

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

APR - 3 2009

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-21348A

By _____ Clerk

Deputy Clerk

NAME AND ADDRESS: SCOTT R NICHOLSON
SHERRI C NICHOLSON
PO BOX 690
MERIDIAN, ID 83680-0690

SOURCE: DRAINS TRIBUTARY: WARM SPRINGS CREEK

QUANTITY: 0.88 CFS

Right Nos. 63-353A, 63-360A, 63-7911, 63-7912, 63-21348A,
63-21348B and 63-21608 are limited to a total combined diversion
rate of 3.42 cfs.

When notified by the Department, the right holder shall install
and maintain a measuring device of a type acceptable to the
Department as part of the diverting works.

PRIORITY DATE: 04/01/1947

POINT OF DIVERSION: T01S R02W S08 SESE Within Canyon County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 04-30	0.60 CFS
	Irrigation	05-01 TO 06-30	0.70 CFS
	Irrigation	07-01 TO 11-15	0.88 CFS

The use of water for irrigation under this right may begin as
early as March 1, provided other elements of the right are not
exceeded. The use of water before April 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 Canyon County
T01S R02W S08 SESE 16.0
S09 NWSW 0.2 SWSW 35.0
51.2 Acres Total

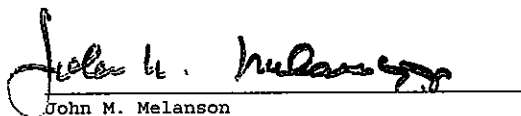
Right Nos. 63-353A, 63-360A, 63-7911, 63-7912, 63-21348A,
63-21348B and 63-21608 are limited to the irrigation of a
combined total of 171 acres in a single irrigation season.

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.

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

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