

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 29-13698

NAME AND ADDRESS: TOPAZ IRRIGATION CO
 C/O GENE FAGNANT
 PO BOX 293
 LAVA HOT SPRINGS, ID 83246

SOURCE: DEMPSEY CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 6.00 CFS

PRIORITY DATE: 08/07/1932

POINT OF DIVERSION: T09S R38E S33 SENWNW Within Bannock County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	6.00 CFS

PLACE OF USE:	Irrigation	Within Bannock County
	T09S R37E S22 SESE	
	S23 LOT 7 (NESW)	LOT 8 (NWSW)
	SWSW	SESW
	LOT 5 (NESE)	LOT 6 (NWSE)
	SWSE	SESE
	S24 LOT 7 (NWSW)	SWSW
	S25 NENE	SENE
	NENW	NWNW
	S26 NENE	NWNE
	S27 NENE	
	R38E S19 LOT 3 (SWSW)	LOT 6 (SESW)
	LOT 4 (NESE)	LOT 2 (SWSE)
	LOT 7 (SWSE)	LOT 1 (SESE)
	S20 LOT 8 (SWSW)	LOT 9 (SESW)
	S29 NWNE	LOT 1 (NENW)
	LOT 2 (NWNW)	SWNW
	SENW	NESW
	NWSW	
	S30 NENE	NWNE
	SWNE	SENE
	LOT 1 (NENW)	LOT 2 (NWNW)
	LOT 3 (SWNW)	SENW
	NESW	LOT 4 (NWSW)
	SESW	NESE
	NWSE	SWSE
	SESE	

THE USE OF WATER UNDER THIS RIGHT DOES NOT INCLUDE A USE ON
FEDERAL PUBLIC LAND.
USE OF THIS RIGHT WITH RIGHT NO. 29-180 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 672 ACRES IN A SINGLE
IRRIGATION SEASON.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 861.3 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 29-36, 29-37, 29-180, 29-11773 AND
29-13698.
Place of use is within the area served by the Topaz Irrigation
Company.
The boundary encompassing the place of use for this water right
is described with a digital boundary as defined by I.C. Section

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

PLACE OF USE (continued)

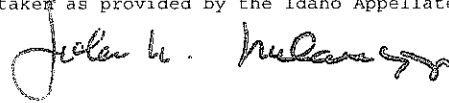
42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

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