

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)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 47-07409B

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

JUN - 1 2010

By

Clerk

Deputy Clerk

NAME AND ADDRESS: EDWIN R SMITH
44 DRY GULCH
HANSEN, ID 83334

SOURCE: GROUND WATER

QUANTITY: 0.03 CFS
12.70 AFY

This right when combined with all other rights shall provide no
more than .02 cfs per acre nor more than 4.0 afa per acre for
irrigation of the lands herein.

USE OF THIS RIGHT WITH RIGHT NO. 47-2296B IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.15 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 36 AF.

PRIORITY DATE: 08/29/1984

POINT OF DIVERSION: T10S R15E S16 NWNW Within Twin Falls County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.03 CFS 12.70 AFY

PLACE OF USE:	Irrigation	Within Twin Falls County
	T10S R15E S16 NENW 10.0 NWNW 18.0	
	28.0 Acres Total	

Use of this right with right no. 47-2296B is limited to the
irrigation of a combined total of 9 acres in a single irrigation
season.

This right is limited to the irrigation of 4.4 acres within the
place of use described above in a single irrigation season.

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

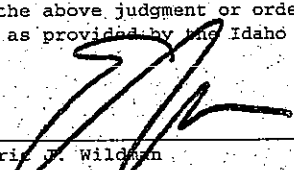
This right to divert groundwater shall not be used if the
surface water right(s) appurtenant to the place of use is sold,
transferred, leased or used on any other place of use without
the approval of the Department.

The right holder shall use the full allotment of appurtenant
surface water rights in conjunction with groundwater diverted
under this right and shall only divert groundwater under this
right when water from the appurtenant surface water rights
cannot be delivered to the right holder.

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