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SEP 28 2010

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

DEPARTMENT OF
WATER RESOURCES

In Re SRBA)
)
Case No. 39576)
_____)

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

Water Right 37-02557D

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

SEP 24 2010

By _____ Clerk

Deputy Clerk

NAME AND ADDRESS: FERGUSON BERMAN TRUST OF 1994
PO BOX 4103
HAILEY, ID 83333

SOURCE: GROUND WATER

QUANTITY: 0.10 CFS
14.00 AFY

This right when combined with all other rights shall provide no
more than 3.5 afa per acre for irrigation of the lands herein.

PRIORITY DATE: 09/25/1954

POINT OF DIVERSION: T01N R19E S18 LOT 1 (NWNW) Within Blaine County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-15 TO 10-31	0.10 CFS 14.00 AFY

PLACE OF USE: Irrigation Within Blaine County
T01N R19E S18 LOT 1 (NWNW) 4.0
4.0 Acres Total

Right Nos. 37-2557D, 37-21673, 37-21682, 37-21691, 37-21700 and
37-21709 are limited to the irrigation of a combined total of 5
acres in a single irrigation season.

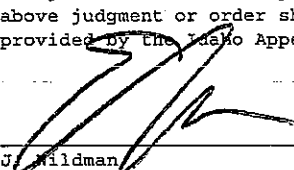
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The right holder shall use the full allotment of appurtenant
surface water rights, to the extent they are available, in
conjunction with groundwater diverted pursuant to this right.
This right to divert groundwater shall not be used if the
surface water right(s) appurtenant to the place of use is sold,
transferred, leased or used on any other place of use without
the approval of the Department.

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