

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 )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 37-00770C

NAME AND ADDRESS: ELLSWORTH ENTERPRISES  
PO BOX 158  
CAREY, ID 83320

SOURCE: FISH CREEK TRIBUTARY: LITTLE WOOD RIVER

Point of injection into and point of redirection from the  
unnamed stream channel from Road Canyon.

QUANTITY: 2.50 CFS

PRIORITY DATE: 03/30/1883

POINT OF DIVERSION: T01N R22E S33 SENESE Within Blaine County  
T01S R21E S12 SWNENW (Injection)  
NWSENW (Rediversion)  
NWSENW (Rediversion)

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-15 TO 10-31 | 2.50 CFS |

| PLACE OF USE:     | Irrigation | Within Blaine County |
|-------------------|------------|----------------------|
| T01S R21E S12     | NENE 26.0  | SWNE 34.0            |
|                   | SENE 39.0  | SWNW 6.8             |
|                   | SENE 0.8   | SWSW 2.7             |
|                   | NESE 37.0  | NWSE 31.0            |
|                   | SWSE 22.0  | SESE 37.0            |
| S13               | NENE 40.0  | NWNE 35.0            |
|                   | SWNE 39.0  | NENW 5.2             |
|                   | NWNW 34.0  | SWNW 40.0            |
|                   | SENE 27.0  | NESW 36.0            |
|                   | NWSW 38.0  | NWSE 33.0            |
| S14               | SENE 40.0  | NESE 38.0            |
| R22E S18 LOT 1    | (NWNW)22.0 |                      |
| 663.5 Acres Total |            |                      |

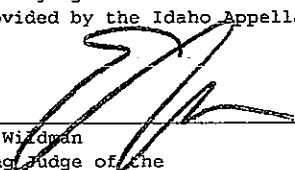
This right is limited to the irrigation of 125.0 acres within  
the place of use described above in a single irrigation season.  
Right Nos. 37-733, 37-735, 37-737A, 37-752, 37-756, 37-767,  
37-769, 37-770C, 37-771, 37-1181, and 37-2031 are limited to the  
irrigation of a combined total of 663.5 acres in a single  
irrigation season.

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

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. Widdman  
Presiding Judge of the  
Snake River Basin Adjudication