

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

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN 15 2009	
By _____	Clerk
_____	Deputy Clerk

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 02-07172R

NAME AND ADDRESS: ELAINE C SMITH
PO BOX 44
HAMMETT, ID 83627

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.04 CFS
8.00 AFY

The rights listed below are limited to a total combined diversion rate of 5.98 cfs and to a total combined annual diversion volume of 1346 AF. Combined Right Nos.: 02-10285, 02-10286, 02-07172A, 02-07172B, 02-07172C, 02-07172D, 02-07172E, 02-07172H, 02-07172J, 02-07172K, 02-07172L, 02-07172N, 02-07172P, 02-07172R, 02-07172S, 02-07172T.

PRIORITY DATE: 10/21/1974

POINT OF DIVERSION: T06S R08E S02 SENESW Within Elmore County
NENESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	02-01 TO 11-01	0.04 CFS 8.00 AFY

The use of water for irrigation under this right may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water after <November 1> 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.

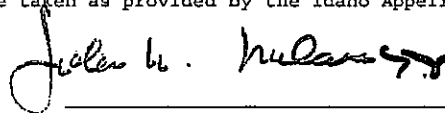
PLACE OF USE: Irrigation Within Elmore County
T06S R08E S02 LOT 5 (NESW) 2.0
2.0 Acres Total

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.

A handwritten signature in black ink, appearing to read "John M. Melanson", is written over a horizontal line.

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