

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 47-00144B

RECEIVED
APR 01 2010
DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: DAVID L FUNK
3040 N 3800 E
HANSEN, ID 83334

SOURCE: ROCK CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 1.30 CFS
520.00 AFY

This right may be reduced from 1.30 cfs to 1.00 cfs as necessary by the watermaster to prevent injury to all other rights in the ditch due to lack of carrying capacity of the conveyance ditch. If the capacity of the ditch is maintained sufficient to carry all rights the full amount of this right may be diverted. 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 below.

PRIORITY DATE: 04/01/1875

POINT OF DIVERSION: T11S R18E S36 NESESW Within Twin Falls County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.30 CFS
			520.00 AFY

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:	Irrigation	Within Twin Falls County
	T11S R18E S26	SWSW 32.0
	S35	SESW 26.0
		NENW 37.0
		NWNW 35.0
	130.0 Acres Total	

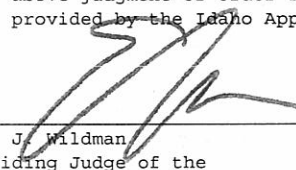
The rights listed below are limited to the irrigation of a combined total of 140 acres in a single irrigation season.
Combined Right Nos.: 47-144B, 47-167, 47-167A, 47-2485

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

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