2007 SEP 14 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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 01-00164D

NAME AND ADDRESS: JOSEPH M OLER
505 SUGAR AVE
SHELLEY, ID 83274

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.101 CFS

PRIORITY DATE: 06/01/1900

POINT OF DIVERSION:

T02N R37E S12	NWNENW	Within Bonneville County
T04N R37E S35	NENENE	Within Jefferson County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 10-31	0.101 CFS

PLACE OF USE: Irrigation — Within Bingham County

T01S R36E S01 LOT 4	(NWNW) 2.8		SWNW 21.0
	NWSW 15.0		SWSW 0.1
S02 LOT 1	(NENE) 3.4	LOT 2	(NWNE) 1.2
	SWNE 25.0		SENE 37.0
	NESE 40.0		NWSE 33.0
	SWSE 29.0		SESE 31.0

238.5 Acres Total

The rights listed below are limited to the irrigation of a combined total of 238.5 acres in a single irrigation season. Combined Right Nos.: 1-162D, 1-163D, 1-164D, 1-165D, 1-10131, 1-10246, and 1-10511.

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

This right is subject to a certain agreement between the right holder and the Rudy Irrigtion Canal Company, said instrument being recorded in Jefferson County, Idaho.

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