IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

PARTIAL DECREE PURSUANT TO In Re SRBA I.R.C.P. 54(b) FOR Case No. 39576 Water Right 45-07072C

NAME AND ADDRESS:

LAVEL D STOKER WENDY W STOKER 707 E 500 S BURLEY, ID 83318

BRENT J STOKER MARLA J STOKER 745 E 500 S BURLEY, ID 83318

SOURCE:

GROUND WATER

QUANTITY:

4.22 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above. The total instantaneous diversion of water from all points of diversion under Transfer 5247 shall not exceed 18.76 cfs and a total annual maximum diversion volume of 5036.8 af. Rights 45-02333A, 45-02524C and 45-07072C when combined shall

not exceed a total annual diversion volume of 1226.4 af.

PRIORITY DATE:

11/03/1970

POINT OF DIVERSION:

T11S	R24E	\$14	NWNWSW	Within	Cassìa	County
		S16	SESESE			
		S21	NENENE			
		S22	NWNWNW			
		S28	NENWNW			

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	05-01 TO 10-15	4.22 CFS
		1226.40 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 1 AND AFTER OCTOBER 15 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 U	SE: Irrigatio	on		Within Cassia County
	T11S F	R24E S14	NESW 40.0	NWSW 35.0
			SWSW 32.0	SESW 19.0
			NWSE 14.0	SWSE 3.0
		S15	NENE 33.0	NWNE 41.0
			SWNE 41.0	SENE 39.0
			NENW 40.0	NWNW 20.0
			SWNW 40.0	SENW 41.0
			NESW 41.0	NWSW 41,0
			SWSW 38.0	SESW 40.0
			NESE 40.0	SESE 37.0
		S16	SENE 10.0	NESE 31.0
			SESE 39.0	
		S21	NENE 37.0	NWNE 21.0

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

PLACE OF USE (continued)

	SENE	39.0	SENW	14.0
S22	NENE	39.0	NWNE	40.0
	SWNE	38.0	SENE	33.0
	NENW	39.0	NWNW	37.0
	SWNW	39.0	SENW	33.0
	NESW	40.0	NWSW	40.0
	SWSW	33.0	SESW	40.0
S28	NENE	39.0	NWNE	38.0
	SMME	39.0	SENE	39.0

1472.0 Acres Total

All rights under Transfer 5247 when combined shall not exceed the irrigation of 1259.2 acres within the place of use described above in a single irrigation season. Right 45-07072C is limited to the irrigation of 306.6 acres in the place of use described above in a single irrigation season. Rights 45-02333A, 45-02524C and 45-07072C when combined shall not exceed the irrigation of 306.6 acres.

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