

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 22-10897

NAME AND ADDRESS: LEE H SUTTON
1577 E 10000 S
REXBURG, ID 83440

SOURCE: GROUND WATER

QUANTITY: 5.52 CFS
1288.00 AFY

The rights listed below are limited to a total combined diversion rate of 6.16 cfs and to a total combined annual diversion volume of 2723 AF. Combined Right Nos.: 22-2242B and 22-10897.

PRIORITY DATE: 06/20/1976

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: T04N R40E S02 NWSESW Within Madison County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	5.52 CFS 1288.00 AFY

PLACE OF USE:	Irrigation	Within Madison County
	T04N R40E S01 LOT 4	(NWNW) 35.0 SWNW 40.0
		NWSW 28.0 SWSW 1.0
	S02 LOT 1	(NENE) 40.0 SENE 40.0
		NWSW 40.0 SWSW 40.0
		SESW 40.0 NESE 40.0
		NWSE 20.0 SWSE 40.0
		SESE 20.0
	S03	SWNE 37.0 SENE 38.0
		SENW 5.1 NESE 35.0
		SWSE 4.6 SESE 39.0
	S10	NENE 31.0 NENE 7.3
		SWNE 1.0 SENE 32.0
	S11	NWNE 15.0 NENW 37.0
		NWNW 35.0 SWNW 28.0
		SENW 9.0
	778.0 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 778 acres in a single irrigation season. Combined Right Nos.: 22-2242B and 22-10897.

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

This right is based upon an enlargement of Right No. 22-2242B 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

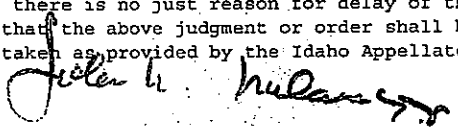
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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