

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

MAR 12 2010

By _____ Clerk
Deputy Clerk

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 73-12017

NAME AND ADDRESS: SCOTT L. WHITWORTH
PO BOX 147
MAY, ID 83253

SOURCE: FALLS CREEK TRIBUTARY: PATTERSON CREEK

QUANTITY: 1.09 CFS

PRIORITY DATE: 07/19/1904

POINT OF DIVERSION: T14N R23E S05 LOT 4 (NWNWNW) Within Lemhi County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 10-31	1.09 CFS

PLACE OF USE:

Irrigation	Within Lemhi County
T14N R23E S06	NESE 38.0 SESE 40.0
S07	NENE 40.0 NENE 40.0
	SWNE 40.0 SENE 40.0
	NESE 40.0 NWSE 40.0
	SWSE 40.0 SESE 40.0
S08 LOT 1	(NWNW) 37.0 LOT 2 (SWNW) 37.0
LOT 3	(NWSW) 37.0 LOT 4 (SWSW) 36.0
S17	NWNW 36.0
S18	NENE 38.0 NWNE 37.0
656.0 Acres Total	

Use of this right with the rights listed below is limited to the irrigation of a combined total of 568 acres in a single irrigation season. Combined right nos.: 73-12007, 73-12009, 73-12011, 73-12013, 73-12015, 73-12017, 73-12019, 73-12023.

Use of this right with the rights listed below is limited to the irrigation of a combined total of 656 acres in a single irrigation season. Combined right nos.: 73-207, 73-208, 73-12007, 73-12009, 73-12011, 73-12013, 73-12015, 73-12017, 73-12019, 73-12023.

This right is limited to the irrigation of 54.5 acres within the place of use described above in a single irrigation season.

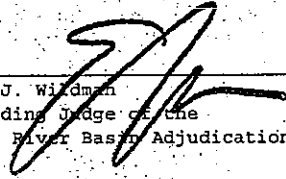
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Patterson Creek (also known as Spring Creek) and Falls Creek are independent of each other and appropriations of water from one of said streams in no way affects the appropriations from the other, that neither of said streams is a tributary of the other.

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