provide no
more than 0.03 cfs per acre nor more than 3.5 afa per acre at
the field headgate for irrigation of the lands herein.

PRIORITY DATE: 07/25/1966

POINT OF DIVERSION: T02N R18E S35 SWSENE Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.12 CFS
			16.10 AFY

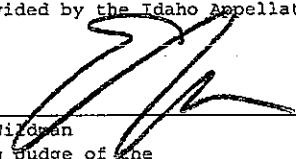
PLACE OF USE: Irrigation Within Blaine County
T02N R18E S35 SENE 4.6
4.6 Acres Total

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

The right holder shall use the full allotment of appurtenant
surface water rights in conjunction with groundwater diverted
under this right and shall only divert groundwater under this
right when water from the appurtenant surface water rights
cannot be delivered to the right holder.
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. Widdow
Presiding Judge of the
Snake River Basin Adjudication