

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 22-07075

NAME AND ADDRESS: RICHARD F SMITH
PO BOX 8
REXBURG, ID 83440

SOURCE: GROUND WATER

QUANTITY: 4.94 CFS
1953.00 AFY

The rights listed below are limited to a total combined
diversion rate of 10.17 cfs and to a total combined annual
diversion volume of 3899.0 AF. Combined Right Nos.: 22-2184,
22-2230, 22-7075, 22-7507, 22-11147, 22-11149.

PRIORITY DATE: 07/05/1973

POINT OF DIVERSION: T06N R40E S28 S33 SWSESW Within Madison County
SESESW
SWNESEW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 11-01	4.94 CFS 1953.00 AFY

The use of water for irrigation under this right may begin as
early as April 1, provided other elements of the right are not
exceeded. The use of water before May 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 Madison County
T06N R40E S28	NESW 40.0	NWSW 40.0
	SWSW 40.0	SESW 40.0
	NESE 25.0	NWSE 40.0
	SWSE 35.0	SESE 31.0
S29	SWSE 37.0	SESE 37.0
S32	NWNE 40.0	SWNE 39.0
	NESW 31.0	NWSE 40.0
S33	NENE 23.0	NWNE 40.0
	SWNE 37.0	SENE 37.0
	NENW 40.0	NWNW 40.0
	SWNW 37.0	SENW 40.0
	NESW 33.0	NWSW 39.0
	SWSW 39.0	SESW 37.0
	NESE 40.0	NWSE 40.0
	SWSE 38.0	SESE 39.0
	1114.0 Acres Total	

The rights listed below are limited to the irrigation of a
combined total of 1114.0 acres in a single irrigation season.
Combined Right Nos.: 22-2184, 22-2230, 22-7075, 22-7507,
22-11147, 22-11149.

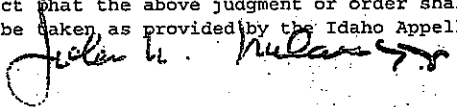
This right is limited to the irrigation of 558.0 acres within
the place of use described above in a single irrigation season.

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