

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

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho JUN - 1 2010 By _____ Clerk _____ Deputy Clerk
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In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 47-16786

NAME AND ADDRESS: FATIMA FRANCO
LANE M FRANCO
3186 N 3100 E
TWIN FALLS, ID 83301

SOURCE: GROUND WATER

QUANTITY: 0.90 CFS
205.20 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands herein. The total instantaneous diversion of water from all points of diversion under Rights 47-16786 and 47-16788 shall not exceed 2.96 cfs, nor total combined annual volume of 1014.4 af.

PRIORITY DATE: 06/29/1959

POINT OF DIVERSION: T11S R17E S14 SWSW Within Twin Falls County
SESWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.90 CFS 205.20 AFY

PLACE OF USE:	Irrigation	Within Twin Falls County
	T11S R17E S14	
	SWNE 5.7	NENW 2.2
	SENE 39.0	NESW 41.0
	NWSW 31.0	SWSW 21.0
	SESW 40.0	NWSE 31.0
	SWSE 40.0	SESE 22.0
	272.9 Acres Total	

This right is limited to the irrigation of 51.3 acres within the place of use described above in a single irrigation season. Rights 47-16786 and 47-16788 when combined shall not exceed the irrigation of 253.6 acres.

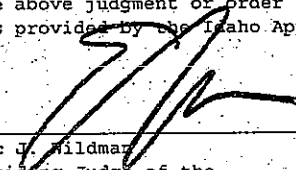
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water 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. Wildman
Presiding Judge of the
Snake River Basin Adjudication