

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

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-07002

FEB - 6 2009

By _____
Clari
Deputy Clerk

NAME AND ADDRESS: GARY CUNNINGHAM
MARTHA CUNNINGHAM
5900 PEARL RD
EAGLE, ID 83616

SOURCE: GROUND WATER

QUANTITY: 1.56 CFS
576.90 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.

PRIORITY DATE: 06/05/1967

POINT OF DIVERSION: T06N R01W S25 NWNW Within Gem County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation		04-01 TO 10-15	1.56 CFS
			571.50 AFY
Stockwater		01-01 TO 12-31	0.09 CFS
			5.40 AFY

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 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 Gem County
T06N R01W S24	SESW 8.3	SWSE 20.8
	SESE 1.8	
S25	NWNE 14.5	SWNE 0.2
	NENW 26.6	NWNW 2.8
	SWNW 14.0	SENW 8.0
	NWSW 0.2	
S26	SENE 9.0	NESE 14.8
	NWSE 5.3	SWSE 0.7
	127.0 Acres Total	

Stockwater	Within Gem County
T06N R01W S24	SWSE
S25	SWNE
	NWNW
	SENW
S26	NESE
	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

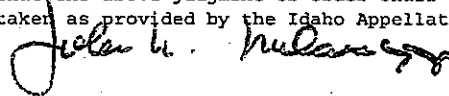
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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