

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 63-08088

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF CORRECTIONS
1299 N ORCHARD STE 110
BOISE, ID 83706

SOURCE: GROUND WATER

QUANTITY: 4.80 CFS
1404.00 AFY

Rights 63-3271, 63-3445, 63-3487, 63-7025, 63-8088, 63-30297 and 63-30298 when combined shall not exceed a total diversion rate of 21.24 cfs, a total annual maximum diversion volume of 6914.5 af for municipal use and irrigation. Rights 63-3271, 63-3445, 63-3487, 63-7025 and 63-8088 when combined shall not exceed a total diversion rate of 18.64 cfs nor a total annual maximum diversion volume of 4860 af for irrigation.

PRIORITY DATE: 02/27/1975

POINT OF DIVERSION: T02N R02E S27 SWSW Within Ada County
NESE
SWSE
SWSE
S30 SESE
S32 NENE
SENE
NWSE
S33 NWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	4.80 CFS 1404.00 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 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 Ada County
	T02N R02E S21	SWSW 40.0 SWSE 40.0
	S27	NENW 40.0 SWNW 40.0 NESW 40.0 SWSW 40.0 NESE 5.0 SWSE 40.0
	S28	NENE 40.0 SWNE 40.0 NENW 40.0 SWNW 40.0 NESW 40.0 SWSW 40.0 NESE 40.0
		SESW 40.0 NWNW 40.0 SENW 40.0 NWSW 40.0 SESW 40.0 NWSE 40.0

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

	SWSE 40.0	SESE 40.0
S29	NESW 40.0	NWSW 40.0
	SWSW 40.0	SESW 40.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 40.0
S30	SWNE 40.0	SENE 40.0
	SENE 40.0	NESW 40.0
	SESW 40.0	NESE 40.0
	NWSE 40.0	SWSE 40.0
	SESE 40.0	
S31	NENE 40.0	NWNE 40.0
	SWNE 40.0	SENE 40.0
	NENW 40.0	SENE 40.0
S32	NENE 40.0	NWNE 40.0
	SWNE 40.0	SENE 40.0
	NENW 40.0	NWNW 40.0
	SWNW 40.0	SENE 40.0
	NESW 40.0	NWSW 40.0
	NESE 40.0	NWSE 40.0
S33	NENE 40.0	NWNE 40.0
	SWNE 40.0	SENE 40.0
S34	NENE 40.0	NWNE 40.0
	SWNE 40.0	SENE 40.0
	NENW 40.0	NWNW 40.0
	SWNW 40.0	SENE 40.0
	NESW 40.0	NWSW 40.0
3125.0 Acres Total		

This right is limited to the irrigation of 312 acres within the place of use described above in a single irrigation season. Rights 63-3271, 63-3445, 63-3487, 63-7025, 63-8088, 63-30297 and 63-30298 when combined are limited to the irrigation of 1,080 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

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