

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 63-03054

By _____ Clerk
_____ Deputy Clerk

NAME AND ADDRESS: BERT DE WINKLE
TRYNTJE DE WINKLE
DBA MOO RIAH DAIRY
3438 LYNWOOD
MELBA, ID 83641

SOURCE: GROUND WATER

QUANTITY: 2.30 CFS
1071.50 AFY

Prior to diversion of water under this Partial Decree, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion. Right Nos. 63-2824 and 63-3054 are limited to a total combined diversion rate of 6.09 cfs and to a total combined annual diversion volume of 1723.8 AF. Right Nos. 63-2824 and 63-3054 when combined shall not exceed a total annual maximum diversion volume of 1615.1 AF at the field headgate for the irrigation of 358.9 acres.

PRIORITY DATE: 06/24/1955

POINT OF DIVERSION: T01N R02W S16 NWSW Within Canyon County
SWNW
NWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation		03-01 TO 11-15	2.12 CFS
			1030.20 AFY
	Stockwater	01-01 TO 12-31	0.18 CFS
Commercial			36.50 AFY
		01-01 TO 12-31	0.18 CFS
			4.80 AFY

PLACE OF USE:	Irrigation	Stockwater	Commercial	Within Canyon County
T01N R02W S16	SWNE 40.0			SWNW 30.0
	SENE 40.0			NESW 40.0
	NWSW 16.9			SWSW 35.0
	SESW 39.0			NESE 39.0
	NWSE 40.0			SWSE 39.0
	358.9 Acres Total			
T01N R02W S16	NWSW			Within Canyon County
T01N R02W S16	SWNE			SWNW
	SENE			NESW
	NWSW			SWSW
	SESW			NESE
	NWSE			SWSE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

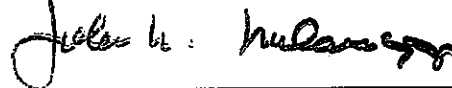
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS

OTHER PROVISIONS (continued)

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