

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
TWIN FALLS CO., IDAHO
FILED

2009 JUL 16 PM 3 56

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JUL 17 2009

DEPARTMENT OF
WATER RESOURCES

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-07108

NAME AND ADDRESS: CAPITOL WATER CORP
2626 N EL DORADO ST
BOISE, ID 83704

SOURCE: GROUND WATER

QUANTITY: 3.34 CFS
960.00 AFY

The total instantaneous diversion of water from all points of
diversion under Rights 63-3002, 63-3071, 63-3166, 63-3152,
63-7108 and 63-11528 shall not exceed 12.69 cfs, nor total
combined annual volume of 7727 af.

PRIORITY DATE: 05/21/1968

POINT OF DIVERSION: T03N R01E S01 LOT 2 (SWNWNE) Within Ada County
R02E S06 SESWNE
NESWNW
NESENW
NENESE
T04N R01E S36 SWNESE
SESESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	3.34 CFS 960.00 AFY

The right holder shall not provide water diverted under this
right for the irrigation of land having appurtenant surface
water rights as a primary source of irrigation water except when
the surface water rights are not available for use. This
condition applies to all land with appurtenant surface water
rights, including land converted from irrigated agricultural use
to other land uses but still requiring water to irrigate lawns
and landscaping.

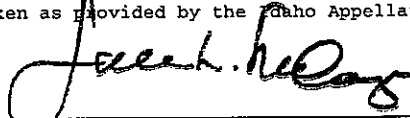
PLACE OF USE:
Place of use is within the service area of Capitol Water
Corporation as provided for under Idaho law.

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