

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

In Re SRBA

Case No. 39576

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

Water Right 47-16760A

NAME AND ADDRESS:

EDWIN R SMITH
44 DRY GULCH
HANSEN, ID 83334

VALERIE A SMITH
45 DRY GULCH
HANSEN, ID 83334

SOURCE:

GROUND WATER

QUANTITY:

0.18 CFS
48.00 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. Right Nos. 47-02553A and 47-16760A are limited to a total combined diversion rate of 1.11 cfs. Right Nos. 47-02553A and 47-16760A are limited to a total combined annual diversion volume of 294.8 AF.

PRIORITY DATE:

04/01/1981

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION:

T11S R18E S34 NESWSE Within Twin Falls County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-15 TO 11-15	0.18 CFS 48.00 AFY

PLACE OF USE:

PLACE OF USE	ACRES
T11S R18E S34	SENE 7.0 NWSE 33.7
73.7 Acres Total	NESE 26.0 SWSE 7.0

This right is limited to the irrigation of 12 acres within the place of use described above in a single irrigation season. Right Nos. 47-02553A and 47-16760A are limited to the irrigation of a combined total of 73.7 acres in a single irrigation season.

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

This right is based upon an enlargement of Right No. 47-2553A pursuant to Section 42-1426, Idaho Code.

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).

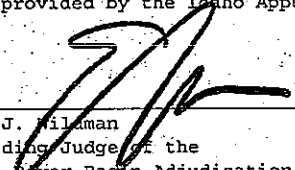
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DEPARTMENT OF
WATER RESOURCES

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. Wilman
Presiding Judge of the
Snake River Basin Adjudication