

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 74-00249

NAME AND ADDRESS: JOHN E SELLS
PO BOX 34
TENDON, ID 83468

SOURCE: AGENCY CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 3.80 CFS

PRIORITY DATE: 11/27/1919

POINT OF DIVERSION: T19N R24E S28 LOT 1 (NWNW) Within Lemhi County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	3.80 CFS

PLACE OF USE:	Irrigation		Within Lemhi County
	T19N R24E S16	SWSW 40.0	
	S20	SWNE 31.5	SENE 30.5
		NESE 30.3	NWSE 31.5
	S21	NWNW 6.0	SWNW 40.0
	209.8 Acres Total		

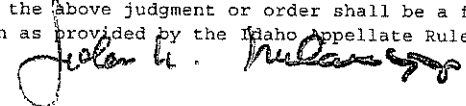
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Water right 74-249 is supplemental to right 74-404 and may only be diverted when right 74-404 cannot be diverted due to its relative priority when considered together with other rights diverted from the Lemhi River, and shall be limited to the use of one inch of water per acre.

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