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
By _____ Clerk
_____ Deputy Clerk

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 63-03049C

NAME AND ADDRESS: CHARLES DE GROOT
JANICE DE GROOT
10394 MELMONT RD
MELBA, ID 83641

SOURCE: GROUND WATER

QUANTITY: 2.65 CFS
1287.80 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. 63-2823C and 63-3049C are limited to a total combined diversion rate of 1.13 cfs for Stockwater and Commercial uses at a dairy, and to a total combined annual diversion volume of 123.4 AF for Stockwater use, 167.1 AF for Commercial use and 2407.5 AF at the field headgate for Irrigation of 535 acres.

PRIORITY DATE: 05/31/1955

POINT OF DIVERSION: T01N R02W S17 SENE Within Canyon County
SWSE
NESE
NESE

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-15 TO 11-15	2.30 CFS 1117.70 AFY
Stockwater	01-01 TO 12-31	0.35 CFS 72.30 AFY
Commercial	01-01 TO 12-31	0.35 CFS 97.80 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 March 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 Canyon County
T01N R02W S17	NENE 40.0	NWNE 40.0
	SWNE 40.0	SENE 40.0
	NENW 33.0	NWNW 33.0
	SWNW 40.0	SENW 40.0
	NESW 40.0	NWSW 40.0
	SWSW 40.0	SESW 40.0
	NWSE 3.0	SWSE 30.0
	SESE 36.0	

535.0 Acres Total

Stockwater

		Within Canyon County
T01N R02W S17	NESW	NESE
	NWSE	

PLACE OF USE (continued)

Commercial		Within Canyon County
T01N R02W S17	NENE	NWNE
	SWNE	SENE
	NENW	NWNW
	SWNW	SENW
	NESW	NWSW
	SWSW	SESW
	NESE	NWSE
	SWSE	SESE

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