

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 63-03548

NAME AND ADDRESS: SCOTT D EMERY
 6417 DRY CREEK RD
 BOISE, ID 83714

BROKEN HORN RANCH LP
DAN D EMERY
6417 DRY CREEK RD
BOISE, ID 83703-9740

SOURCE: GROUND WATER

QUANTITY: 1.41 CFS
 391.50 AFY

USE OF THIS RIGHT WITH RIGHT NO. 63-3176 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.41 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 391.5 AF.

PRIORITY DATE: 10/12/1966

POINT OF DIVERSION: T05N R02E S31 NESW Within Ada County
 NESW

Two points of diversion are located within NESW, S31, T05N,
R02E.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-01	1.41 CFS 391.50 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE MARCH 15 AND AFTER NOVEMBER 1 UNDER THIS REMARK
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY
OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE
A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:	Irrigation	Within Ada County
	T05N R02E S31 NESW 34.0 LOT 3 (NWSW)33.0	
	LOT 4 (SWSW)18.0 SESW 2.0	
	87.0 Acres Total	

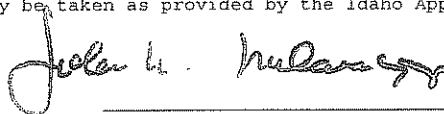
USE OF THIS RIGHT WITH RIGHT NO. 63-3176 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 87 ACRES IN A SINGLE
IRRIGATION SEASON.

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.



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