

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 37-00577CM

NAME AND ADDRESS: THOMAS-STEWART FAMILY TRUST
THOMAS PETER THOMAS
JACQUELINE SUE STEWART
25 PRESTON RD
WOODSIDE, CA 94062

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
GROUND WATER

QUANTITY: 0.04 CFS

This right when combined with all other rights shall provide no more than 3.5 afa per acre for irrigation of the lands herein. To mitigate for injury to other water users caused by the diversion and use of water under this right, the watermaster shall deliver 0.04 cfs of this right into the Hiawatha Canal where it shall remain undiverted.

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION: T03N R18E S05 LOT 2 (NWNE) Within Blaine County
S20 SWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.03 CFS
			3.50 APY
	Mitigation	04-15 TO 10-31	0.04 CFS

PLACE OF USE: Irrigation Within Blaine County
T03N R18E S05 LOT 2 (NWNE) 1.0
1.0 Acres Total

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

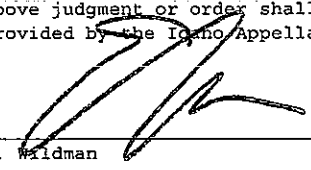
Diversion of groundwater is limited to those times water is available for diversion from the original source, Big Wood River, and is actually diverted into the Hiawatha Canal for mitigation purposes.

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).

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho SEP 24 2010 By _____ _____ Deputy Clerk

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. Waldman
Presiding Judge of the
Snake River Basin Adjudication