

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

FEB - 6 2009

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 63-07034

By

Deputy

NAME AND ADDRESS:

CITY OF BOISE
PARKS & RECREATION DEPT
1104 ROYAL BLVD
BOISE, ID 83706-2898

SOURCE:

GROUND WATER

QUANTITY:

1.59 CFS

This right when combined with all other rights shall provide no more than 4.5 cfs per acre at the field headgate for irrigation of the lands herein.

The total instantaneous diversion of water from all points of diversion under Rights 63-2792, 63-7034 and 63-30418 shall not exceed 4.63 cfs, nor a total combined annual volume of 619.5 af for all uses.

Rights 63-2792, 63-7034 and 63-30418 when combined shall not exceed a total annual maximum diversion volume of 373.5 af at the field headgate for the irrigation of 83 acres.

Diversion from the well drilled in 2004 under Transfer #71075, well tag no. D0038326, in NWSE, Sec 10, is limited to 2.0 cfs.

PRIORITY DATE:

12/13/1967

POINT OF DIVERSION:

T03N R02E S10 LOT 12 (SESE) Within Ada County
NWSE
LOT 12 (SESE)
NWSE
LOT 12 (SESE)
NWSE

Rights 63-2792 and 63-30418 are also diverted through the points of diversion described above.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-01 TO 11-15	1.25 CFS
		373.50 AFY
Municipal	01-01 TO 12-31	0.34 CFS

PLACE OF USE:

Place of Use	Quantity
Irrigation	Within Ada County
T03N R02E S10 LOT 4 (NESW) 22.0	LOT 4 (SESW) 8.0
LOT 2 (NESE) 1.0	NWSE 6.0
LOT 10 (SWSE) 27.0	LOT 11 (SESE) 19.0
83.0 Acres Total	

Municipal Within Ada County
Same as Irrigation

Place of use is within the service area of the City of Boise municipal water supply system as provided for under Idaho Law.

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

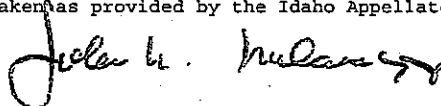
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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