

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)
_____) Water Right 45-00237

NAME AND ADDRESS: V THOMAS GEARY
 964 S 950 E
 ALBION, ID 83311

SOURCE: MARSH CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.80 CFS

WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN
.02 CFS PER ACRE. COMBINED RIGHT NOS 45-237, 45-310C, 45-316A,
45-2704 AND 45-12841.

PRIORITY DATE: 04/12/1892

POINT OF DIVERSION: T12S R24E S14 NWNENE Within Cassia County
 NWSWNE
 SESENW
 NENESW

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
 Irrigation 04-01 TO 10-31 0.80 CFS

The use of water for irrigation under this right may begin as
early as March 15 provided other elements of the right are not
exceeded. The use of water before April 1 under this remark is
subordinate to all water rights having no subordinated early
irrigation use and a priority date earlier than the date a
partial decree is entered for this right.

PLACE OF USE: Irrigation Within Cassia County
 T12S R24E S11 SENE 3.4 NESE 24.0
 NWSE 0.6 SWSE 13.0
 SESE 40.0
 S14 NENE 40.0 NWNE 38.0
 159.0 Acres Total

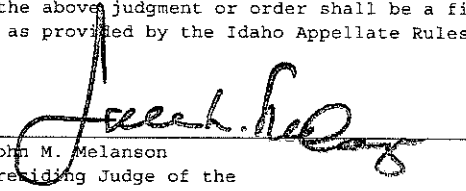
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 159 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 45-237, 45-310C, 45-316A, 45-2704 AND
45-12841.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION 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