

2005 OCT 07 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)
Case No 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 25-14064

NAME AND ADDRESS: CLYDE A COOK
GEORGE L IOVELL
RONALD L IOVELL
PO BOX 566
RIRIE, ID 83443

SOURCE: GROUND WATER

QUANTITY: 3.76 CFS
944.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 11.81 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 4480.4 AF. COMBINED RIGHT NOS.: 25-14058,
25-14060, 25-14062, 25-14064, AND 25-14066.

PRIORITY DATE: 05/20/1955

POINT OF DIVERSION: T03N R40E S04 SESWNE Within Bonneville County
SWSWNE
LOT 3 (SWNENW)
S09 NWNENW

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-01 TO 10-31 3.76 CFS
944.00 AFY

PLACE OF USE: Irrigation Within Bonneville County
T03N R40E S04 LOT 1 (NENE) 36.0 LOT 2 (NWNE) 40.0
SWNE 40.0 SENE 38.0
LOT 3 (NENW) 31.0 LOT 4 (NWNW) 35.0
SWNW 40.0 SENW 40.0
NESW 40.0 NWSW 40.0
SWSW 38.0 SESW 38.0
NESE 38.0 NWSE 40.0
SWSE 38.0 SESE 37.0
S05 LOT 1 (NENE) 35.0 SENE 31.0
NESE 40.0 SESE 38.0
S09 NENE 40.0 NWNE 40.0
NENW 39.0
Within Jefferson County
T04N R40E S33 SENE 0.4 SWSW 15.0
SESW 21.0 NESE 29.0
SWSE 10.0 SESE 26.0
S34 SWNW 0.9 SENW 0.8
NESW 37.0 NWSW 39.0
SWSW 34.0 SESW 35.0
1120.1 Acres Total

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 1120.1 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 25-14058, 25-14060, 25-14062, 25-14064, AND
25-14066.
This right is limited to the irrigation of 236 acres within the
place of use described above in a single irrigation season.

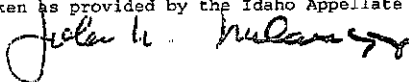
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

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