

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 25-02095

NAME AND ADDRESS: CITY OF IDAHO FALLS  
C/O HOLDEN KIDWELL HAHN CRAPO  
PO BOX 50130  
IDAHO FALLS, ID 83405

SOURCE: GROUND WATER

QUANTITY: 5.20 CFS

PRIORITY DATE: 02/25/1927

POINT OF DIVERSION: T02N R38E S19 NWNWSE Within Bonneville County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Municipal      | 01-01 TO 12-31 | 5.20 CFS |

| PLACE OF USE: | Municipal      | Within Bonneville County |
|---------------|----------------|--------------------------|
|               | T01N R37E S01  |                          |
|               | LOT 3          | LOT 4                    |
|               | SWNE           | SENE                     |
|               | (NENW)         | (NWNW)                   |
|               | SWNW           | SENE                     |
|               | NWSW           | SWSW                     |
|               | NESE           | NWSE                     |
|               | SWSE           | SESE                     |
|               | S02 LOT 1      | LOT 2                    |
|               | (NENE)         | (NWNE)                   |
|               | SWNE           | SENE                     |
|               | NESW           | NESE                     |
|               | NWSE           | SWSE                     |
|               | SESE           |                          |
|               | S11            | SENE                     |
|               | S12            | SWNW                     |
|               | R38E S04 LOT 1 | LOT 2                    |
|               | (NENE)         | (NWNE)                   |
|               | SWNE           | SENE                     |
|               | NESE           | NWSE                     |
|               | SWSE           | SESE                     |
|               | S06 LOT 2      | LOT 3                    |
|               | (NWNE)         | (NENW)                   |
|               | SENE           |                          |
|               | S09            | NWNE                     |
|               | T02N R37E S01  | LOT 6                    |
|               | SENE           | (NWSW)                   |
|               | NWSW           | (SWSW)                   |
|               | SWSW           | SESW                     |
|               | NESE           |                          |
|               | S02            | SESE                     |
|               | S11            | NWNE                     |
|               | SWNE           | SENE                     |
|               | SENE           | NESW                     |
|               | NWSW           | SWSW                     |
|               | SESW           | NESE                     |
|               | NWSE           | SWSE                     |
|               | SESE           |                          |
|               | S12 LOT 11     | LOT 10                   |
|               | (SWNE)         | (SWNE)                   |
|               | LOT 2          | SENE                     |
|               | (SWNE)         |                          |
|               | NENW           | LOT 8                    |
|               | (NENW)         | (NWNW)                   |
|               | SWNW           | LOT 7                    |
|               | (SENE)         |                          |
|               | LOT 11         | SENE                     |
|               | (SENE)         |                          |
|               | LOT 13         | LOT 12                   |
|               | (NESW)         | (NESW)                   |
|               | LOT 6          | NWSW                     |
|               | (NESW)         |                          |

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

|           |        |        |        |
|-----------|--------|--------|--------|
|           | SWSW   | LOT 5  | (SESW) |
| LOT 14    | (SESW) | LOT 15 | (SESW) |
| LOT 13    | (SESW) |        | NESE   |
| LOT 12    | (NWSE) | LOT 3  | (NWSE) |
| LOT 13    | (NWSE) | LOT 13 | (NWSE) |
|           | NWSE   | LOT 14 | (SWSE) |
| LOT 15    | (SWSE) | LOT 4  | (SWSE) |
|           | SWSE   |        | SESE   |
| S13       | NENE   | LOT 1  | (NENE) |
| LOT 7     | (NWNE) |        | NWNE   |
| LOT 1     | (NWNE) |        | NWNE   |
| LOT 6     | (SWNE) |        | SWNE   |
|           | SWNE   | LOT 2  | (SENE) |
|           | SENE   |        | SENE   |
|           | NENW   |        | NWNW   |
|           | SWNW   |        | SENW   |
|           | NESW   |        | NWSW   |
|           | SWSW   |        | SESW   |
|           | NESE   | LOT 3  | (NESE) |
| LOT 8     | (NESE) |        | NESE   |
| LOT 5     | (NESE) |        | NESE   |
| LOT 5     | (NWSE) |        | NWSE   |
|           | SWSE   | LOT 4  | (SESE) |
|           | SESE   |        |        |
| S14       | NENE   |        | NWNE   |
|           | SWNE   |        | SENE   |
|           | NENW   |        | NWNW   |
|           | SWNW   |        | SENW   |
|           | NESW   |        | NWSW   |
|           | SWSW   |        | SESW   |
|           | NESE   |        | NWSE   |
|           | SWSE   |        | SESE   |
| S15       | NENE   |        | NWNE   |
|           | SWNE   |        | SENE   |
|           | NESE   |        | NWSE   |
|           | SWSE   |        | SESE   |
| S22       | NENE   |        | NWNE   |
|           | SWNE   |        | SENE   |
|           | SENW   |        | NESE   |
|           | NWSE   |        | SWSE   |
|           | SESE   |        |        |
| S23       | NENE   |        | NWNE   |
|           | SWNE   |        | SENE   |
|           | NENW   |        | NWNW   |
|           | SWNW   |        | SENW   |
|           | NESW   |        | NWSW   |
|           | SWSW   |        | SESW   |
|           | NESE   |        | NWSE   |
|           | SWSE   |        | SESE   |
| S24 LOT 7 | (NENE) | LOT 1  | (NENE) |
|           | NWNE   |        | SWNE   |
| LOT 7     | (SENE) | LOT 2  | (SENE) |
|           | SENE   |        | NENW   |
|           | NWNW   |        | SWNW   |
|           | SENW   |        | NESW   |
|           | NWSW   |        | SESW   |
| LOT 6     | (NESE) |        | NESE   |
| LOT 3     | (NESE) |        | NWSE   |
| LOT 3     | (NWSE) |        | SWSE   |
| LOT 4     | (SWSE) | LOT 8  | (SWSE) |
|           | SESE   | LOT 5  | (SESE) |
| S25 LOT 1 | (NENE) |        | NWNE   |
| LOT 8     | (NWNE) | LOT 1  | (NWNE) |
| LOT 11    | (NWNE) | LOT 9  | (NWNE) |

