

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)
_____) Water Right 74-07023

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

NAME AND ADDRESS: FRANCES B TONSMEIRE
 JOSEPH L TONSMEIRE
 PO BOX 72
 LEMHI, ID 83465

SOURCE: HAYDEN CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 0.20 CFS
 35.00 AFY

This right when combined with all other rights shall provide no
more than 0.02 cfs per acre nor more than 3.5 afa per acre at
the field headgate for irrigation of the lands above.

PRIORITY DATE: 02/08/1973

POINT OF DIVERSION: T17N R23E S14 WNWESW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.20 CFS
			35.00 AFY

PLACE OF USE: Irrigation Within Lemhi County
 T17N R23E S11 SESE 8.0
 S14 NENE 2.0
 10.0 Acres Total

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

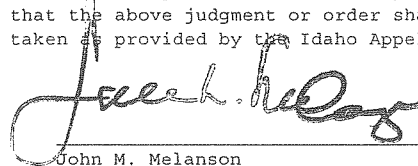
Use of water under this right will be regulated by a watermaster
with responsibility for the distribution of water among
appropriators within a water district. At the time of this
approval, this water right is within State Water District No.
74.

Upon specific notification by the Department, the right holder
shall install a lockable device of a type acceptable to the
Department in a manner that will provide the watermaster
suitable control of the diversion.

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.

A handwritten signature in dark ink, appearing to read "John M. Melanson", is written over a horizontal line.

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