

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 25-07652

NAME AND ADDRESS: COMORE DEVELOPMENT INC
3920 E SUNNYSIDE RD
IDAHO FALLS, ID 83406

SOURCE: GROUND WATER

QUANTITY: 1.33 CFS

PRIORITY DATE: 12/11/1996

POINT OF DIVERSION: T01N R38E S01 LOT 1 (NENE) Within Bonneville County
NESE
NWSE
NESE
S12 NWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	1.33 CFS 105.60 AFY

PLACE OF USE:	Domestic	Within Bonneville County
	T01N R38E S12	NENE SENE NESW SESW NESE NWSE SWSE
	R39E S06	NENE NWNE SWNE SENE NENW NWNW SWNW SENW NESW NWSW SWSW SESW NESE NWSE SWSE SESE
	S07	NENE NENW NWNW SWNW SENE

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

Two points of diversion are located within NESE, S01, T01N, R38E and are locally known as Well #1 and Well #4. The point of diversion located within Lot 1 (NENE), S01, T01N, R38E is locally known as Well #2. The point of diversion located within NWNE, S12, T01N, R38E is locally known as Well #5. Places of use are located within Lots 10-14 & 22-27, Bk. 4; Lots 15-19, Bk. 8; Lots 7-21, Bk. 10; Lots 1-9 & 34-45, Bk. 11; Lots 1-23, 27-34 & 36, Bk. 12; Comore Loma Subdivision. The irrigation use occurring under this domestic right shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater for irrigation use under this right when water from the appurtenant surface water rights cannot be delivered to the right holder. This domestic right shall not be used for irrigation if the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use.

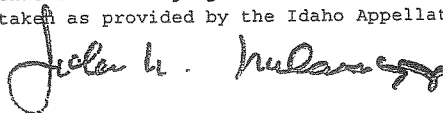
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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