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

|           |        |        |        |
|-----------|--------|--------|--------|
| LOT 10    | {NWNE} | LOT 13 | {NWNE} |
| LOT 7     | {NWNE} | LOT 12 | {NWNE} |
| LOT 14    | {NWNE} | LOT 2  | {SWNE} |
| LOT 14    | {SWNE} |        | SWNE   |
|           | SENE   | LOT 7  | {NENW} |
| LOT 14    | {SENE} |        | SENE   |
| LOT 6     | {SENE} | LOT 16 | {NESW} |
| LOT 4     | {NESW} | LOT 15 | {NESW} |
| LOT 14    | {NESW} |        | NESW   |
| LOT 5     | {NWSW} |        | NWSW   |
| LOT 18    | {SWSW} | LOT 17 | {SWSW} |
| LOT 4     | {SWSW} | LOT 19 | {SWSW} |
| LOT 5     | {SWSW} | LOT 17 | {SESW} |
| LOT 4     | {SESW} | LOT 16 | {SESW} |
|           | SESW   |        | NESE   |
| LOT 3     | {NWSE} | LOT 14 | {NWSE} |
|           | SWSE   |        | SESE   |
| LOT 1     | {SESE} |        |        |
| S26       | NWNE   |        | NENW   |
|           | NWNW   |        | SWNW   |
|           | SENE   |        | NESW   |
|           | NWSW   |        | SWSW   |
|           | NESE   |        |        |
| S27       | NENE   |        | SESE   |
| S35 LOT 1 | {NENE} | LOT 2  | {SWNE} |
|           | SWNE   |        | SENE   |
| LOT 1     | {SENE} |        | SENE   |
| LOT 3     | {SENE} |        | NESW   |
|           | SESW   |        | NESE   |
|           | NWSE   |        | SWSE   |
|           | SESE   |        |        |
| S36       | NENE   |        | NWNE   |
|           | NENW   | LOT 1  | {NWNW} |
|           | SWNW   |        | NWSW   |
|           | SWSW   |        | SESW   |
| R38E S05  | SESW   |        |        |
| S06       | SWNE   | LOT 3  | {NENW} |
| LOT 4     | {NWNW} |        | SENE   |
|           | NWSE   |        | SWSE   |
| S07       | NWNE   |        | SWNE   |
|           | SENE   | LOT 2  | {SNNW} |
|           | SENE   |        | NESW   |
| LOT 3     | {NWSW} | LOT 4  | {SWSW} |
|           | SESW   |        | NESE   |
|           | NWSE   |        | SWSE   |
|           | SESE   |        |        |
| S08       | NWNE   |        | SWNE   |
|           | NENW   |        | SWNW   |
|           | SENE   |        | NESW   |
|           | NWSW   |        | SWSW   |
|           | SESW   |        | NESE   |
|           | NWSE   |        | SWSE   |
|           | SESE   |        |        |
| S09       | SWSW   |        | SESW   |
|           | SWSE   |        |        |
| S15       | NWNW   |        | SWNW   |
|           | SENE   |        | NESW   |
|           | NWSW   |        | SWSW   |
| S16       | NENE   |        | NWNE   |
|           | SWNE   |        | SENE   |
|           | NENW   |        | NWNW   |
|           | SWNW   |        | SENE   |
|           | NESW   |        | NWSW   |
|           | SWSW   |        | SESW   |

