

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 63-02712

NAME AND ADDRESS: TOM KASPER
3349 HILL RD
MELBA, ID 83641

SOURCE: GROUND WATER

QUANTITY: 1.80 CFS
878.30 AFY

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.

Right Nos. 63-2712, 63-2955 and 63-3099 when combined for irrigation purposes shall not exceed a total combined diversion rate of 9.76 cfs, a total combined annual diversion volume of 2029.5 AF. at the field headgate, and the irrigation of 451 acres.

Diversion from the well located in the SENW S15, T01S R02W, is limited to 2.00 cfs (900 gpm) and 157 acre feet annually.

Right Nos. 63-2712, 63-2955 and 63-7814 when combined for dairy use shall not exceed a total diversion rate of 1.06 cfs, and/or a combined total annual volume for both stockwater and commercial use of 134 acre-feet. Because the annual volume for both stockwater and commercial use was reduced from the quantities sought by the application for transfer (Transfer 5356), the permit holder must determine the division of the 134 acre-feet into stockwater and commercial components.

PRIORITY DATE: 06/07/1950

POINT OF DIVERSION: T01S R02W S15 SENW Within Canyon County
SWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	1.62 CFS 790.50 AFY
	Stockwater	01-01 TO 12-31	0.18 CFS 87.80 AFY
	Commercial	01-01 TO 12-31	0.18 CFS 87.80 AFY

PLACE OF USE:	Irrigation		Within Canyon County
	T01S R02W S15	NWSW 5.0	
	S16	NWNE 12.0	SWNE 40.0
		SENE 27.0	NENW 30.0
		NWNW 30.0	SWNW 40.0
		SENE 40.0	NESW 30.0
		NWSW 25.0	SWSW 26.0
		SESW 27.0	NESE 30.0
		NWSE 40.0	SWSE 24.0
	S26	SWNW 10.0	
	S27	NENE 15.0	
	451.0 Acres Total		
	Stockwater		Within Canyon County
	T01S R02W S22	NENW	SENE
		NWSE	

PLACE OF USE (continued)

	S27	NENE	
Commercial			Within Canyon County
T01S R02W S15	NWSW		
S16	NWNE	SWNE	
	SENE	NENW	
	NWNW	SWNW	
	SENW	NESW	
	NWSW	SWSW	
	SESW	NESE	
	NWSE	SWSE	
S26	SWNW		
S27	NENE		

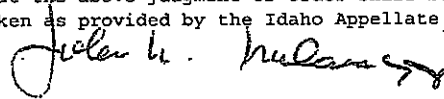
This right is limited to the irrigation of 380 acres within the place of use described above in a single irrigation season. Ground water diverted under this right is the sole source of irrigation water for the five (5) acres in the NWSW S15 T01S R02W. Ground water delivered to the remainder of the place of use supplements surface water irrigation.

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