

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 63-05173

NAME AND ADDRESS: GERALD W TIMMONS
LYNNE TIMMONS
2228 W DUCK ALLEY RD
EAGLE, ID 83616

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.19 CFS

Right Nos. 63-5173 and 63-5174 are limited to a total combined
diversion rate of .20 cfs.

PRIORITY DATE: 07/01/1958

POINT OF DIVERSION: T04N R01W S14 LOT 9 (SWSE) Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.19 CFS

Diversion for irrigation under this water right prior to April 1
and after October 31 shall occur only as authorized by the Water
District 63 Water Master and only when water is being released
for flood control by the United States from the Lucky Peak Dam
outlet under procedures and requirements for the Memorandum of
Agreement between the U.S. Department of the Army and the U.S.
Department of the Interior for Flood Control Operations of the
Boise River Reservoirs, dated November 20, 1953, the Water
Control Manual for Boise River Reservoirs dated April 1985 and
any future amendments or revisions made thereto pursuant to
state or federal procedures or law; provided that any such use
of this water right prior to April 1 and after October 31 shall
be subordinated to water rights for storage in Lucky Peak
Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson
Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE: Irrigation Within Ada County
T04N R01W S14 LOT 8 (SWSE) 7.0
7.0 Acres Total

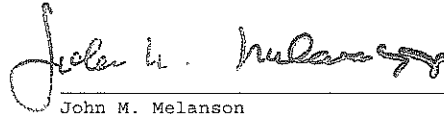
Right Nos. 63-5173 and 63-5174 are limited to the irrigation of
a combined total of 7 acres in a single irrigation season.

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

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 cursive script, reading "John M. Melanson", written in dark ink. The signature is positioned above a horizontal line.

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