

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 Fifth Judicial District County of Twin Falls - State of Idaho	
APR - 3 2009	
By _____	Clerk
Deputy Clerk	

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-09243

NAME AND ADDRESS: CITY OF BOISE
PUBLIC WORKS DEPT
PO BOX 500
BOISE, ID 83701-0500

SOURCE: GROUND WATER

QUANTITY: 2.60 CFS
778.50 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands herein. The total instantaneous diversion of water from all points of diversion under Transfer 4901 shall not exceed 37.53 cfs, nor a total combined annual volume of 10222.6 af for the irrigation of 2268 acres, stockwater and domestic uses.

PRIORITY DATE: 06/01/1979

POINT OF DIVERSION:	T01N R01E S23	SESW	Within Ada County
	S25	SESW	
		SESW	
		NWSE	
	S35	NENW	
		NWNW	
	S36	NENE	

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.60 CFS 778.50 AFY

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 MARCH 15 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 Ada County	
	T01N R01E S23	SWSW 40.0 SWSE 40.0 SWSW 35.0 NENE 38.0 SWNE 40.0 NENW 40.0 SWSW 40.0 NENE 40.0 SWNE 40.0 NENW 40.0 SWSW 40.0 NENE 40.0 SWNE 40.0 NENW 40.0 SWSW 38.0	SESW 40.0 SESE 40.0 NWNE 38.0 SENE 40.0 NWNW 40.0 SESW 40.0 NWSE 37.0 SESE 15.0 NWNE 40.0 SENE 40.0 NWNW 40.0 SESW 40.0 NWSE 40.0 SESE 40.0
	S24	SWSW 35.0	
	S25	NENE 38.0 SWNE 40.0 NENW 40.0 SWSW 40.0 NENE 40.0 SWNE 40.0 NENW 40.0 SWSW 40.0 NENE 40.0 SWNE 40.0 NENW 40.0 SWSW 40.0 NENE 40.0 SWNE 40.0 NENW 40.0 SWSW 38.0	NWNE 38.0 SENE 40.0 NWNW 40.0 SESW 40.0 NWSE 37.0 SESE 15.0 NWNE 40.0 SENE 40.0 NWNW 40.0 SESW 40.0 NWSE 40.0 SESE 40.0
	S26	NENE 40.0 SWNE 40.0 NENW 40.0 SWSW 40.0 NENE 40.0 SWNE 40.0 NENW 40.0 SWSW 40.0 NENE 40.0 SWNE 40.0 NENW 40.0 SWSW 40.0 NENE 40.0 SWNE 40.0 NENW 40.0 SWSW 40.0	NWNE 40.0 SENE 40.0 NWNW 40.0 SESW 40.0 NWSE 40.0 SESE 40.0

PLACE OF USE (continued)

	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 40.0
S27	NENE 40.0	NWNE 40.0
	SWNE 40.0	SENE 40.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 40.0
S35	NENE 40.0	NWNE 40.0
	SWNE 40.0	SENE 40.0
	NENW 40.0	NWNW 38.0
	SWNW 40.0	SENW 40.0
S36	NENE 31.0	NWNE 37.0
	SWNE 4.0	SENE 27.0
	NENW 40.0	NWNW 40.0
	SWNW 17.0	SENW 10.0
2268.0 Acres Total		

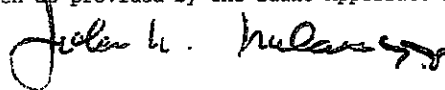
This right is limited to the irrigation of 173 acres within the place of use described above in a single irrigation season.

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