

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 35-13601

NAME AND ADDRESS: DE LOY Z WARD
NEAL D WARD
SHELLY WARD
VIOLA J WARD
1305 S 2 E
REXBURG, ID 83440

SOURCE: GROUND WATER

QUANTITY: 0.40 CFS

Right Nos. 35-2314, 35-2441 and 35-13601 are limited to a total combined diversion rate of 10.5 cfs and to a total combined annual diversion volume of 2520 AF.

PRIORITY DATE: 04/01/1984

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: T01S R34E S26 NESWNW Within Bingham County
S35 SWSWNE
SWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.40 CFS

PLACE OF USE:	Irrigation	Within Bingham County
T01S R34E S26	SWNE 3.0	NWNW 6.0
	SWNW 40.0	SENW 34.0
	NESW 38.0	NWSW 40.0
	SWSW 39.0	SESW 20.0
	NWSE 6.0	
S34	NENE 40.0	SENE 20.0
	NESE 18.0	SESE 4.0
S35	NWNE 12.0	SWNE 22.0
	NENW 36.0	NWNW 40.0
	SWNW 37.0	SENW 40.0
	NESW 40.0	NWSW 40.0
	SWSW 25.0	SESW 10.0
	NWSE 20.0	
630.0 Acres Total		

The rights listed below are limited to the irrigation of a combined total of 630 acres in a single irrigation season. Combined Right Nos.:35-2314, 35-2441, 35-13601.

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

This right is based upon an enlargement of Right Nos. 35-2314 and 35-2441 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

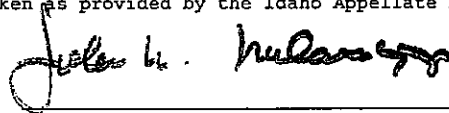
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

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