

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
) I.R.C.P. 54(b) FOR
Case No. 39576)
_____) Water Right 22-13289

NAME AND ADDRESS: GARTH SUTTON
JOLENE SUTTON
1295 E 10000 S
REXBURG, ID 83440

SOURCE: GROUND WATER

QUANTITY: 0.43 CFS
297.50 AFY

Right Nos. 22-7092 and 22-13289 are limited to a total combined diversion rate of 5.84 cfs and to a total combined annual diversion volume of 2047.5 AF.

PRIORITY DATE: 04/01/1987

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: T05N R41E S31 SESW Within Madison County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.43 CFS 297.50 AFY

PLACE OF USE:	Irrigation		Within Madison County
	T04N R41E S05 LOT 1	(NENE) 11.0	SENE 22.0
	S06 LOT 2	(NWNE) 39.0	SWNE 35.0
	LOT 3	(NENW) 39.0	LOT 4 (NWNW) 39.0
	LOT 5	(SWNW) 30.0	SENE 40.0
	T05N R41E S31 LOT 4	(SWSW) 39.0	SESW 39.0
		NESE 39.0	NWSE 39.0
		SWSE 39.0	SESE 39.0
	S32	NESW 40.0	NWSW 22.0
		SWSW 22.0	SESE 12.0
	585.0 Acres Total		

Right Nos. 22-7092 and 22-13289 are limited to the irrigation of a combined total of 585 acres in a single irrigation season.

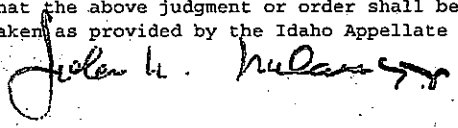
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is based upon an enlargement of Right No. 22-7092 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