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

|       |        |       |        |
|-------|--------|-------|--------|
|       | NESE   |       | NWSE   |
|       | SWSE   |       | SESE   |
| S17   | NENE   |       | NWNE   |
|       | SWNE   |       | SENE   |
|       | NENW   |       | NWNW   |
|       | SWNW   |       | SENW   |
|       | NESW   |       | NWSW   |
|       | SWSW   |       | SESW   |
|       | NESE   |       | NWSE   |
|       | SWSE   |       | SESE   |
| S18   | NENE   |       | NWNE   |
|       | SWNE   |       | SENE   |
|       | NENW   | LOT 1 | (NWNW) |
| LOT 2 | (SWNW) |       | SENW   |
|       | NESW   | LOT 3 | (NWSW) |
| LOT 4 | (SWSW) |       | SESW   |
|       | NESE   |       | NWSE   |
|       | SWSE   |       | SESE   |
| S19   | NENE   |       | NWNE   |
|       | SWNE   |       | SENE   |
|       | NENW   | LOT 1 | (NWNW) |
| LOT 2 | (SWNW) |       | SENW   |
|       | NESW   | LOT 3 | (NWSW) |
| LOT 4 | (SWSW) |       | SESW   |
|       | NESE   |       | NWSE   |
|       | SWSE   |       | SESE   |
| S20   | NENE   |       | NWNE   |
|       | SWNE   |       | SENE   |
|       | NENW   |       | NWNW   |
|       | SWNW   |       | SENW   |
|       | NESW   |       | NWSW   |
|       | SWSW   |       | SESW   |
|       | NESE   |       | NWSE   |
|       | SWSE   |       | SESE   |
| S21   | NENE   |       | NWNE   |
|       | SWNE   |       | SENE   |
|       | NENW   |       | NWNW   |
|       | SWNW   |       | SENW   |
|       | NESW   |       | NWSW   |
|       | SWSW   |       | SESW   |
|       | NESE   |       | NWSE   |
|       | SWSE   |       | SESE   |
| S22   | NWNW   |       | NWSW   |
|       | SWSW   |       |        |
| S28   | NENE   |       | NWNE   |
|       | SWNE   |       | SENE   |
|       | NENW   |       | NWNW   |
|       | SWNW   |       | SENW   |
|       | NESW   |       | NWSW   |
|       | SWSW   |       | SESW   |
|       | NESE   |       | NWSE   |
|       | SWSE   |       | SESE   |
| S29   | NENE   |       | NWNE   |
|       | SWNE   |       | SENE   |
|       | NENW   |       | NWNW   |
|       | SWNW   |       | SENW   |
|       | NESW   |       | NWSW   |
|       | SWSW   |       | SESW   |
|       | NESE   |       | NWSE   |
|       | SWSE   |       | SESE   |
| S30   | NENE   |       | NWNE   |
|       | SWNE   |       | SENE   |
|       | NENW   | LOT 1 | (NWNW) |
| LOT 2 | (SWNW) |       | SENW   |

PLACE OF USE (continued)

|               |        |       |        |
|---------------|--------|-------|--------|
|               | NESW   | LOT 3 | (NWSW) |
| LOT 4         | (SWSW) |       | SESW   |
|               | NESE   |       | NWSE   |
|               | SWSE   |       | SESE   |
| S31           | NENE   |       | NWNE   |
|               | SWNE   |       | SENE   |
|               | NENW   | LOT 1 | (NWNW) |
| LOT 2         | (SWNW) |       | SENW   |
|               | NESW   | LOT 3 | (NWSW) |
| LOT 4         | (SWSW) |       | SESW   |
|               | NESE   |       | NWSE   |
|               | SWSE   |       |        |
| S32           | NENE   |       | NWNE   |
|               | SWNE   |       | SENE   |
|               | NENW   |       | NWNW   |
|               | SWNW   |       | SENW   |
|               | NESW   |       | NWSW   |
| S33           | NENE   |       | NWNE   |
|               | SWNE   |       | SENE   |
|               | NENW   |       | NWNW   |
|               | SWNW   |       | SENW   |
|               | NESE   |       | NWSE   |
|               | SWSE   |       | SESE   |
| T03N R37E S36 | SENE   |       |        |
| R38E S31      | NWNE   |       | SWNE   |
|               | SENE   |       | NENW   |
| LOT 1         | (NWNW) | LOT 2 | (SWNW) |
|               | SENW   |       | NESW   |
| LOT 3         | (NWSW) | LOT 4 | (SWSW) |
|               | SESW   |       |        |

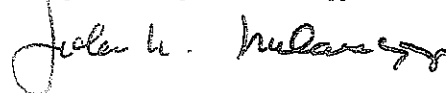
Place of use is within the service area of the City of Idaho Falls municipal water supply system as provided for under Idaho Law.

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

