

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

FILED  
2007 DEC 6 AM 11 18

In Re SRBA )  
 )  
Case No. 39576 )  
 )  
PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 25-14109

NAME AND ADDRESS: RUSSELL SCHWENDIMAN  
PO BOX 608  
RIRIE, ID 83443-0608

SOURCE: GROUND WATER

QUANTITY: 1.07 CFS  
111.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 25-2122F IS LIMITED TO A TOTAL  
COMBINED DIVERSION RATE OF 1.07 CFS AND TO A TOTAL COMBINED  
ANNUAL DIVERSION VOLUME OF 396 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: T03N R40E S05 NESW Within Bonneville County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|-------------------------------|----------------|----------------|------------------------|
|                               | Irrigation     | 04-01 TO 11-01 | 1.07 CFS<br>111.00 AFY |

| PLACE OF USE: | Irrigation       | Within Bonneville County                        |
|---------------|------------------|-------------------------------------------------|
|               | T03N R40E S07    | NESE 27.0<br>NWSE 2.0<br>SWSE 16.0<br>SESE 40.0 |
|               | S18              | NENE 14.0                                       |
|               | 99.0 Acres Total |                                                 |

USE OF THIS RIGHT WITH RIGHT NO. 25-2122F IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 99 ACRES IN A SINGLE  
IRRIGATION SEASON.

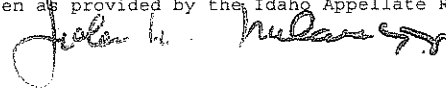
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 25-2122F  
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.



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John M. Melanson  
Presiding Judge of the  
Snake River Basin Adjudication