

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)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 74-15767

RECEIVED

JAN 23 2009

DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: CHARLES E LIEBRECHT
NANCY J KAGEL
RAY L KAGEL JR
3879 E 200 N
RIGBY, ID 83422

SOURCE: HAWLEY CREEK TRIBUTARY: EIGHTEENMILE CREEK

QUANTITY: 0.64 CFS

Right Nos. 74-22 and 74-15767 are limited to a total combined
diversion rate of 2.00 cfs.

PRIORITY DATE: 03/15/1983

This water right is subordinate to all water rights with a
priority date earlier than April 12, 1994, that are not decreed
as enlargements pursuant to Section 42-1426, Idaho Code. As
between water rights decreed as enlargements pursuant to Section
42-1426, Idaho Code, the earlier priority right is the superior
right.

POINT OF DIVERSION: T16N R28E S31 NWNW Within Lemhi County
S32 NWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.64 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T16N R27E S36	SENE 13.6
		NENE 0.1
		NESE 0.8
	R28E S31	NENW 4.1
		NWNW 0.8
		SENW 13.6
	SWNW 26.3	
	59.3 Acres Total	

Right Nos. 74-22 and 74-15767 are limited to the irrigation of a
combined total of 59.3 acres in a single irrigation season.
Place of use does not include federal lands and is within HES
543

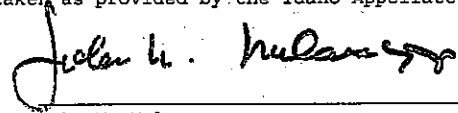
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is based upon an enlargement of Right No.74-22
pursuant to Section 42-1426, Idaho Code.

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