

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

|                                                                                                                                                       |
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| DISTRICT COURT - SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho<br><br>AUG 19 2009<br><br>By _____<br>Clerk<br>Deputy Clerk |
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In Re SRBA )  
PARTIAL DECREE PURSUANT TO  
Case No. 39576 ) I.R.C.P. 54(b) FOR  
Water Right 22-00140

NAME AND ADDRESS: JAY DELL BUXTON  
JUDY BUXTON  
256 S 500 W  
DRIGGS, ID 83422

SOURCE: MAHOGANY CREEK TRIBUTARY: TETON RIVER

QUANTITY: 3.00 CFS

Right Nos. 22-139, 22-140, and 22-13513 are limited to a total  
combined diversion rate of 3.2 cfs.

PRIORITY DATE: 07/01/1890

POINT OF DIVERSION: T04N R44E S14 LOT 2 (SEWNW) Within Teton County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-15 TO 10-31 | 3.00 CFS |

| PLACE OF USE: | Irrigation        | Within Teton County                                              |
|---------------|-------------------|------------------------------------------------------------------|
|               | T04N R44E S12     | SENE 37.0<br>NESE 35.0<br>NWSE 39.0<br>SESE 37.0                 |
|               | R45E S07          | NWNE 39.0<br>SWNE 39.0<br>NENW 39.0<br>(NWNW) 30.0               |
|               | LOT 2             | (SEWNW) 36.0<br>SENW 39.0<br>NESW 40.0<br>SESW 39.0<br>NWSE 40.0 |
|               | 489.0 Acres Total |                                                                  |

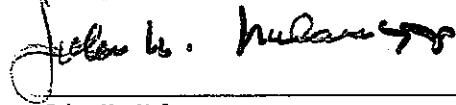
Right Nos. 22-139 and 22-140 are limited to the irrigation of a  
combined total of 160 acres in a single irrigation season.  
The rights listed below are limited to the irrigation of a  
combined total of 489 acres in a single irrigation season.  
Combined Right Nos.: 22-139, 22-140, and 22-13513.  
The rights listed below are limited to the irrigation of a  
combined total of 489 acres in a single irrigation season.  
Combined Right Nos.: 22-139, 22-140, 22-2278, 22-11645, and  
22-13513.  
This right is limited to the irrigation of 160 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 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.



John M. Melanson  
Presiding Judge of the  
Snake River Basin Adjudication