

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

DISTRICT COURT - SREA
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 63-08423

NAME AND ADDRESS: MC KELLIP FARMS INC
C/O LEWIS MC KELLIP
18120 DEAN LN
NAMPA, ID 83687
ANNE MC KELLIP
LEWIS MC KELLIP
18120 DEAN LN
NAMPA, ID 83687

SOURCE: GROUND WATER

QUANTITY: 3.52 CFS
787.70 AFY

The total instantaneous diversion of water from all points of diversion under Transfer No. 4662 shall not exceed 3.52 cfs, nor total combined annual volume of 787.7 af. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands herein.

PRIORITY DATE: 02/07/1977

POINT OF DIVERSION: T04N R02W S36 NENENW Within Canyon County
NESWNW
NWSWSE
NESESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	3.42 CFS 769.50 AFY
	Commercial	07-01 TO 10-01	0.10 CFS 18.20 AFY

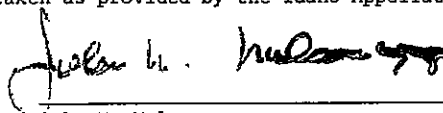
PLACE OF USE:	Irrigation	Within Canyon County
	T04N R02W S36	NENW 38.0 NWNW 36.0 SWNW 33.0 SWSE 19.0
	171.0 Acres Total	SESE 18.0
	Commercial	Within Canyon County
	T04N R02W S36	SWSE

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